



JUDICIAL ACADEMY, JHARKHAND

Tri-Monthly Newsletter

(April 2026 - June 2026)



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FROM THE DESK OF THE JUDICIAL ACADEMY, JHARKHAND

It gives us immense pleasure to present the second issue of the Tri-Monthly Newsletter of the Judicial Academy, Jharkhand for the year 2026, covering the period from April to June 2026. During the quarter under review, the Academy organised a wide spectrum of refresher trainings, workshops, conferences, foundation training programmes, and capacity-building initiatives for Judicial Officers, Ministerial Staff, Advocates, Advocates' Clerks, Police Officers, Forest Officers, Mining Officers, Public Prosecutors, and officers from Insurance Companies.

During the quarter, keeping in view the need for conservation of fuel and in response to the public appeal made by the Hon'ble Prime Minister of India, the Academy increasingly adopted the online mode for organising conferences and specialised academic programmes, thereby ensuring uninterrupted dissemination of knowledge while promoting efficient utilisation of resources.

Another significant milestone during the quarter was the commencement of the 4th Foundation Training Programme for Newly Recruited Officers from Bar (Phase-I). Spanning eight weeks, the programme provided newly inducted judicial officers with structured academic training and practical exposure to various facets of judicial functioning.

This newsletter presents concise accounts of the programmes conducted during the quarter, highlighting the principal themes, expert deliberations, and practical insights shared during the various sessions. It is hoped that the newsletter will continue to serve both as a record of the Academy's academic initiatives and as a useful reference for members of the judicial fraternity.

We place on record our sincere gratitude to Hon'ble the Chief Justice and Hon'ble Judges of the High Court of Jharkhand for their constant guidance and encouragement in furthering the academic and institutional objectives of the Judicial Academy. We also acknowledge the invaluable contributions of distinguished resource persons, senior judicial officers, academicians, and subject experts whose expertise greatly enriched the Academy's programmes.

Above all, we extend our appreciation to the judicial officers, ministerial staff, advocates, advocates' clerks, and all other participants whose enthusiastic involvement and commitment to continuous professional learning continue to strengthen the quality of justice delivery in the State.

Happy Reading!

Judicial Academy, Jharkhand

FOREWORD

As we present the second issue of the Tri-Monthly Newsletter of the Judicial Academy, Jharkhand for the period April to June, 2026, I am pleased to reflect upon another quarter marked by meaningful academic engagement and institutional growth. As a regular publication of the Academy, the newsletter captures the significant academic and training initiatives undertaken during the quarter while reflecting our continued endeavour to strengthen judicial education, institutional capacity, and professional excellence within the justice delivery system.

During the period under review, the Academy organised a wide range of refresher training programmes, workshops, conferences, and foundation training programmes covering diverse aspects of judicial administration, criminal justice, environmental law, motor accident claims, intellectual property rights, data protection, and court administration. These programmes were designed to promote continuous professional development, encourage interdisciplinary learning, and facilitate informed judicial decision-making in the light of evolving legal and technological developments.

The Academy also continued its commitment towards strengthening technology-enabled judicial administration through various e-Courts training programmes and digital capacity-building initiatives for judicial officers, advocates, and other stakeholders. During the quarter, keeping in view the need for conservation of fuel and in response to the public appeal made by the Hon'ble Prime Minister of India, several conferences and specialised academic programmes were conducted in the online mode, ensuring uninterrupted dissemination of knowledge while promoting efficient utilisation of resources.

The quarter was also marked by the commencement of the 4th Foundation Training Programme for Newly Recruited Officers from Bar (Phase-I), an important initiative aimed at equipping newly inducted judicial officers with the knowledge, skills, and professional values essential for effective judicial functioning. The Academy further observed World Environment Day through a plantation drive and celebrated the International Day of Yoga, reaffirming its commitment to environmental sustainability and holistic well-being.

I express my sincere gratitude to Hon'ble the Chief Justice and Hon'ble Judges of the High Court of Jharkhand for their constant guidance and encouragement, which continue to inspire and shape the activities of the Academy. I also acknowledge the dedicated efforts of the faculty members, resource persons, and administrative staff whose commitment ensures the successful implementation of the Academy's programmes.

I further appreciate the commendable work of the Research Scholars and the editorial team in compiling and presenting this newsletter.

As a tri-monthly publication, this newsletter not only records the Academy's activities during the preceding quarter but also reflects its continuing commitment to responsive and contemporary judicial education. It is hoped that this issue will serve as a useful resource for members of the judicial fraternity and all those committed to strengthening the administration of justice.

Warm Regards,

Shri Rajesh Sharan Singh

Director

Judicial Academy, Jharkhand

APRIL, 2026

WORKSHOP ON QUALITATIVE DISPOSAL OF MOTOR ACCIDENT CLAIM CASES (W-01)



The Judicial Academy, Jharkhand organized a Workshop on “Qualitative Disposal of Motor Accident Claim Cases (W-01)” on 5th April 2026 for District Judges, Police Officers and Officers from Insurance Companies. The programme aimed at enhancing the understanding of stakeholders involved in the adjudication of motor accident claim cases and promoting a coordinated approach towards the effective, expeditious and qualitative disposal of claims under the Motor Vehicles Act. The workshop brought together members of the judiciary, law enforcement agencies and insurance companies to deliberate upon the legal, procedural and practical aspects of motor accident claim adjudication.



The First Technical Session was delivered by Sri Ashok Priyadarshi, Senior Advocate, Patna High Court, on the theme “Laws on Motor Accident Claim Cases with Recent Amendments and the Role of Tribunal, Court, Police and Insurance Companies in Adjudication of Claim Cases under the Motor Vehicles Act.” The session focused on the evolving legal framework governing motor

accident claims, recent legislative developments, and the respective roles and responsibilities of the Motor Accident Claims Tribunal, courts, investigating agencies and insurance companies. The deliberations highlighted the importance of institutional coordination in ensuring timely adjudication and effective implementation of the statutory scheme governing compensation claims.

The Second Technical Session, also conducted by Sri Ashok Priyadarshi, Senior Advocate, Patna High Court, focused on the “Determination Of Compensation In Cases Involving Death and Injury”. The session deliberated upon the principles governing the award of just compensation and issues relating to uniformity and consistency in assessment. Discussions were also held on interest and penal interest, the concept of pay and recover, third-party liability, and the mechanism for disbursement of compensation. In relation to injury cases, emphasis was laid on

the assessment of disability, various heads of compensation, and determination of notional income in light of recent legal developments and judicial pronouncements.

The Third Technical Session was conducted by Sri Ashutosh Anand, Additional Advocate General, Jharkhand, on the topic “Motor Vehicle Accident Cases” focusing motor accident claim procedures and investigation. The session examined the process involved in claim adjudication, the role of investigation in establishing liability, and the preparation and significance of the Accident Information Report (AIR) and Detailed Accident Report (DAR). The deliberations underscored the importance of timely and accurate documentation in facilitating expeditious disposal of claim cases and ensuring that victims receive adequate and effective remedies.



The Fourth Technical Session focused on the “Role and Duties Of Insurance Companies In Motor

Accident Claim”. The session was addressed by Sri Ashutosh Anand, Additional Advocate General, Jharkhand, and Sri Rana Anand, Deputy Manager, Oriental Insurance Company Ltd. The deliberations highlighted the responsibilities of insurance companies in the settlement of claims and examined various bottlenecks affecting the timely resolution of compensation cases. The resource persons discussed practical challenges encountered during claim processing and emphasised the need for greater cooperation among tribunals, police authorities and insurance companies to ensure effective implementation of the compensation mechanism.



Overall, the workshop served as a valuable platform for strengthening the understanding of legal and procedural aspects of motor accident claim cases and promoting a coordinated approach towards ensuring timely and effective delivery of justice to accident victims and their dependents.

***“The Executive cannot replace the Judiciary and the law should not
prejudge an accused's guilt.”***

- Justice B.R. Gavai

REFRESHER TRAINING ON SESSIONS TRIAL FOR DISTRICT JUDGES (COURSE NO. R-1)



The Judicial Academy, Jharkhand organised a two-day Refresher Training on Sessions Trial for District Judges (Course No. R-1) on 18th and 19th April 2026. The programme was designed for District Judges (half of the cadre) and aimed at strengthening their understanding of substantive and procedural aspects of sessions trials, enhancing judicial skills, and promoting consistency and quality in criminal adjudication. The training provided a platform for deliberation on important issues relating to trial management, appellate and revisional jurisdiction, sentencing principles, appreciation of evidence, and judgment writing.



The programme commenced with a session on “Tools and Techniques for Speedy Disposal of Sessions Trial” delivered by Dr. Kamini Lau, DHJS (Retd.), Advocate, Delhi High Court. The session focused on effective case management techniques, judicial approaches for expeditious disposal of criminal trials, and practical measures for reducing delays while ensuring adherence to the principles of fair trial and due process. The deliberations highlighted the importance of

balancing efficiency with the rights of the accused and the interests of justice.



The second session, also conducted by Dr. Kamini Lau, dealt with the “Concept of Criminal Revision and Appeal”. The session examined the scope and nature of appellate and revisional jurisdiction in criminal proceedings, the distinction between the two remedies, and the principles governing judicial scrutiny of trial court decisions. The deliberations focused on the role of superior courts in correcting errors and ensuring the legality, propriety, and correctness of criminal proceedings.

The third technical session on “Sentencing: Aggravating and Mitigating Factors” was delivered by Sri H. S. Sharma, District Judge (Retd.), Delhi Higher Judicial Service. The session deliberated upon the principles governing sentencing in criminal cases, the significance of aggravating and mitigating circumstances, and the need for proportionality and consistency in sentencing decisions. Emphasis was laid on the exercise of judicial discretion in awarding appropriate sentences while balancing the objectives of punishment, deterrence, rehabilitation, and societal interests.

The fourth session, also conducted by Sri H. S. Sharma, focused on “Circumstantial Evidence: Basic Principles”. The session examined the legal principles governing appreciation of circumstantial evidence and the judicial standards required for recording conviction based upon such evidence. The deliberations highlighted the importance of establishing a complete chain of circumstances and ensuring that the evidence excludes every reasonable hypothesis consistent with innocence.

On the second day of the programme, a session on “Art and Craft of Judgment Writing” was delivered by Hon’ble Mr. Justice Anil Kumar Choudhary, Judge, High Court of Jharkhand. The session focused on the essential attributes of a well-reasoned judgment, including clarity, coherence, analytical reasoning, appreciation of evidence, and effective articulation of judicial conclusions. The participants were sensitised to the importance of reasoned decision-making

in enhancing public confidence in the justice delivery system.



The final technical session on “Evaluation of Forensic Evidence” was conducted by Sri Vivek Kumar Singh, Additional Director, SFSL, Ranchi. The session covered various forms of forensic evidence, including fingerprint examination, handwriting analysis, digital evidence, and DNA profiling. The deliberations focused on the scientific principles underlying forensic investigations, the evidentiary value of expert opinion, and the judicial approach required for the appreciation of forensic evidence in criminal trials.

The programme concluded with discussions on the way forward, providing participants an opportunity to reflect upon the deliberations and exchange views on contemporary challenges in criminal adjudication. Overall, the training programme served as a valuable platform for enhancing judicial competence in sessions trials and strengthening the quality, consistency, and effectiveness of criminal justice administration.

“Privacy is the ultimate expression of liberty. Privacy is the right to be left alone, and to make autonomous choices, which do not impinge on the values of others.”

- Justice J. Chelameswar
(from the K.S. Puttaswamy v. Union of India verdict)

4TH FOUNDATION TRAINING PROGRAMME FOR NEWLY RECRUITED OFFICERS FROM BAR (PHASE-I)



The Judicial Academy, Jharkhand commenced the 4th Foundation Training Programme for Newly Recruited Officers from Bar (Phase-I) on 18th April 2026. The programme was designed to equip newly recruited judicial officers with the knowledge, skills, and professional competencies required for effective discharge of judicial functions. The training sought to facilitate a smooth transition from legal practice to judicial service by providing participants with exposure to various aspects of judicial administration, adjudication, court management, and judicial ethics.

The programme commenced with an Orientation and Introductory Session addressed by Hon'ble Mr. Justice Rongon Mukhopadhyay, Judge, High Court of Jharkhand-cum-Judge-In-Charge, Judicial Academy, Jharkhand. In his address, His Lordship welcomed the newly recruited officers to the judicial service and emphasised the importance of integrity, impartiality, diligence, and continuous learning in judicial functioning. The session highlighted the constitutional role of the judiciary, the responsibilities associated with judicial office, and the need to uphold public confidence in the justice delivery system through fairness, professionalism, and commitment to the rule of law.

Following the inaugural session, the participants attended the Refresher Training on Sessions Trial for District Judges (Course No. R-1), which was incorporated into the Foundation Training Programme as part of their exposure to important aspects of criminal adjudication.

Phase-I of the 4th Foundation Training Programme for Newly Recruited Officers from Bar continued for a period of eight weeks and concluded on 12th June 2026, encompassing a wide range of academic sessions, practical training modules, field visits, and interactive engagements aimed at preparing the participants for the effective discharge of judicial responsibilities.

“Law cannot really be classified as a law unless it imbibes within itself the ideals of justice and equity.”

- Former Chief Justice of India N.V. Ramana

Other Programmes

TRAINING PROGRAMME FOR ADVOCATES AND ADVOCATES' CLERKS ON E-COURTS INITIATIVES (ECT-4-2026 & ECT-7-2026)

In accordance with the mandates of the Hon'ble eCommittee, Supreme Court of India, and under the aegis of the Judge-In-Charge, Judicial Academy Jharkhand, the Academy organized a series of one-day training sessions for Advocates and Advocates' Clerks. This initiative, conducted under the e-Courts Programme (ECT-4-2026 & ECT-7-2026), was held across various District Judgeships from 12th to 19th April 2026. The sessions were designed to bridge the technological gap and promote the seamless integration of digital tools within the legal fraternity.

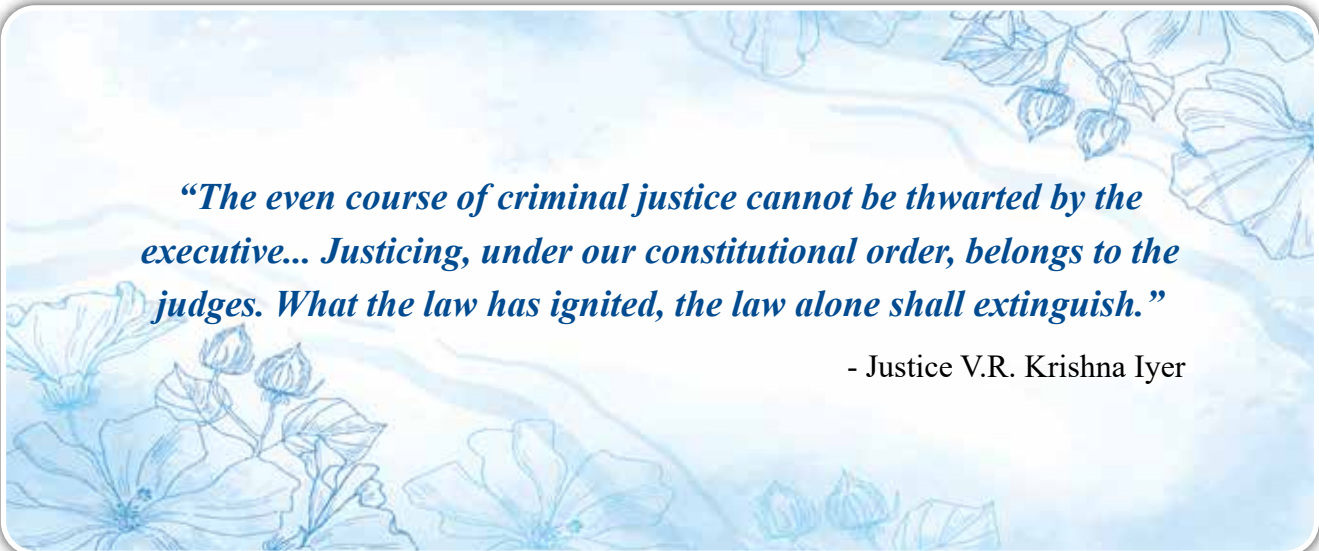
The training was delivered in physical mode at the respective District headquarters. Given the overlap in the syllabi for the ECT-4 and ECT-7 modules, the Academy opted for a consolidated curriculum to ensure comprehensive coverage of digital judicial processes. The technical sessions were spearheaded by Advocate Master Trainers, with District System Administrators providing expert support to facilitate practical learning and institutional coordination.

For each programme, approximately fifty participants comprising Advocates and Advocates' Clerks were nominated by the respective District Judgeships in consultation with the local Bar Associations, ensuring participation from both district headquarters and sub-divisional Bar Associations.

The training focused on familiarising the participants with various e-Courts services and digital initiatives introduced under the e-Courts Mission Mode Project. The participants were sensitised regarding the practical use of the e-Courts Services Portal, Mobile Application, Case Information System (CIS), e-Filing mechanisms, online access to case status, cause lists, judgments and orders, as well as other technology-enabled services available to court users.

Special emphasis was laid on the effective utilisation of digital court processes, electronic case management systems, and online services aimed at improving accessibility, transparency and efficiency in the administration of justice. The programme also provided practical guidance regarding the use of technology in day-to-day court-related activities and encouraged greater adoption of digital platforms by members of the Bar and their supporting staff.

Ultimately, the training served as a vital platform for capacity building, strengthening the implementation of e-Courts initiatives throughout Jharkhand. By augmenting the technical proficiency of key stakeholders, the programme advanced the overarching objective of creating a more resilient, accessible, and modern judicial infrastructure.



“The even course of criminal justice cannot be thwarted by the executive... Justicing, under our constitutional order, belongs to the judges. What the law has ignited, the law alone shall extinguish.”

- Justice V.R. Krishna Iyer

MAY, 2026

REFRESHER TRAINING PROGRAMME FOR PRINCIPAL DISTRICT JUDGES ON STREAMLINING COURT ADMINISTRATION



Judicial Academy Jharkhand successfully organized a Refresher Training Programme for Principal District Judges to Streamline Court Administration (Course No. R-3) on 3rd May, 2026. The programme brought together Principal District Judges from across the State to deliberate upon contemporary issues of court administration, judicial leadership, managerial effectiveness, and supervisory responsibilities. Designed as a capacity-building initiative, the programme sought to strengthen institutional efficiency and enhance the administrative capabilities of the District Judiciary.



The inaugural academic session was delivered by Hon'ble Mr. Justice Ambuj Nath, Former Judge, High Court of Jharkhand, on the theme "Role of Principal District Judges in Streamlining Court Administration." Drawing upon his rich judicial experience, Justice Nath emphasized the pivotal role of Principal District Judges in ensuring efficient court management, timely disposal of cases, effective supervision of subordinate courts, and maintaining the highest standards of judicial administration.

The second session was conducted by Dr. Nitesh Bhatia, Assistant Professor, Department of Business Administration, Central University of Jharkhand, on "Application of Managerial Skills for Effective Court Administration." The session introduced modern management principles relevant to judicial institutions, highlighting leadership, communication, resource optimization, team management, and strategic planning as indispensable tools for improving the functioning of courts while preserving judicial independence.



In the post-lunch session, Sri Arun Kumar Sinha, Under Secretary (Retd.), Rural Development Department, Government of Jharkhand, led an insightful discussion on Service Code, Code of Conduct, Departmental Proceedings, and Disciplinary Proceedings. The deliberations focused on ethical governance, administrative accountability, disciplinary mechanisms, and the responsibilities of Principal District Judges in maintaining discipline and integrity within the judicial establishment.



The concluding technical session was addressed by Hon'ble Mr. Justice Gautam Kumar Choudhary, Former Judge, High Court of Jharkhand, who elaborated upon the subjects of General Superintendence over Subordinate Courts by Principal District Judges and Civil and Criminal Appeals. His address underscored the supervisory jurisdiction of Principal District Judges, best practices in judicial administration, appellate responsibilities, and the need for consistent monitoring to ensure efficiency and quality in the administration of justice.

The programme concluded with enriching discussions and active participation from the officers. Through expert lectures, practical insights, and meaningful interaction, the training reinforced the significance of effective leadership, sound administrative practices, and continuous professional development in strengthening the justice delivery system.

REFRESHER PROGRAMME FOR REGISTRY STAFF OF THE HIGH COURT ON E-FILING AND DIGITAL COURT ADMINISTRATION



The Judicial Academy Jharkhand organized a Refresher Programme for Registry Staff of the High Court (ECT-15-2026) on 10 May 2026 with the objective of enhancing the technical competence of registry personnel in digital court administration and familiarizing them with emerging technological tools for efficient judicial functioning.

The inaugural academic session was conducted by Ms. Kumari Muskan, Sr. System Software and

Database Support Engineer, who delivered an overview of the programme and discussed the role

of the Registry in the E-Filing system. The session also provided participants with an overview of server infrastructure and its significance in ensuring the smooth functioning of digital judicial

processes. The lecture highlighted the pivotal role of registry officials in facilitating technology-driven access to justice and maintaining the efficiency of electronic court systems.



The second session was jointly addressed by Sri Ratibha Chandra, Sr. N/W Support Engineer, and Sri Prince Kumar, Sr. N/W Support Engineer, who provided a comprehensive overview of workflow management within the E-Filing system, including the workflow of the High Court and the subordinate courts. The resource persons also explained the basic concepts of networking and introduced participants to the architecture and functioning of servers, enabling them to understand the technological framework supporting judicial administration.

The third session, led by Sri Ratibha Chandra, Sr. N/W Support Engineer, Sri Prince Kumar, Sr. N/W Support Engineer, and Sri Ashish Ranjan, System Officer, focused on the overview of computer hardware, introduction to hardware, video conferencing systems, and understanding

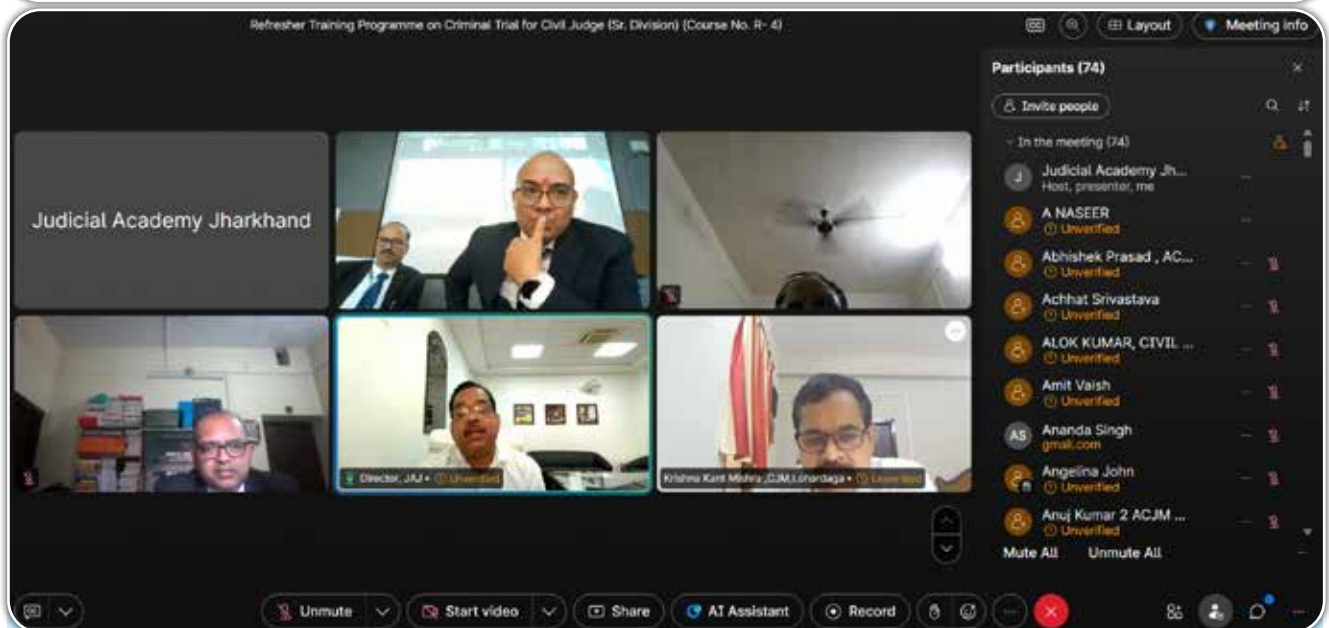
Wide Area Networks (WAN) and Local Area Networks (LAN). The session emphasized the practical aspects of maintaining technological infrastructure essential for seamless court functioning and virtual judicial proceedings.

The final academic session was conducted by Sri Sai Sandeep and Sri Vinay Koundal, High Court Digitization Personnel, who introduced participants to various tools for paperless courts, including office productivity software, PDF applications, and other digital utilities. The speakers also presented an overview of the digitization process in courts, underscoring the importance of digital record management and paperless workflows in improving efficiency, transparency, and accessibility in judicial administration.

“Liberty is the most cherished possession of a human being and can be deprived only in accordance with law.”

- Justice J.B. Pardiwala

REFRESHER TRAINING PROGRAMME ON CRIMINAL TRIAL FOR CIVIL JUDGES (JUNIOR DIVISION)



The Judicial Academy Jharkhand organized a Refresher Training Programme on Criminal Trial for Civil Judges (Junior Division) (Course No. R-4) on 16–17 May, 2026. Pursuant to the instructions issued by the Director, Judicial Academy Jharkhand, the Refresher Training Programme was conducted through the online mode instead of the physical classroom mode. The change in the mode of training was in accordance with the decision to conduct all conferences, workshops, and refresher programmes online until further orders. The programme was attended virtually by Civil Judges (Junior Division) from their respective stations and was designed to strengthen their understanding of criminal trial procedures, evidentiary principles, judicial decision-making, and contemporary developments in criminal adjudication through expert-led academic sessions.

The programme commenced with an inaugural lecture by Hon'ble Mr. Justice Anil Kumar, Judge, High Court of Jharkhand, on the theme "Appreciation and Handling of Evidence." The

session focused on the principles governing the judicial approach in appreciation of oral and documentary evidence, assessment of witness credibility, and the proper marshaling of evidence

for arriving at just and reasoned conclusions in criminal trials.

The second session was conducted by Dr. Kamini Lau, DHJS (Retd.), Advocate, Delhi High Court, on the Basics of Criminal Trial, covering cognizance, framing of charge, recording of evidence, and recording of the statement of the accused under Section 313 CrPC. The session comprehensively dealt with the procedural stages of a criminal trial and highlighted best judicial practices to ensure fairness and procedural compliance.



The third session, also addressed by Dr. Kamini Lau, focused on Bail Jurisprudence, Order and Judgment Writing, Sentencing, and Plea Bargaining. The lecture examined the governing principles of bail, the essentials of writing well-reasoned judicial orders and judgments, the philosophy of sentencing, and the statutory framework relating to plea bargaining in criminal cases.

The concluding session of the first day was delivered by Sri Laxmikant, Additional Director, JAJ, on the Concept of Trial in Absentia and Other Related Provisions. The session discussed the

legal framework governing trials in the absence of the accused, the statutory safeguards, and the procedural requirements to ensure a balance between the rights of the accused and the effective administration of criminal justice.



The second day commenced with a lecture by Sri Dileep Kumar Yadav (IFS), DFO, Khunti, on "Brief Discussion on the Forest Act and Latches in Enquiry/Investigation in Prosecution of Forest Related Cases." The session highlighted the legal framework governing forest offences, common procedural lapses during enquiry and investigation, and the importance of effective prosecution in cases involving environmental and forest laws.

The final academic session was conducted by Sri Vivek Kumar Singh, Additional Director, SFSL, Ranchi, on “Evaluating Forensic Evidence”, with special emphasis on fingerprints, handwriting examination, digital evidence, and DNA profiling. The resource person explained the scientific basis of forensic evidence and its evidentiary value in criminal trials, enabling participants to appreciate the growing role of forensic science in modern criminal justice.

“It would be totally unconstitutional if houses of people are demolished merely because they are accused or even convicts.”

- Chief Justice of India D.Y. Chandrachud

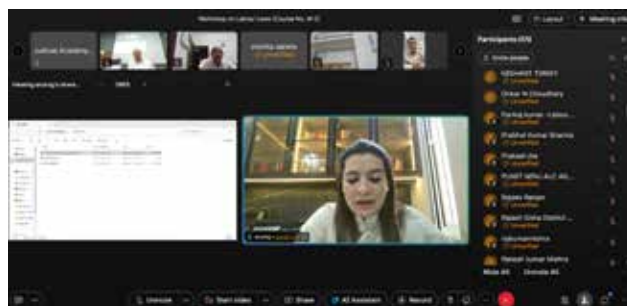
ONLINE WORKSHOP ON LABOUR LAWS

The Judicial Academy Jharkhand organized an Online Workshop on Labour Laws (Course No. W-2) on 24 May 2026 for Presiding Officers of Labour Courts, District Judges and Officers of the Judicial Academy. The programme was designed to familiarize participants with the changing landscape of labour jurisprudence following the enactment of the Labour Codes and to strengthen adjudicatory skills required for effective resolution of industrial disputes.



The first academic session was delivered by Prof. B. T. Kaul, Former Chairperson, Delhi Judicial Academy, Delhi, on the theme "From Industrial Disputes Act to Labour Code: Judicial Perspective." The lecture examined the transition from the Industrial Disputes Act, 1947 to the Industrial Relations Code, 2020, with particular emphasis on the types of industrial disputes, the Industrial Relations Code, 2020, fixed-term employment, retrenchment and closure of establishments, and the Trade Unions Act. The session highlighted the judicial perspective on the evolving framework of labour legislation and its practical implications for labour adjudication.

The second session, also conducted by Prof. B. T. Kaul, focused on Adjudication Skills in Labour Courts. The deliberations covered the validity of domestic enquiries, the principles of natural justice, the circumstances in which Labour Courts can interfere with domestic enquiries, the powers of Labour Courts, and the grant of relief to workmen. The session emphasized the judicial approach required for balancing statutory protections with principles of fairness in labour disputes.



The third academic session was jointly conducted by Ms. J. Monika, Sarab, District Judge, Delhi Judicial Service, Delhi, and Ms. Chetna Singh, District Judge, Delhi Judicial Service, Delhi, on "Reliefs in Labour Adjudication." The speakers discussed the legal principles governing reinstatement, back wages, the principles relating to reinstatement, the proportionality of punishment, and retrenchment and illegal termination. The session provided participants with practical guidance on awarding appropriate relief while ensuring consistency with established judicial precedents.



The concluding academic session was delivered by Ms. J. Monika, Sarab, District Judge, Delhi Judicial Service, Delhi, and Ms. Chetna Singh, District Judge, Delhi Judicial Service, Delhi on "Drafting of Awards and Court Management." The lecture focused on the structure of well-reasoned Labour Court awards, framing of issues, appreciation of evidence, avoiding common drafting errors, and time-bound disposal and case flow management. The session underscored the importance of clear judicial writing and efficient court management in ensuring timely and effective labour justice.



ONLINE REFRESHER TRAINING ON SESSIONS TRIAL FOR DISTRICT JUDGES

The Judicial Academy Jharkhand organized an Online Refresher Training on Sessions Trial for District Judges (Course No. R-2) on 30–31 May 2026 for District Judges (Half of the Cadre). The programme was designed to enhance judicial competence in conducting sessions trials by focusing on sentencing principles, appreciation of evidence, scientific evidence, and procedural aspects of criminal adjudication.



The first academic session was delivered by Sri S. S. Upadhyay, Former District & Sessions Judge, Uttar Pradesh, Lucknow, on “Sentencing: Aggravating and Mitigating Factors.” The lecture examined the principles governing sentencing, emphasizing the exercise of judicial discretion while balancing aggravating and mitigating circumstances to ensure proportionate and reasoned punishment.

The second academic session was also delivered by Sri S. S. Upadhyay, on “Circumstantial Evidence: Basic Principles.” The session dealt with the legal principles governing appreciation of circumstantial evidence, the requirement of establishing a complete chain of circumstances, and the judicial standards applicable in cases resting solely on circumstantial evidence.



The third session was conducted by Dr. Kamini Lau, on “Tools & Techniques for Speedy Disposal of Sessions Trials.” The lecture focused on effective

case management, judicial planning, and practical techniques for ensuring the expeditious disposal of criminal trials while maintaining fairness and procedural integrity.

The concluding session of the first day was addressed by Dr. Kamini Lau on “Concept of Criminal Revision.” The resource person explained the nature and scope of revisional jurisdiction, its distinction from appellate jurisdiction, and the principles governing the exercise of revisional powers by superior courts.

The second day commenced with a lecture by Sri Laxmikant, Additional Director, JAJ, on “Concept of Trial in Absentia and Other Related Provisions.” The session examined the statutory framework governing trial in absentia, the procedural safeguards involved, and the responsibilities of courts while dealing with proceedings in the absence of an accused.



The final academic session was delivered by Sri Vivek Kumar Singh, Additional Director, SFSL, Ranchi, on “Evaluating Forensic Evidence: Finger Prints, Hand Writing, Digital Evidence & DNA Profiling.” The lecture highlighted the evidentiary value of forensic science in criminal trials and discussed judicial approaches to evaluating fingerprint evidence, handwriting examination, digital evidence, and DNA profiling.

The programme provided District Judges with valuable insights into both substantive and procedural aspects of sessions trials. Through expert deliberations on sentencing, evidentiary principles, criminal revision, trial in absentia, and forensic science, the training strengthened the participants’ judicial skills and reinforced best practices for ensuring efficient and effective criminal justice administration.

OTHER PROGRAMMES

IN HOUSE DISCUSSION ON LATEST LAWS & JUDICIAL PRONOUNCEMENTS, PRESIDED BY P.D.J/A.D.J I AT DISTRICT HEADQUARTERS/ SUBDIVISION (D 1)

As part of its commitment to promoting continuous judicial education under the philosophy of "Knowledge in Continuity," the Judicial Academy, Jharkhand organized the quarterly In-House Discussion on Law and Latest Judicial Trends for Judicial Officers across all district headquarters and sub-divisions. The initiative aims to provide a structured platform for judicial officers to remain updated with recent legal developments, amendments in laws, and evolving judicial precedents through meaningful discussions and active participation. For the session scheduled between 4th and 10th May 2026, the Academy identified two significant Supreme Court decisions

for deliberation: *Balmukund Singh Gautam v. State of Madhya Pradesh, 2026 (2) JLJR (SC) 73*, and *Marg Limited v. Sushil Lalwani & Others, 2026 SCC OnLine SC 647*. Presided over by the Principal District Judges at district headquarters and Senior District & Additional Sessions Judges at sub-divisions, these discussions facilitated the exchange of legal perspectives and enhanced participants' understanding of contemporary judicial trends. The initiative reinforces the Academy's vision of fostering a culture of continuous learning, professional excellence, and informed judicial decision-making through collaborative academic engagement.

COMPUTER TRAINING PROGRAMME (ECT-8_2026)



In pursuance of the directions of the Hon'ble Committee, Supreme Court of India, and the Hon'ble Judge In-Charge, Judicial Academy, Jharkhand, the Academy organized a one-day Computer Training Programme (ECT-8_2026) for Court Staff, Nazir/Naib-Nazir, and Process Servers on 10th May 2026 at district headquarters across the

State. The programme was conducted through a decentralized training model, wherein certified CIS and CIS-trained staff from the respective districts served as trainers, ensuring effective dissemination of practical knowledge on the e-Courts ecosystem. Around 30–40 court staff members from each judgeship participated in the training, which focused on enhancing digital literacy, improving familiarity with e-Courts applications, and strengthening the technological capabilities of court personnel for efficient court administration. The initiative reflects the Judicial Academy's continued commitment to building institutional capacity and promoting the effective implementation of technology-driven judicial services through systematic training and skill development of court staff.

ONLINE COMPUTER SKILL ENHANCEMENT PROGRAMME (LEVEL I & LEVEL II) FOR CIVIL JUDGES (JUNIOR DIVISION)

The Judicial Academy, Jharkhand successfully organized an **Online Computer Skill Enhancement Programme (Level I & Level II)** for Civil Judges (Junior Division) on **15th May 2026** through the **State Judicial Academy (SJA) (ECT-13-2026)**. Conducted simultaneously across all district headquarters, the programme aimed at strengthening the digital competencies of judicial officers and enhancing their proficiency in the effective use of technology in judicial administration. The online session covered essential computer skills required for efficient court

functioning and familiarized participants with digital tools that support modern judicial processes. Officers joined the training through the designated virtual platform and actively participated in the interactive session, adhering to the prescribed online protocol. The programme forms part of the Academy's sustained efforts to equip Judicial Officers with contemporary technological skills, thereby promoting greater efficiency, accuracy, and adaptability in the administration of justice in an increasingly digital environment.

JUNE, 2026

ONLINE CONFERENCE ON ENVIRONMENT LAW & MINING OPERATIONS (C-1)

The Judicial Academy, Jharkhand organised an Online Conference on Environment Law & Mining Operations (C-1) on 7th June 2026 for Judicial Officers of all cadres, Forest Officers, Mining Officers and Public Prosecutors. The conference aimed at facilitating a multidisciplinary dialogue on contemporary environmental challenges, sustainable development, mining regulation and the role of courts in environmental governance. The programme provided a platform for interaction among stakeholders involved in environmental protection, natural resource management and enforcement of environmental laws.



The first technical session on “Balancing Environmental Protection and Economic Growth” was delivered by Sri Ritwick Dutta, Advocate, Supreme Court of India. The session examined the evolving jurisprudence relating to sustainable development and highlighted the need to reconcile economic progress with environmental conservation. The deliberations focused on constitutional principles, statutory safeguards and judicial approaches developed for ensuring environmentally sustainable development.



The second session on “Role of Judiciary in Protection of Environment and Wild Life”

was conducted by Sri Sanjay Upadhyay, Senior Advocate, Supreme Court of India. The session explored the significant role played by constitutional courts and other judicial forums in protecting ecological resources and wildlife habitats through effective interpretation and enforcement of environmental laws. The deliberations highlighted the contribution of the judiciary in advancing environmental justice and preserving biodiversity.



The third technical session was delivered by Sri Indrajit Sinha, Advocate, High Court of Jharkhand, on the “MMDR Act, 1957 and the MMDR Amendment Act, 2024”, along with the “concept of bail and release of seized articles and vehicles”. The session examined the legal framework governing mining operations, recent legislative developments, and procedural issues arising in matters relating to mining offences. The discussions also focused on the principles governing release of seized property and vehicles in cases arising under mining laws.

The concluding session on “Concept of Eco-Sensitive Zone: A Jharkhand Perspective and Survival of Protected Forests: Role of Courts” was delivered by Sri Dileep Kumar Yadav, IFS, Divisional Forest Officer, Khunti. The session focused on the ecological significance of eco-sensitive zones, challenges relating to conservation of protected forests, and the role of courts in safeguarding environmental resources through effective implementation of environmental laws and regulatory frameworks.

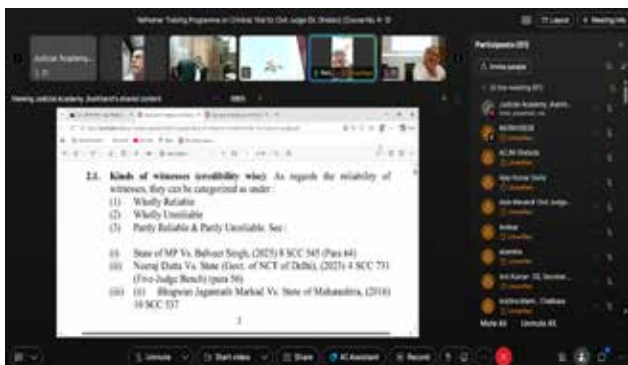
The conference concluded with discussions on the way forward, providing participants an

opportunity to exchange views on contemporary environmental issues and emerging challenges in the regulation of mining activities. Overall, the conference served as a valuable platform for strengthening awareness regarding environmental governance, sustainable development and the role of various stakeholders in protecting natural resources and ecological balance.



ONLINE REFRESHER TRAINING PROGRAMME ON CRIMINAL TRIAL FOR CIVIL JUDGE (SR. DIVISION) (COURSE NO. R-5)

The Judicial Academy, Jharkhand organised an Online Refresher Training Programme on Criminal Trial for Civil Judge (Sr. Division) (Course No. R-5) on 6th and 7th June 2026. The programme was designed to enhance the professional competence of judicial officers in the conduct of criminal trials and to provide an opportunity for deliberation on contemporary developments in criminal law, evidentiary principles, environmental jurisprudence, and allied statutory frameworks. The programme brought together experienced judicial officers, legal practitioners, and subject experts to discuss substantive as well as procedural aspects of criminal adjudication.



The programme commenced with a session on “Appreciation and Marshaling of Evidence” delivered by Sri S. S. Upadhyay, Former District & Sessions Judge, Uttar Pradesh. The session focused on the principles governing the appreciation of oral and documentary evidence, evaluation of witness testimony, and the judicial approach required for analysing and marshaling evidence to arrive at reasoned findings in criminal trials.

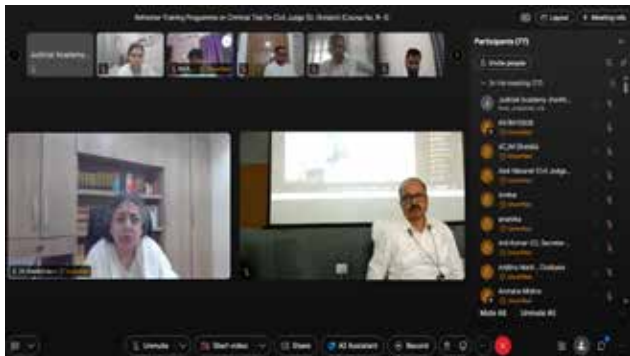


The second session on “Concept of Trial in Absentia and Other Related Provisions” was delivered by Sri Laxmikant, Additional Director, Judicial Academy, Jharkhand. The deliberations examined the legal framework governing trial in absentia in CrPC and BNSS, the circumstances under which such proceedings may be undertaken, and the procedural safeguards necessary to balance the rights of the accused with the interests of effective criminal justice administration.



The third technical session was conducted by Dr. Kamini Lau, DHJS (Retd.), Advocate, Delhi High Court, on the “Basics of Criminal Trial”. The session covered important stages of criminal proceedings including cognizance, framing of charge, recording of evidence, and recording of

the statement of the accused under Section 313 of the Code of Criminal Procedure. The deliberations focused on the legal requirements and practical considerations involved in conducting a fair and effective criminal trial.

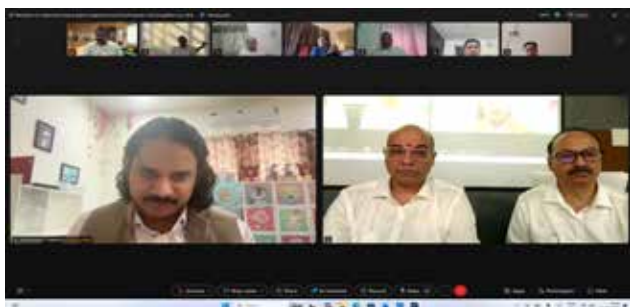


The fourth session, also delivered by Dr. Kamini Lau, addressed important aspects of criminal adjudication including bail jurisprudence, order and judgment writing, sentencing,

and plea bargaining. The session highlighted recent developments in bail law, principles governing reasoned judicial orders, sentencing considerations, and the evolving role of plea bargaining within the criminal justice system.

On the second day of the programme, the participants joined the Online Conference on Environment Law & Mining Operations (C-1) organised by the Judicial Academy, Jharkhand. The conference brought together Judicial Officers, Forest Officers, Mining Officers and Public Prosecutors for deliberations on contemporary issues relating to environmental protection, wildlife conservation, mining regulation and sustainable development. The integration of the conference with the refresher training programme enabled the participants to gain multidisciplinary perspectives on environmental governance and the role of courts in balancing developmental needs with ecological concerns.

ONLINE WORKSHOP ON INTELLECTUAL PROPERTY RIGHTS (IPR), DIGITAL PERSONAL DATA PROTECTION ACT AND COMPETITION LAW (W-3)

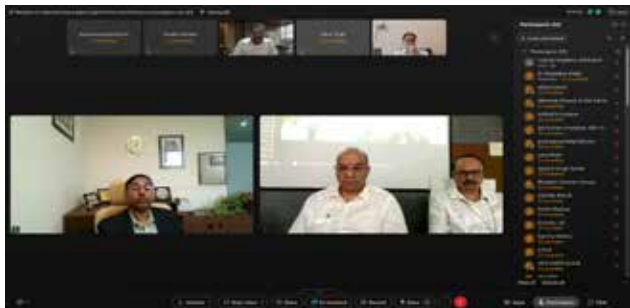


The Judicial Academy, Jharkhand organised an Online Workshop on Intellectual Property Rights (IPR), Digital Personal Data Protection Act and Competition Law (W-3) on 14th June 2026 for Judicial Officers of all cadres. The workshop was designed to enhance the understanding of judicial officers regarding emerging areas of law shaped by technological advancement, digital governance, commercial regulation, and innovation-driven economies. The programme provided a platform for deliberation on contemporary legal developments relating to data protection, privacy, competition law, and intellectual property rights.



The first technical session on “Navigating the Digital Personal Data Protection (DPDP) Act, 2023: Judicial Perspectives, Privacy Rights and Courtroom Implications” was delivered by Prof. (Dr.) Avinash Dadhich, Founding Director, School of Law, Dhirubhai Ambani University, Gandhinagar, Gujarat, and Sri Rakesh Maheshwari, Former Senior Director, Cyber Law, Ministry of Electronics and Information Technology. The session examined the legislative framework introduced under the Digital Personal Data Protection Act, 2023 and its implications for privacy rights, data governance, and judicial processes. The deliberations focused on the evolving jurisprudence relating to informational privacy, obligations of data fiduciaries, protection of personal data, and the

challenges likely to arise in adjudication involving digital data and emerging technologies.



The second technical session on “Overview of Competition Law and Recent Developments” was delivered by Dr. Bidyadhar Majhi, Adviser to the Competition Commission of India, Kolkata. The session provided an overview of the legal framework governing competition law in India and examined recent developments in the field. The deliberations focused on anti-competitive agreements, abuse of dominant position, regulation of combinations, and the evolving role of competition law in promoting fair markets and consumer welfare in a rapidly changing economic environment.



The concluding session on “Intellectual Property Disputes: Jurisdiction, Interim Injunctions and Pre-Institution Mediation under Section 12A” was delivered by Sri Haridutt Mishra, Intellectual Property Attorney, Delhi High Court. The session examined important procedural and substantive aspects of intellectual property litigation, including issues relating to jurisdiction, grant of interim relief, and the role of pre-institution mediation in commercial disputes involving intellectual property rights. The deliberations highlighted recent judicial trends and practical considerations relevant to the adjudication of intellectual property disputes.

ONLINE REFRESHER TRAINING PROGRAMME ON CRIMINAL TRIAL FOR CIVIL JUDGE (JR. DIV.) (COURSE NO. R-6)



The Judicial Academy, Jharkhand organised an Online Refresher Training Programme on Criminal Trial for Civil Judge (Jr. Division) (Course No. R-6) on 20th and 21st June 2026. The programme was designed to strengthen the knowledge and skills of judicial officers in the conduct of criminal trials and to facilitate discussions on contemporary developments in criminal law, mining laws, environmental legislation, and special statutes. The programme provided participants an opportunity to engage with experienced judicial officers, legal practitioners, and subject experts on various substantive and procedural aspects of criminal adjudication.



The programme commenced with a session on “Basics of Criminal Trial” delivered by Sri S. S. Upadhyay, Former District & Sessions Judge, Uttar Pradesh, Lucknow. The session focused on the foundational stages of criminal proceedings, including cognizance, framing of charge, recording of evidence, and recording of the statement of the accused under Section 313 of the Code of Criminal Procedure. The deliberations highlighted the procedural safeguards governing criminal trials and the importance of adherence to due process in ensuring fair adjudication.

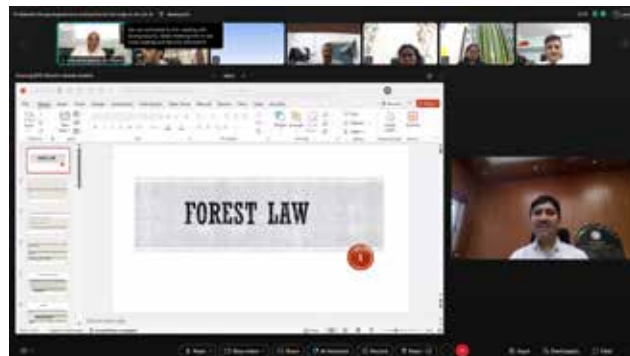
The second session, also conducted by Sri S. S. Upadhyay, dealt with “Appreciation of Evidence in Criminal Cases – Important Aspects of Judgment Writing.” The session examined the principles governing appreciation of evidence, assessment of witness testimony, and evaluation of documentary and circumstantial evidence. Emphasis was also laid on the essential attributes of a well-reasoned judgment, including clarity, logical analysis, and effective articulation of judicial findings.



The third technical session on “MMDR Act, 1957 and Subsequent Amendments” was delivered by Sri Ravi Shankar Shukla, IAS, Special Secretary, Government of Jharkhand. The session focused on the statutory framework governing mining operations, regulatory mechanisms under the Mines and Minerals (Development and Regulation) Act, 1957, and the significant changes introduced through subsequent amendments. The deliberations highlighted legal and administrative challenges arising in the enforcement of mining laws and their implications for judicial proceedings.



The concluding session of the first day on “Concept of Trial in Absentia and Other Related Provisions” was conducted by Sri Laxmikant, Additional Director, Judicial Academy, Jharkhand. The session examined the legal framework governing trial in absentia, the circumstances in which such proceedings may be undertaken, and the procedural safeguards necessary for balancing the rights of the accused with the interests of effective criminal justice administration.



On the second day, a session on “Forest Law and Wild Life Conservation Act” was delivered by Sri Dileep Kumar Yadav, IFS, Divisional Forest Officer, Khunti. The session focused on the legal framework governing forest conservation and wildlife protection, the challenges associated with environmental governance, and the role of courts in ensuring effective implementation of environmental legislation. The deliberations highlighted contemporary issues relating to ecological conservation and sustainable management of natural resources.

The final technical session on **“Important Provisions Involved in Trial of Cases under the Negotiable Instruments Act”** was delivered by **Sri Ashutosh Anand, Additional Advocate General, Jharkhand**. The session examined the legal principles governing prosecutions under the Negotiable Instruments Act, with particular emphasis on procedural requirements, evidentiary considerations, statutory presumptions, and recent judicial developments relating to cheque dishonour cases.



ONLINE REFRESHER TRAINING PROGRAMME ON CRIMINAL TRIAL FOR CIVIL JUDGE (JR. DIV.) (COURSE NO. R-7)



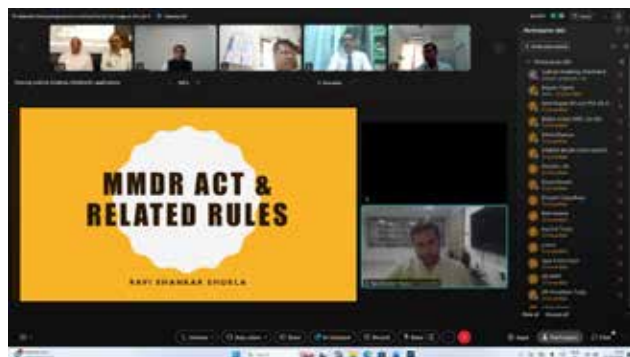
With a view to reinforcing the professional competence of Civil Judges (Jr. Division) in the conduct of criminal trials, the Judicial Academy, Jharkhand organised an Online Refresher Training Programme on Criminal Trial (Course No. R-7) on 27th and 28th June 2026. The programme was conceived as a platform to revisit fundamental principles of criminal jurisprudence while simultaneously acquainting judicial officers with recent legislative developments and specialised areas of law having a direct bearing on criminal adjudication. Through a series of expert-led technical sessions, participants engaged in meaningful discussions on trial procedures, evaluation of evidence, environmental and mining laws, trial in absentia, and prosecutions under the Negotiable Instruments Act.



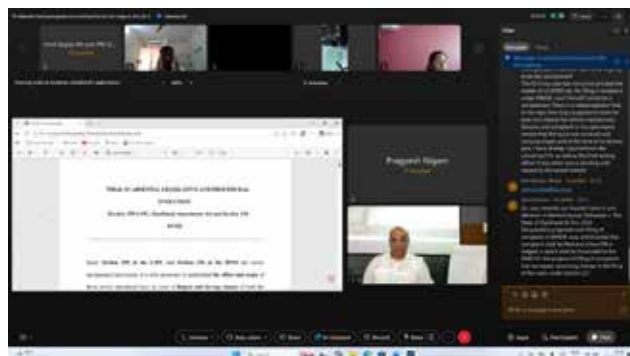
The inaugural technical session was conducted by Sri S. S. Upadhyay, Former District & Sessions Judge, Uttar Pradesh, Lucknow, on the subject "Basics of Criminal Trial." The deliberations traversed the various stages of a criminal proceeding, beginning with cognizance and extending to framing of charge, recording of evidence, examination of the accused under Section 313 of the Code of Criminal Procedure, and the overarching principles that govern a fair criminal trial. The session emphasised

the importance of procedural compliance in preserving the integrity of criminal adjudication.

Continuing the first day's programme, Sri Upadhyay delivered another session on "Appreciation of Evidence in Criminal Cases – Important Aspects of Judgment Writing." The discussion focused on judicial evaluation of oral, documentary, and circumstantial evidence, assessment of witness credibility, and the application of settled principles while arriving at judicial conclusions. Particular emphasis was laid on the craft of judgment writing, highlighting the need for coherent reasoning, proper analysis of evidence, and precise articulation of findings.



The next technical session was addressed by Sri Ravi Shankar Shukla, IAS, Special Secretary, Government of Jharkhand, on "MMDR Act, 1957 and Subsequent Amendments." The resource person explained the statutory scheme governing regulation of mines and minerals, the evolving legislative framework under the Act, and the impact of subsequent amendments on enforcement and prosecution. The discussions also examined practical issues relating to illegal mining and the judicial approach towards offences arising under mining legislation.

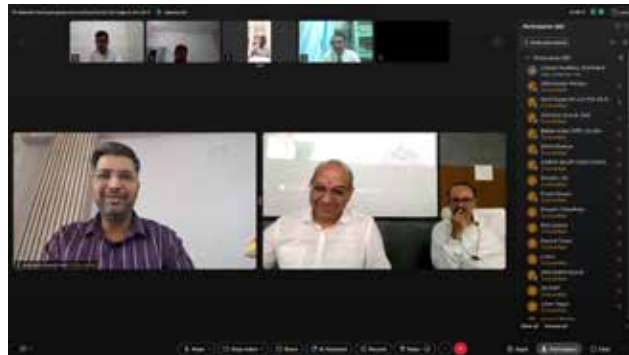


The final session of the first day was delivered by Sri Laxmikant, Additional Director, Judicial Academy, Jharkhand, on "Concept of Trial in Absentia and Other Related Provisions." The session analysed the legal framework governing trial in absentia, the statutory conditions required before resorting to such proceedings, and the safeguards incorporated to ensure that the interests of justice are balanced with the rights of an absconding accused. The participants also discussed the practical implications of the newly introduced provisions under the Bharatiya Nagarik Suraksha Sanhita.



The second day commenced with a session by Sri Dileep Kumar Yadav, IFS, Divisional Forest Officer, Khunti, on "Forest Law and Wild Life Conservation Act." The presentation explored the legal regime relating to forest conservation and wildlife protection, the constitutional and

statutory obligations concerning environmental preservation, and the challenges faced in enforcing environmental laws. The session underscored the judiciary's significant role in safeguarding ecological balance through effective implementation of conservation laws.



The concluding technical session was delivered by Sri Ashutosh Anand, Additional Advocate General, Jharkhand, on "Important Provisions Involved in Trial of Cases under the Negotiable Instruments Act." The deliberations centred on the statutory framework governing cheque dishonour cases, procedural requirements during trial, evidentiary presumptions, and important judicial pronouncements that continue to shape the interpretation and application of the Act. The interactive discussion enabled participants to address practical issues frequently encountered while adjudicating such cases.

WORLD ENVIRONMENT DAY, 2026

June 5, 2026



OTHER PROGRAMES

REFRESHER TRAINING PROGRAMME FOR MINISTERIAL STAFF (COURSE NO. MS-1)

The Judicial Academy, Jharkhand organised a Refresher Training Programme for Ministerial Staff (Course No. MS-1) on 11th June 2026 for Assistants of District Courts. The programme was designed to strengthen the administrative and procedural knowledge of ministerial staff and enhance their understanding of service-related rules, court procedures, and office management practices essential for the efficient functioning of the judicial system.



The programme commenced with a session delivered by Sri Arun Kumar Sinha, Under Secretary (Retd.), Rural Development Department, Government of Jharkhand, who conducted an extensive discussion on service jurisprudence and administrative regulations applicable to government servants. The deliberations focused on leave rules, service code, code of conduct, departmental proceedings, disciplinary proceedings, and the Right to Information Act. The session highlighted the importance of adherence to service norms, professional ethics, accountability, and transparency in public service. The discussions further examined the rights and responsibilities of government employees and the procedural safeguards governing disciplinary and departmental actions.



The deliberations on the above themes continued in the subsequent session, enabling participants to gain a deeper understanding of the practical application of service rules and administrative procedures in day-to-day official functioning. The interactive discussions provided participants an opportunity to seek clarifications regarding service-related issues and administrative responsibilities.



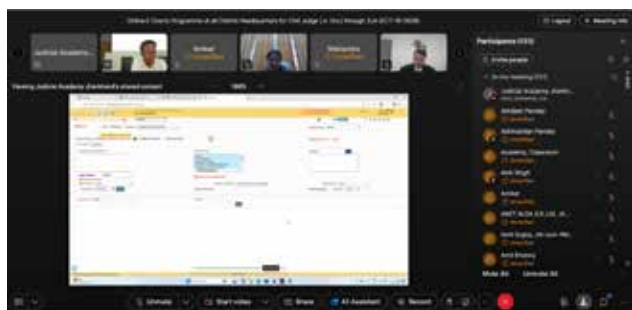
The next technical session on "Criminal Court Rules and Civil Court Rules" was delivered by Sri Sanjay Kumar, Saristedar, Civil Court, Ranchi. The session focused on the procedural framework governing the functioning of civil and criminal courts, maintenance of records, court processes, and the duties and responsibilities of ministerial staff in ensuring efficient court administration. The deliberations emphasised the importance of procedural compliance and proper record management in supporting the administration of justice.

The concluding session, also conducted by Sri Sanjay Kumar, focused on Stamp Reporting, Court Fees and Costs. The session examined the legal and procedural requirements relating to assessment of court fees, stamp verification, reporting procedures, and the principles governing imposition and recovery of costs in judicial proceedings. The deliberations highlighted the significance of accuracy and diligence in handling court records and financial aspects of court administration.



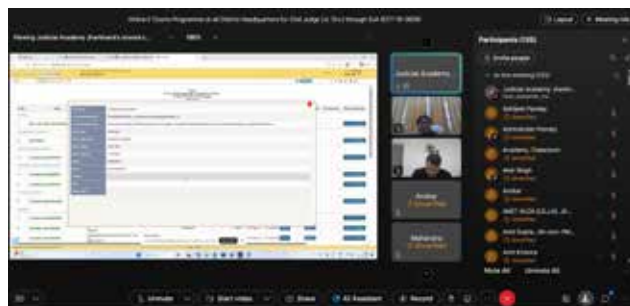
ONLINE E-COURTS PROGRAMME AT ALL DISTRICT HEADQUARTERS FOR CIVIL JUDGE (JR. DIV.) THROUGH SJA (ECT-16-2026)

In accordance with the approved Academic Calendar 2026–27, the Judicial Academy, Jharkhand organised an Online E-Courts Programme for Civil Judge (Jr. Division) through SJA (ECT-16-2026) on 12th June 2026. The programme was conducted online across all District Headquarters of the State and aimed at strengthening the technological competence of judicial officers and promoting effective utilisation of digital tools and services developed under the e-Courts Mission Mode Project.



The programme focused on familiarising the participants with various e-Courts applications and technology-enabled initiatives designed to enhance

efficiency, accessibility and transparency in judicial administration. The participants were sensitised to the practical aspects of utilising digital platforms in day-to-day judicial functioning and were apprised of recent developments in the implementation of e-Courts services across the country.



The programme provided participants an opportunity to interact with experts and gain practical insights into the utilisation of e-Courts applications and related digital initiatives. The sessions contributed towards enhancing awareness regarding the ongoing technological transformation of the judiciary and the adoption of best practices in digital court administration.

INTERNATIONAL DAY OF YOGA, 2026 June 21, 2026



LATEST JUDGEMENTS

1. We the Women of India v. Union of India and Others; 2025 SCC OnLine SC 3247

(Protection of Women from Domestic Violence Act, 2005—Sections 6, 7, 8, 9, 10 & 11—Implementation of Domestic Violence Act—Appointment and designation of Protection Officers—Service Providers—Shelter Homes—Medical Facilities—Government's duty to publicise the Act—Free legal aid under Section 9(1)(d) read with Section 12 of the Legal Services Authorities Act, 1987—Directions to States, Union Territories, Union of India and NALSA for effective implementation of the Act.)

FACTS

The writ petition, instituted in 2021, sought effective implementation of the provisions of the Protection of Women from Domestic Violence Act, 2005 (DV Act), enacted to provide better protection to women facing domestic violence within the family.

The petitioner contended that despite several earlier directions issued by the Supreme Court, significant deficiencies continued in the implementation of the Act across the States and Union Territories. It was submitted that dedicated Protection Officers, as contemplated under Section 8 of the Act, had not been appointed in many States, while responsibilities were often assigned to Anganwadi workers or officers already burdened with other duties, thereby affecting effective implementation.

The petitioner further highlighted inadequate empanelment of Service Providers under Section 10 of the Act, lack of properly identified and notified shelter homes under Section 6, insufficient access to medical facilities under Section 7, inadequate publicity regarding the rights available under the Act as mandated by Section 11, and lack of awareness regarding the availability of free legal aid under Section 9(1)(d) of the DV Act read with Section 12 of the Legal Services Authorities Act, 1987.

The States and Union Territories submitted that appropriate directions issued by the Court would be communicated to the concerned authorities for compliance. NALSA also assured the Court that it would implement any directions relating to free legal aid for women aggrieved by domestic violence.

ISSUES

1. Whether the States and Union Territories were required to designate and appoint effective Protection Officers under Section 8 of the Protection of Women from Domestic Violence Act, 2005.

2. Whether further directions were necessary to ensure effective implementation of the statutory provisions relating to Service Providers, Shelter Homes, Medical Facilities, public awareness and coordination under the Domestic Violence Act.
3. Whether NALSA and the Legal Services Authorities were required to ensure effective dissemination and provision of free legal aid to women aggrieved by domestic violence.

JUDGMENT

The Supreme Court, after hearing the petitioner, the Union of India, NALSA and all the States and Union Territories, issued a series of mandatory directions to ensure effective implementation of the Protection of Women from Domestic Violence Act, 2005, observing that although the Act had been enacted two decades earlier to secure effective protection of women from domestic violence, its implementation remained inadequate in several States and Union Territories.

The Court first directed all States and Union Territories to identify officers working in the Department of Women and Child at the District and Taluka levels and designate them as Protection Officers under Section 8 of the Act wherever dedicated Protection Officers had not already been appointed. It further directed that, upon such designation, these officers must discharge all statutory duties and functions prescribed under Section 9 of the Act. The Chief Secretaries and the Secretaries of the Department of Women and Child of every State and Union Territory were directed to coordinate this exercise and complete the designation of Protection Officers within six weeks.

The Court further directed the States and Union Territories to discharge their statutory obligations under Section 11 of the Act by giving wide publicity

to the provisions of the Domestic Violence Act through public media, ensuring effective coordination among the concerned Ministries and Departments responsible for implementation of the Act, and putting in place appropriate protocols for delivery of services to women under the Act. While recognising that Section 11 itself expressly casts these obligations upon the Governments, the Court observed that it expected every State Government to faithfully implement these statutory duties and indicated that further directions could be issued, if necessary.

Recognising that Section 11 also imposes corresponding obligations upon the Central Government, the Court directed the Union of India to take adequate and effective measures for implementation of all duties contemplated under that provision, including dissemination of awareness, inter-departmental coordination and institutional support for implementation of the Act.

The Court also considered the statutory entitlement of women to free legal aid under Section 9(1)(d) of the Domestic Violence Act read with Section 12 of the Legal Services Authorities Act, 1987. It directed the Member Secretary, National Legal Services Authority (NALSA) to communicate these directions to the Member Secretaries of all State Legal Services Authorities, who, in turn, were directed to communicate the same to the District and Taluka Legal Services Authorities. These authorities were directed to give wide publicity to the statutory right of every aggrieved woman under the Domestic Violence Act to receive free legal aid and legal advice.

The Court further directed that the Member Secretaries at the State, District and Taluka levels should undertake adequate awareness measures so that distressed women become aware of their legal entitlements. It further observed that whenever any woman aggrieved by domestic violence approaches any Legal Services Authority seeking legal assistance, such legal aid and advice must be provided expeditiously, keeping in view the beneficial object of the Act and the statutory mandate guaranteeing free legal services to women.

The Supreme Court also directed all States and Union Territories to take steps for empanelment of Service Providers in accordance with Section 10 of the Domestic Violence Act so that adequate institutional support is available for victims of domestic violence.

With regard to shelter facilities, the Court directed the respondent States and Union Territories to ensure that Nari Niketans, One Stop Centres and other homes meant for women are made accessible to victims of domestic violence. It further directed the States and Union Territories to identify and notify Shelter Homes at the District and Taluka levels within ten weeks so that women requiring immediate protection and shelter under Section 6 of the Act are able to access such facilities without delay.

The Court clarified that these directions constituted initial measures intended to secure effective implementation of the Protection of Women from Domestic Violence Act, 2005 throughout the country. It observed that the objective was to ensure that the statutory safeguards enacted by Parliament become meaningful in practice and indicated that further directions may be issued in future, if necessary, to secure complete implementation of the Act in all respects.

RATIONALE

The Court observed that the Protection of Women from Domestic Violence Act, 2005 is a beneficial social welfare legislation enacted to secure the constitutional guarantee of protection to women under Article 15(3) of the Constitution. Effective implementation of the statutory framework is therefore essential to achieve the legislative purpose.

The Court emphasised that Section 8 requires appointment of Protection Officers who perform crucial functions under Section 9, including assisting victims, facilitating access to legal remedies and coordinating with other authorities. Since dedicated Protection Officers had not been appointed in several jurisdictions, the Court directed immediate designation of officers from the Department of Women and Child at the District and Taluka levels until proper appointments are made.

The Court further observed that the statutory scheme envisages an integrated support mechanism comprising registered Service Providers, accessible Shelter Homes, and Medical Facilities. The effectiveness of the Act depends upon proper identification, empanelment and coordination of these institutions. Consequently, the States and Union Territories were directed to empanel adequate Service Providers under Section 10 and notify Shelter Homes accessible to victims of domestic violence.

Referring to Section 11, the Court held that both the Central Government and the State Governments have a statutory obligation to ensure wide publicity of the Act through public media, periodically sensitise police and judicial officers, establish effective coordination among concerned departments, and prepare implementation protocols. The Court observed that these obligations are explicit under the statute and require faithful compliance.

The Court also highlighted that Section 9(1)(d) of the Domestic Violence Act, read with Section 12 of the Legal Services Authorities Act, 1987, confers a statutory right upon every woman to receive

free legal aid. To make this right meaningful, NALSA and the Legal Services Authorities at the State, District and Taluka levels were directed to publicise the availability of legal aid and provide prompt legal assistance to women approaching them under the Act.

The Court clarified that these directions constituted the initial steps towards ensuring complete and effective implementation of the Protection of Women from Domestic Violence Act, 2005 throughout the country and observed that further directions could be issued, if necessary, to secure full compliance with the statutory mandate.

2. State of Tripura v. Panna Ahmed, 2026 SCC OnLine SC 960

(Code of Criminal Procedure, 1973 — Section 311 — Recall of witness — Recall of prosecutrix for further cross-examination — Scope of judicial discretion — Essential evidence for just decision — Delay in filing recall application — Filling lacunae in defence case — Call Detail Records (CDRs) — Fair trial — Rights and protection of victims of sexual offences — Avoidance of repeated cross-examination — Expeditious criminal trial.)

FACTS

The appeal arose from an order of the High Court of Tripura allowing an application under Section 311 of the Code of Criminal Procedure, 1973 (CrPC) seeking recall of the prosecutrix for further cross-examination in a pending rape trial.

The prosecution case originated from an FIR registered on 27.06.2016 alleging offences under Sections 342, 376(1), and 506 of the Indian Penal Code, 1860. The prosecutrix alleged that the respondent-accused had wrongfully confined and raped her after she visited his residence to discuss issues relating to house rent. Following investigation, a charge-sheet was filed, charges were framed, and the trial commenced in 2017.

During trial, the prosecutrix (PW-1) was examined-in-chief, cross-examined, re-examined, and re-cross-examined on multiple occasions between 2018 and 2019. Nearly four years after completion of her evidence, the accused filed an application under Section 311 CrPC seeking her recall for further cross-examination on the basis of certain Call Detail Records (CDRs), contending that relevant questions arising therefrom had inadvertently not been put to the witness.

The Trial Court rejected the application, holding that the prosecutrix had already undergone

extensive examination and cross-examination and that the application, filed after an unexplained delay of nearly four years, was merely intended to delay the proceedings.

The High Court, exercising jurisdiction under Section 482 CrPC, set aside the Trial Court's order and permitted further cross-examination limited to the CDRs. Aggrieved thereby, the State of Tripura preferred the present appeal before the Supreme Court.

ISSUES

1. Whether the High Court was justified in allowing recall of the prosecutrix under Section 311 CrPC after completion of her examination and cross-examination several years earlier.
2. Whether Section 311 CrPC can be invoked to enable an accused to further cross-examine a witness on material already forming part of the record.
3. Whether the recall application was merely an attempt to fill lacunae in the defence case and prolong the trial.
4. To what extent the Court should balance the accused's right to a fair trial with the need to protect victims of sexual offences from repeated appearances before court.

JUDGMENT

The Supreme Court allowed the appeal and restored the order of the Trial Court rejecting the application under Section 311 CrPC.

The Court held that:

- The power under Section 311 CrPC is wide but must be exercised sparingly and only where the proposed evidence is essential for a just decision of the case.
- Recall of a witness cannot be permitted merely to fill up omissions or lacunae in the prosecution or defence case.
- The Call Detail Records relied upon by the accused had formed part of the charge-sheet throughout the trial and were always available to the defence.
- The unexplained delay of nearly four years in seeking recall, coupled with the advanced stage of the trial, disentitled the accused from seeking further cross-examination.
- Victims of heinous offences, particularly sexual offences, should not be repeatedly compelled to appear before courts and undergo the trauma of multiple cross-examinations without compelling justification.

Accordingly, the judgment of the High Court was set aside, the Trial Court's order rejecting the recall application was restored, and the Trial Court was directed to conclude the trial by the end of the year.

RATIONALE

The Court reiterated that Section 311 CrPC confers broad discretionary powers upon criminal courts to summon or recall witnesses at any stage of the proceedings. However, the exercise of such power is conditioned upon the Court being satisfied that the proposed evidence is essential for arriving at a just decision and not merely useful or convenient.

Referring to *Natasha Singh v. CBI*, (2013) 5 SCC 741, the Court reaffirmed that Section 311 is intended to enable discovery of truth and ensure justice, but cannot be invoked to fill gaps in either the prosecution or defence case. The provision cannot be used as a disguised retrial or to confer an unfair advantage upon either party.

Relying upon *Swapan Kumar Chatterjee v. CBI*, (2019) 14 SCC 328, the Court observed that although the power under Section 311 is extensive, it must be exercised only for strong and valid reasons and with great caution, keeping in view the facts and circumstances of each case.

The Court also referred to *Vijay Kumar v. State of Uttar Pradesh*, (2011) 8 SCC 136, reiterating that the determinative consideration is whether the proposed evidence is indispensable for the just adjudication of the case and whether its absence would occasion a failure of justice.

Applying these settled principles, the Court found no justification for recalling the prosecutrix. She had already undergone examination-in-chief, extensive cross-examination, re-examination, and re-cross-examination over several hearings. The accused had therefore been afforded adequate opportunity to challenge her testimony.

The Court attached considerable significance to the delay in filing the recall application. The application was moved almost four years after completion of the prosecutrix's evidence, when nineteen other prosecution witnesses had already been examined and the trial had substantially progressed. No satisfactory explanation for such delay was forthcoming. Allowing recall at such a belated stage would unnecessarily prolong a trial that had already remained pending for more than eight years.

The Court further observed that the sole basis for seeking recall was the Call Detail Records of the prosecutrix and the accused. Since these records had been filed by the prosecution itself along with the charge-sheet, they had always been available to the defence. Any omission to confront the prosecutrix with those records during earlier cross-examination could not justify reopening her evidence. Section 311 cannot be employed to compensate for lack of diligence on the part of the defence.

Emphasising the need to protect victims of sexual offences from avoidable hardship, the Court held that repeated recall of prosecutrices for further cross-examination should not become routine. Victims of heinous crimes cannot be expected to repeatedly appear before courts and relive traumatic experiences unless such recall is demonstrably indispensable for securing justice. The Court stressed that while the accused is entitled to a fair trial, the criminal justice system must equally safeguard the dignity of victims and ensure expeditious conclusion of trials.

The Court concluded that the High Court had failed to properly appreciate these considerations and had erroneously interfered with the Trial Court's well-reasoned order. Accordingly, the Trial Court's refusal to recall the prosecutrix was restored.

ARTICLES

MMDR Act and Mining Cases in Jharkhand: Recurring Procedural Errors and Suggested Guidelines for Courts, Police, District Mining Officers and Executive Authorities

A summary for Magistrates, Investigating Officers, District Mining Officers, and Sub-Divisional Officers

- Sri Amit Gupta,

Judicial Magistrate-cum-Principal Magistrate,
Juvenile Justice Board, Ranchi

I. The Problem in a Sentence

A considerable number of criminal revisions and writ petitions in Jharkhand arise from prosecutions for illegal mining and transportation of minerals under the Mines and Minerals (Development and Regulation) Act, 1957[1] and the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017. [2] The governing law is settled. The difficulty lies almost entirely in procedure. A mining official assists in seizure and an FIR is lodged; the police submit a report covering both theft and MMDR offences; the Magistrate takes cognizance by a composite order; a confiscation proceeding is commenced before an authority that does not possess the power. The Hon'ble High Court later corrects these steps, and what remains of the prosecution survives, if at all, only on the general penal-law offences. The result is not merely avoidable litigation. It is the failure of an otherwise maintainable prosecution for want of statutory compliance at the first instance.

II. The Statutory Scheme in Outline

The Hon'ble Supreme Court of India has authoritatively settled the scheme of the MMDR Act in *State (NCT of Delhi) v. Sanjay*[3] and *Jayant v. State of Madhya Pradesh*. [4] Three statutory points from these authorities are decisive for everyday practice.

First, under section 21(4), seizure of minerals, tools, equipment, and vehicles may be effected by an officer specially empowered for that purpose. Under section 21(4-A), property so seized shall be liable to confiscation *by order of the court competent to take cognizance of the offence* under section 21(1). Seizure is an executive act of restraint; confiscation is a judicial act vesting property in the State. The two differ in source and in character.

Second, section 22 of the MMDR Act provides that no court shall take cognizance of an offence under the Act or the rules made thereunder except upon a written complaint by an officer authorised in that behalf. [5] Section 22 limits cognizance; it does not prohibit registration of an FIR or investigation by the police.

Third, a police report is not a complaint within the meaning of the criminal procedure. A chargesheet may therefore support cognizance of theft or related offences under the Penal Code or the Bharatiya Nyaya Sanhita, but it cannot, by itself, satisfy section 22 for offences under the MMDR Act. A further proposition, applied by the Hon'ble Division Bench of the Hon'ble High Court of Jharkhand at Ranchi in *M/s Aditya Enterprises v. State of Jharkhand* [6], bears emphasis: delegated legislation cannot override the parent statute, and where a State rule purports to confer a confiscatory power inconsistent with section 21(4-A), the rule must yield to the Act.

III. Five Recurring Errors Below the High Court

With respect to the Magistracy, the investigating agencies, and the mining authorities – and in the spirit of the binding guidance of the Hon'ble Supreme Court and the Hon'ble High Court of Jharkhand – the following errors recur in mining prosecutions.

(1) **Composite cognizance on a police report.** Cognizance of MMDR offences is taken along with theft on the strength of a chargesheet alone. This is inconsistent with section 22. In *Sanjay*, the Hon'ble Supreme Court clarified that theft of minerals may be prosecuted on a police report, but cognizance of the MMDR offence requires a written complaint by the authorised officer. *Jayant* reaffirmed that section 22 bars cognizance, not investigation. Where cognizance of the MMDR offence is taken

on a police report alone, the order is liable to be set right by the Hon'ble High Court, as the Hon'ble High Court of Jharkhand did, for instance, in *Navin Kumar Choudhary v. State of Jharkhand*.^[7]

(2) FIR lodged, but the section 22 complaint never filed. A District Mining Officer initiates or supports the FIR and then leaves the matter to the police. The framework in *Jayant* contemplates that after investigation, the police materials are to be placed before the authorised officer, who must then file the written complaint required for cognizance of the MMDR offence. If that second step is omitted, the MMDR limb of the prosecution fails at the threshold. The position has been applied by the Hon'ble High Court of Jharkhand in *Gyan Prakash @ Gyan Sinha and Ashish Kumar Agrawal*.^[8]

(3) Confiscation sought or passed before the wrong forum. Section 21(4-A) ties confiscation to the court competent to take cognizance, which in turn is governed by section 22.^[9] Three variants recur in practice: (a) confiscation applications are moved before MMDR cognizance has been validly taken; (b) Deputy Commissioners pass confiscation orders under executive authority; and (c) investigating officers press for confiscation as though it were an adjunct of investigation. In *M/s Aditya Enterprises v. State of Jharkhand*, the Hon'ble Division Bench of the Hon'ble High Court of Jharkhand at Ranchi authoritatively pronounced that confiscation is a power reserved to the judicial forum designated by the parent statute.^[10] The same reasoning was followed in *Shahid Ansari v. State of Jharkhand*.^[11]

(4) Seizure and confiscation are collapsed into one administrative event. Seizure under section 21(4) is a distinct act; confiscation under section 21(4-A) is the later adjudicatory step. Treating them as interchangeable leads to premature executive orders and avoidable litigation.

(5) Interim-release applications rejected on an incorrect premise. Requests for interim release of seized vehicles are refused on the ground that confiscation proceedings are pending before an executive authority. After *Aditya Enterprises*, such a premise cannot stand if the executive authority was never competent. The Hon'ble Supreme Court's settled guidance in *Sunderbhai Ambalal Desai v. State of Gujarat* – that seized vehicles should not be allowed to deteriorate in custody when release on appropriate conditions can adequately secure the interests of justice – remains directly relevant.^[12]

IV. A Short Checklist

For Judicial Magistrates. Treat the police report as containing two legally distinct components: the IPC/BNS offences, on which cognizance may be taken on the police report; and the MMDR offences, on which cognizance may be taken only on the written complaint of the authorised officer. Record, on the order-sheet, the absence of the complaint where relevant, and preserve liberty for the authorised officer to file it. Do not entertain confiscation applications under section 21(4-A) before valid MMDR cognizance. Consider interim custody under the ordinary provisions governing property with due regard to the Hon'ble Supreme Court's guidance.

For Investigating Officers. Register FIRs in cognizable cases without hesitation; section 22 does not bar investigation. Distinguish theft ingredients from MMDR ingredients in the police report. Do not invoke section 21(4-A) as though confiscation were a police act. Transmit case papers to the authorised mining officer for the section 22 complaint.

For District Mining Officers. The section 22 complaint is indispensable. The FIR is only a starting point. Once the police report is filed, the written complaint must follow. The complaint should be self-contained – the source of the officer's authorisation, the facts, the names of the proposed accused, the documents relied on, and the relief sought, including confiscation where appropriate.

For Sub-Divisional Officers and Deputy Commissioners. Maintain a clean separation between seizure and confiscation. Confiscation must be pursued only before the court competent under section 21(4-A), not through an executive process. Issue standing instructions to subordinate officials that seized property must move through the correct legal chain: seizure, investigation where necessary, written complaint by the authorised officer, and judicial confiscation before the competent court.

V. The Larger Picture

The Hon'ble Kerala High Court in *Rahul P.U. v. The Geologist* usefully clarified that confiscation and criminal prosecution, though arising from the same facts, are distinct proceedings; confiscation need not always await the conclusion of the trial.^[13] That proposition, however, does not enlarge the range of authorities who may order confiscation. Under the MMDR Act, confiscation remains tied to the court competent to take cognizance.

Section 30-B of the MMDR Act empowers the State to constitute Special Courts. The existence of such a court does not eliminate cognizance questions, as the Hon'ble Supreme Court observed in *Pradeep S. Wodeyar v. State of Karnataka*.^[14] Where no Special Court has been constituted, the Judicial Magistrate First Class ordinarily remains the forum.

Illegal-mining prosecutions implicate more than revenue enforcement. In *Deepak Kumar v. State of Haryana*, the Hon'ble Supreme Court underlined the cumulative environmental impact of mining activity, including mining of minor minerals.^[15] Procedural discipline in these cases serves both legality and environmental governance.

VI. The Bottom Line

The law is not uncertain. The principal defects are procedural and institutional. If Magistrates separate the cognizance analysis for penal offences and MMDR offences, if investigating officers routinely transmit case papers to the authorised mining officer, if District Mining Officers consistently file complaints under section 22, and if executive authorities desist from pursuing confiscation through impermissible channels,^[16] a substantial part of the present avoidable litigation will disappear, and these prosecutions will come to be tested on evidence and law rather than defeated by preventable defects at the threshold.

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- [1] The Mines and Minerals (Development and Regulation) Act, 1957 (Act 67 of 1957) [hereinafter "MMDR Act"].
- [2] Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, framed under s. 23-C of the MMDR Act, notified on 27 January 2018.
- [3] *State (NCT of Delhi) v. Sanjay*, (2014) 9 SCC 772, 2014 INSC 602.
- [4] *Jayant v. State of Madhya Pradesh*, (2021) 2 SCC 670, 2020 INSC 678.
- [5] MMDR Act, s. 22.
- [6] *M/s Aditya Enterprises v. State of Jharkhand*, W.P. (C) No. 6788 of 2023 with W.P. (C) No. 7531 of 2023, 2024:JHHC:27177-DB.
- [7] *Navin Kumar Choudhary v. State of Jharkhand*, Cr. Revision No. 862 of 2020, 2021:JHHC:9435.
- [8] *Gyan Prakash @ Gyan Sinha v. State of Jharkhand*, Cr.M.P. No. 2369 of 2021, 2024:JHHC:18502; *Ashish Kumar Agrawal v. State of Jharkhand*, Cr. Rev. No. 119 of 2024, 2025:JHHC:30695.
- [9] MMDR Act, ss. 21(4) and 21(4-A).
- [10] *M/s Aditya Enterprises v. State of Jharkhand*, W.P. (C) No. 6788 of 2023 with W.P. (C) No. 7531 of 2023, 2024:JHHC:27177-DB.
- [11] *Shahid Ansari v. State of Jharkhand*, W.P. (Cr.) No. 340 of 2024, 2024:JHHC:19171.
- [12] *Sunderbhai Ambalal Desai v. State of Gujarat*, (2002) 10 SCC 283.
- [13] *Rahul P.U. v. The Geologist*, W.P. (C) No. 17394 of 2022, 2022:KER:67955.
- [14] *Pradeep S. Wodeyar v. State of Karnataka*, 2021 SCC OnLine SC 1140, 2021 INSC 797.
- [15] *Deepak Kumar v. State of Haryana*, (2012) 4 SCC 629.
- [16] MMDR Act, s. 21(4-A).



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