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VIDYA
NEWS LETTER
A Special Issue

10th Issue 3rd Quarter - 2013

For Brighter Tomorrow

ODISHA JUDICIAL ACADEMY, CUTTACK

Patron-in-Chief:
The Hon'ble Mr. Justice **A. K. Goel**
Chief Justice

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Hon'ble Mr. Justice P. Sathasivam, Chief Justice of Supreme Court of India with Hon'ble Chief Minister, Odisha, Hon'ble Judges of Supreme Court of India & Orissa High Court on the occasion of Inauguration of Odisha Judicial Academy New Building on 10.08.2013.

Hon'ble Mr. Justice C. Nagappan, Chief Justice & Hon'ble Judges of Orissa High Court, dignitories and delegates on the occasion of Inauguration of New Academy Building & Seminar on "Enhancing Judicial Productivity" on 10th August 2013.

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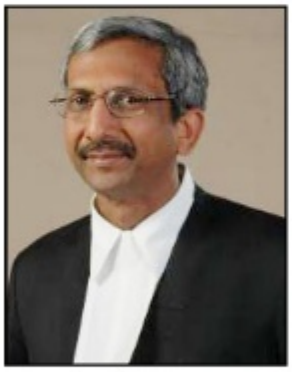

November 23, 2013

MESSAGE

I am happy to learn that Odisha Judicial Academy is publishing 10th Issue 3rd Quarter of its newsletter 'Vidya' (Special Issue).

The publication is an important vehicle of legal education. I am sure, the latest issue will be found useful by the legal fraternity.

I give my best wishes to the efforts of the Academy.

(Adarsh Kumar Goel)

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MESSAGE

It is a matter of great pleasure that the Odisha Judicial Academy is bringing out its 10th Issue 3rd Quarter of its newsletter '**Vidya**' (Special Issue).

This newsletter contains speeches of eminent personalities made during Inauguration & Photographs of different events. The Odisha Judicial Academy is committed to further the vision of its founders in reinforcing the justice dispensation system of the State. The Academy has undertaken the task of raising diversified awareness amongst the newly inducted trainees and the in-service judicial officers as well as the other stakeholders in the ever changing scenario of law and social issues.

I on behalf of the Odisha Judicial Academy and the Committee reiterate our commitment to ensure that the Academy will continue in its noble journey of imparting legal education for the ultimate benefit of the nation.

My best wishes to the newsletter '**Vidya**'.

Chairperson
Odisha Judicial Academy, Cuttack

Editorial Note ...

There are three objects of Judicial Education. One of the objects of Judicial Education is updating knowledge not only of Law but also of range of related knowledges which come up for adjudication before the Court. The second object is judicial attitudes and behaviour which should imbibe the philosophy of Constitution of India. The third object of Judicial Education is to promote a new judicial culture because said curriculum arises from diversity in Society, need for limiting the excess of adversarial legalism, Judges duty to ensure equal justice under Law for all persons. So, the Access to Justice for marginalised people is very much related to social context education of all Judges. The Canadian Judicial Institute which imparts social context education can be followed as the Judges should write Judgment without prejudice, avoiding stereotype and enhancing communications across cultural lines to cater the need of marginalized people.

During Inauguration of new building of Odisha Judicial Academy, Hon'ble Mr. Justice P. Sathasivam, Chief Justice of India and Hon'ble Dr. Justice B.S. Chouhan, Hon'ble Mr. Justice A.K. Patnaik, Hon'ble Mr. Justice Dipak Misra, Hon'ble Mr. Justice V. Gopala Gowda, Hon'ble Judges of Supreme Court of India and also Hon'ble Mr. Justice C. Nagappan, the then Chief Justice, Orissa High Court have categorically stressed the need for most viable, effective and objective judicial education so that excellence of Court can be enhanced by increasing the capacity building of Judicial officers and judicial productivity. This special issue contains the speeches of Hon'ble the Chief Justice of India and Hon'ble Judges of Supreme Court directing the judicial fraternity to achieve the objectives of justice delivery system. Hon'ble the Chief Minister of Odisha also spoke about lending support of the State Government to enhance the judicial education. Odisha Judicial Academy is imparting judicial education in proper direction by keeping in view of the advice of Their Lordships and Hon'ble Guests.

Director,
Odisha Judicial Academy, Cuttack

Contents

	Page
• **Messages**	1
• **Editiorial Note**	3
• **Articles :**	
1. NAUGURAL ADDRESS BY HON'BLE MR. JUSTICE P. SATHASIVAM, CHIEF JUSTICE OF INDIA	5
2. SPEECH BY MR. NAVEEN PATNAIK, HON'BLE CHIEF MINISTER, ODISHA	12
3. SPEECH BY HON'BLE MR. JUSTICE A.K. PATNAIK, JUDGE, SUPREME COURT OF INDIA	14
4. SPEECH BY HON'BLE DR. JUSTICE B.S. CHAUHAN, JUDGE, SUPREME COURT OF INDIA "THE ROLE OF JUDICIAL ACADEMIES IN INDIA"	17
5. SPEECH BY HON'BLE MR. JUSTICE DIPAK MISRA, JUDGE, SUPREME COURT OF INDIA	19
6. SPEECH BY HON'BLE MR. JUSTICE V. GOPALA GOWDA, JUDGE, SUPREME COURT OF INDIA	21
7. SPEECH BY HON'BLE SRI. JUSTICE C. NAGAPPAN, THE CHIEF JUSTICE, ORISSA HIGH COURT	24
PHOTO :	
• INAUGURATION OF NEW BUILDING	28
• SEMINAR ON "ENHANCING JUDICIAL PRODUCTIVITY"	31
• TRAINING PROGRAMME ON "SEEING IS LEARNING"	34

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INAUGURAL ADDRESS BY

HON'BLE MR. JUSTICE P. SATHASIVAM
CHIEF JUSTICE OF INDIA

AT THE INAUGURATION OF NEW ODISHA JUDICIAL ACADEMY BUILDING AT CUTTACK ON 10.08.2013

Shri Naveen Patnaik, Hon'ble Chief Minister, Hon'ble Dr. Justice B. S. Chauhan, Hon'ble Mr. Justice A. K. Patnaik, Hon'ble Mr. Justice Dipak Mishra, Hon'ble Mr. Justice V. Gopala Gowda, my esteemed colleagues and Judges of the Supreme Court, Madam Judges, Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court, Madam Chief Justice, Hon'ble Judges of the Orissa High Court, Members of the legal fraternity, Advocate General of Orissa, Officers of the Registry, My Lovable Judicial Officers of this State, Distinguished invitees, Friends in media, Ladies & Gentleman.

Good morning and warm greetings to each one of you assembled here today. It is a pleasure to be invited for the inauguration of Odisha Judicial Academy Building. At the outset, I want to congratulate the Odisha Judicial Academy for successfully imparting training to the Judicial Officers for over a decade.

One of the most salutary developments in contemporary times across the legal fraternity in all countries is the realization of the need for continuing legal education among the judges in both Higher Courts and Sub-ordinate Courts. Educating Judges on Judicial functions and training them on how to judge properly are relatively new ideas looked at differently by the judicial fraternity. It is called by diverse nomenclature in different countries like 'Judicial Studies' in England, 'Judicial Education' in United States, 'Judicial Training' in India and by varied other names in different countries. But the purpose encapsulating all of them is similar.

Further, the rapid developments in technology, management and communication together with enormous growth in law and behavioural sciences have compelled re-thinking on the need and scope for judicial training. It was extensively believed that institutionalization of system of judicial education and training can be a big leap in the creation of a support structure to deal with the challenges of the future.

It is well known that the proposal for organized judicial training in India first came from the 117th Law Commission Report in 1986. Thereafter, the Supreme Court in All India Judges Association vs. Union of India and Others, AIR 1992 SC 165 directed the State Governments and the High Courts to establish institutes for training of judicial officers. Ultimately, the idea materialized when the National Judicial Academy was setup in Bhopal in 1993. Recognizing that training is not only necessary, but also

essential for better quality, greater efficiency and higher productivity in judicial administration, the State Judicial Academy had been established to provide the required training to the judicial officers of the subordinate Courts in respective States. In this backdrop, the Odisha Judicial Academy came into existence on 20th December 2003 with the objective to develop and to deliver educational programmes among the judicial officers.

I have learnt that the academy adapts to training methods like institutional, practical and filed training to the judicial officers for developing the overall competency of the judicial officers. I am glad that the academy is embracing the right technique in training the judicial officers. The purpose of instituting this academy is never for imparting legal education to the officers, which is already acquired by them in law schools/colleges and examined in the competitive exams. Rather the academy is the place where they will be taught the skills of judging. The objectives to be achieved by the academy include:-

(1) Providing judges with knowledge, skills, techniques and awareness required for performing the judicial responsibilities - fairly, correctly and efficiently;

(2) To improve through education the administration of justice, including fair and efficient management of trials and reduction of delay in the Courts;

(3) To promote each judge's commitment to the highest standards of personal growth, official conduct and social awareness.

The onerous task of dispensation of justice requires more than mere knowledge of law. The delivery of justice is an art, which is well delivered with honing of skills. In my considerate view, the judicial academies across the country is like the grooming place for the judges, which teaches the practical usage of theoretical knowledge of law and polishes the skills required for delivery of justice.

VITAL ROLE OF A JUDGE:

The role of judge is by and large determined by the nature and variety of his functions. Broadly speaking, the function of every judge, trial or appellate, is to decide the cases brought before him according to law and in the manner accepted by society as just, fair and reasonable. My dear colleagues, it is essential to recall that the credibility and legitimacy of judicial decisions depends not only on its merit and soundness in law, but also on public perception of impartiality and objectivity of the procedure adopted by the judge. This is a task, which judges have to internalize when they assume the role of judging. The most important function of the judges is to conduct the proceedings in a fair, orderly and dignified manner.

Further, finding the truth of contested issues of fact is the first concern of a trial judge. Based on the facts ascertained, the judge is to apply the law and give his decision on guilt, liability etc. As a consequence, justice rendered depends on the facts identified. If the judge fails to spot the true fact beneath the files of

case and arguments presented by the counsel then justice will not be rendered even if due procedure of law is strictly adhered too. Therefore, the judges' ability to unravel the truth by putting appropriate questions to the counsel determines to a large extent how justice is perceived and delivered.

There is one distinctive feature that differentiates between a lawyer and a judge; the former requires the skill of arguing to excel in his sphere whereas the latter needs the skill of judging to dispense justice. Thus, in unequivocal terms, it is clear that the function of a judge revolves around the ability to judge the litigants, witnesses, advocates and the overall case. Judicial officers undeniably are the key figures in determining the quantity and quality of output which the public get as justice out of litigation in Courts. Hence, the judicial training rendered in the academy has a direct effect in enhancing the fair and efficient administration of justice.

The conventional functions are assuming new dimensions with the expansion and diversification of judicial assignments and changes in the expectations of society. In a plural society with institutionalized social inequalities based on gender, religion, language, race and caste, the role of judge becomes all the more difficult and challenging. This is where the Constitutional philosophy should invariably inform and illuminate the thought and action of every judge particularly operating at the grassroots level.

It is in this backdrop that the role of the judicial academy acquires additional significance. The academy should be seen as the medium that enhances the level of motivation and cultivates leadership quality in the judges. It is pertinent to remember that the degree of competence and professionalism and the clarity of purpose and methods, which the judges display, make the judicial system perform to its optimum efficiency. Therefore, the task vested on the academy is in fact very onerous. I am confident that the Odisha Judicial Academy will continue to excel in its functions like it did in past. Persistently adopting to innovative training methods can be the source for the academy to outshine in its performance.

It is often said that an institution is only as good as the people who operate it. Meaning, that the proficiency of the academy is determined by the performance of judicial officers. I hope that the judicial officers of the State of Odisha comprehends their responsibility and stand as guiding light for other academies in all the States of the country.

TARGET OF THE ACADEMY :

The ultimate target of the training sessions held in the academy should be to inculcate the following qualities in the judicial officers:-

1. Confidence: Judicial training aims at putting the new judge at ease with difficult situation, which he is likely to face in the first few weeks as a judge and to give him the necessary confidence by providing him few tips on using procedural norms and approaches intelligently and imaginatively as a tool for justice.

2. Social sensitized judge: Social sensitized judges are the echoes of efficient judiciary. It goes without saying that in the dispensation of justice, law does not operate in a vacuum or void. It draws substance and sustenance from the social world. Thus it is imperative for judicial officers to have a fair knowledge of the society that they are called upon to serve. The inside view of the society and the social order would be extremely helpful to marshal facts, analyze statements, draw proper inferences, and thereby reach right conclusions in the task of dispensation of justice. Judges must be well equipped to respond to the changing needs of our evolving society.

   Further, the judges must be sensitized on effective practice and procedures to be followed by them during the trial of rape and other sexual abuse cases with a further instruction to disseminate their experience gained among companion judges.

3. Sentencing: In criminal proceedings, the judge has to perform an important function of awarding an appropriate sentence to the guilty. With better understanding of the varied goals of punishments and the nature of human behaviour, the sentencing function has assumed a critical role in criminal justice administration. Similarly, the calculation of money damages in a civil court is not that easy as generally believed. Judicial academy must provide the forum for the newly appointed judges to discuss with other senior judges on the subject of sentencing through conferences and seminars.

4. Judgement writing: Judicial reasoning is an art to be cultivated by every judge through study, reflection and hard work. His/Her competence in language and communication is critical for this task. Thus, judgments must be clear and decisive and free from ambiguity, and should not generate further litigations and demand for clarifications.

   There is also a serious grievance that judgments are not delivered in time and in many matters arguments have been made months before but judgments remain pending. The inconvenient truth is that the judges are equally responsible for delayed justice. Judges must pronounce judgments within reasonable time preferably within 30 days of final hearing.

5. Personality development: It must be remembered that judicial training also involves a personal element. That is why Eugen Ehrlich, an Austrian legal scholar said, "the ultimate guarantee of justice in a court of law is the personality of the judge". Thus, due importance to personality and character building exercise is especially relevant for young judicial officers. Care must be taken to ensure that judges in general, and those newly appointed to the judiciary in particular, are not swayed by the power and authority that they command. There are certain other

elements that are fundamentally linked with 'dispensation of justice' by the judge. The attributes of honesty, integrity and independence must be cultivated and preserved. Judges must recognize that their power is limited to the extent of realizing their judicial role in the greater constitutional scheme of the republic. In order to wipe out the possible misuse of judicial power, the judicial academies should conduct regular programmes and exercises focusing on judicial ethics. These programmes should be add-on by sensitization courses that orient humanely reaction towards the need of especially vulnerable groups like juvenile offenders, women, poor and depressed classes, tribals etc.

JUDGES OF THE FUTURE :

Technology is changing the role of judges. Computer adaptation of sound recording devices and videotaping facilities quicken the process of trial management of dockets and production of transcripts, orders and judgments. The task of judicial administration and court management would hereafter require skills based on new technologies of communication and management.

The judge's Book published by the American National Judicial College contains a chapter on "The Judge of the Future" which succinctly projects the emerging features, which will be reflected in the judges of the future in the following words. To quote:

"Although speculations about the judge of the future bring visions of robotic truth assessing machines, law dispensing computers, and chemical test-determined dispositions, human beings rather than mechanical marvels, will continue to exercise the fine art of judgment for any foreseeable future."

These lines stress on the importance of fine art of judgment of the judges even in the age of technology and rules that no technology can replace the need for fine art of judgment of a judge.

The judicial function thus is a challenge to everyone who occupies that office. To be able to respond to such a noble assignment of dispensing justice efficiently and impartially, a trial judge, inter alia, has to improve his knowledge and skills. The personal computer will enormously increase the research and communication capabilities of the judge. The level of scholarship of future judges is bound to increase with easy access to Internet and related facilities. The judges of the future will be required to have both national and international perspective to decide cases in the coming years.

FINAL REMARKS :

A judge is expected to be an expert in all the areas of law, though as a lawyer he might have specialized in one or two branches of law only. All these demand knowledge and skills of such range and variety, which perhaps no other profession requires from a practitioner. Recognizing the important role a

judge plays in a democratic setup, I urge each one of you to take the special effort to keep yourself abreast with the latest developments of the law at both national and international level.

This century can be referred as the 'age of media'. Judges being in a responsible Constitutional position has the obligation to behave befitting to his profession and status. The respect that society bestows on office of a judge and his judgments is determined by the manner in which a judge conducts himself in his public and private life. Hence, close association with individual members of the Bar especially those who practice in the same court, police officials and other government functionaries must be avoided. Unnecessary comments and observations in the courtroom and in public domain must be strictly evaded, as it will speak less of the institution. Remember my dear friends, when you are holding the office every word from your mouth speaks for the institution itself.

As mentioned earlier, the fundamental purpose of instituting this academy is to contribute knowledge, skills that impact on promotion of effective, efficient and accessible justice and to improve over all personality development of judicial officers and judges who are essential stakeholders of the judicial system in our country. Under the jurisdiction of Orissa High Court there are 14 Districts Courts. Therefore, the strength of judicial officers is relatively less in comparison with other States. So more integrated courses and seminars can be held for the benefit of the judicial officers.

I notice that in the past two- three years the academy has tried to diversify its activities so as to make it more meaningful. The novel ideal of holding refresher courses for in-service judicial officers is a welcoming effort by the academy. Accordingly, the training-cum-refresher courses must be timely upgraded. Apart from various aspects of procedural and substantive law, matters relating to the Court Management, Judicial Ethics, Behavioural Skills, Speedy Disposal of Cases and application of Information Technology in Judiciary should also be considered for inclusion in the curriculum, I am mindful that already few above mentioned subjects are added in the curriculum. However, I suggest that the academy should not be depended only on judges to teach/training the judicial officers. External aid from other professionalist must also be sought for in subjects like information technology, behavioural skills, court management etc.

Academy should also take a lead in disseminating knowledge about emerging, trends in human rights jurisprudence, environmental law, business law, alternative dispute resolution, consumer protection laws, private international law and intellectual property rights etc. It must develop programmes that are both contemporary and relevant.

The effort of the academy to release quarterly newsletter, which aims at bringing various activities and achievements of the academy to public notice is another commendable effort. Besides, I have also

learnt that lectures of eminent jurists on varied aspects of law are published and circulated among the judicial officers and the advocates for their future reference. This act is indeed a laudable labour as the lectures now will be available to those judicial officers who were not in position to attend the seminars too. Besides, record of these lectures will always be an asset to the future judicial officers.

Before, I wind up my address, I wish to express that as a member of an ideal institution of our country, you have to set ideals to be followed by others. The first step towards ensuring the same is to be punctual in convening trials and hearing. Punctuality of judges is indispensable to maintaining dignity and decorum of courts.

To conclude, I would like to convey that a vibrant subordinate judiciary is the need of the hour. Inordinate delays, escalating cost of litigation and inequality in the system sometimes make the delivery of justice an unattainable goal. But we have to be optimistic and work together to not just uphold the rule of law, but ensure that litigant does not lose faith in the maze that our legal system has become. Young judges must brace themselves to do their part which may be onerous but fully satisfying.

You must not see judicial service as a service in the sense of employment. Judges exercise the sovereign judicial power of the state as prime dispensers of justice. Working in court of law is not purely mechanical but demands ability, alertness, resourcefulness, tack and imagination. Changing dynamics of our legal system demands that judges be in continuous training and education.

In a country like ours, where people consider judges only second to God, Efforts must be made to strengthen the belief of the common man. If independent and efficient judicial system is to remain the basic structure of our Constitution, a competent subordinate judiciary is its indispensable link. I have full faith that you will fulfil this role dutifully and efficiently.

Thank you!

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SPEECH BY

Mr. Naveen Patnaik

Hon'ble Chief Minister, Odisha

DELIVERED AT THE OCCASION OF INAUGURATION OF NEW ODISHA JUDICIAL ACADEMY BUILDING AT CUTTACK ON 10.08.2013

Hon'ble Justice P. Sathasivam, Chief Justice of India, Hon'ble Justice B. S. Chauhan, Judge, Supreme Court of India, Hon'ble Justice A. K. Patnaik, Judge, Supreme Court of India, Hon'ble Justice Dipak Misra, Judge, Supreme Court of India, Hon'ble Justice V. Gopala Gowda, Judge, Supreme Court of India, Hon'ble Justice C. Nagappan, Chief Justice of the Orissa High Court, Hon'ble Former Chief Judges, Chief justices and Judges of the Orissa High Court, Director of the Odisha Judicial Academy, Dr. Choudhury, distinguish guests, ladies and gentlemen.

I am delighted to be present here today on this august occasion of the inauguration of the Building of the Odisha Judicial Academy. This was a long standing demand of the legal fraternity apart from being a necessity for the state. I take this opportunity to welcome the Hon'ble Chief Justice of India and the Hon'ble Judges of the Supreme Court to Odisha.

Aspirations of the people are rising due to increased awareness and empowerment. Hence, the executive and the judiciary have to be prepared to respond to the need for providing speedy and just relief to the people. While we have the Gopabandhu Academy of Administration for training of Administrative Officers and the Madhusudan Das Regional Academy of Financial Management for training of Finance Officers, there was a felt need for training and capacity building for the officers of the Odisha Judicial Services. The Odisha Judicial Academy will provide a forum for extensive and rigorous training taking into account the complex and multi-dimensional nature of legal discipline. It requires continuous knowledge up-gradation for enabling judicial officers to discharge their duty to the satisfaction of the litigants. The National Law University at Cuttack along with the Judicial Academy completes a full circle of legal education and professional training.

The Academy should devise training modules for incorporating state of the art technologies as well as streamline internal processes to accelerate case disposal. I am happy that the e-Courts Project for the Hon'ble High Court of Odisha and the District Level Courts is proceeding at a satisfactory pace. This Academy, I am sure, will regularly undertake orientation and sensitization programmes for making the justice delivery system more efficient.

I would also urge the field level judiciary to encourage mutual settlement of disputes. The poor and tribal people should be encouraged for early settlement of disputes through innovative and speedy mechanisms like the Lok Adalats. The awareness level of disadvantaged sections regarding their legal rights should be raised through a series of activities initiated by the judiciary and involving professions. I hope that the products of the Academy, who are at the cutting edge in the apparatus of the justice delivery system, will focus on such issues.

The legal profession and the judiciary in India have matured into one of the finest institutions. Most leaders of the Indian freedom struggle were great lawyers. In Odisha, the great tradition began from Utkal Gourav Madhusudan Das, and today we have great lawyers and efficient judges. Many of our Judges have made the profession proud not only in Odisha, but as Chief Justices of other High Courts and in the Supreme Court.

I am confident that under the guidance of the able Hon'ble Judges of our High Court, the Odisha Judicial Academy will soon earn a special place for itself as a premier institution for judicial training in the country.

Thank you very much.

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SPEECH BY

Hon'ble Mr. Justice A.K. Patnaik

Judge, Supreme Court of India

DELIVERED AT THE OCCASION OF INAUGURATION OF NEW ODISHA JUDICIAL ACADEMY BUILDING AT CUTTACK ON 10.08.2013

My Lord the Chief Justice of India, Justice P. Sathasivam and Madam Sathasivam, the Chief Guest of this function Shri Naveen Patnaik, my brother Judges of the Supreme Court Justice B.S. Chauhan, Mrs. Chauhan, Justice Dipak Misra, Mrs. Misra, Justice Goapla Gowda, Mrs. Gowda, Justice D. P. Mohapatra, Former Judge of the Supreme Court. Justice Pasayat, Former Judge of Supreme Court of India, Mrs. Pasayat, Chief Justice Nagappan of the Orissa High Court and all other Judges, both sitting and retired, of the Orissa High Court, Justice P. K. Mishra, the Former Chief Justice of Patna High Court, Justice L. Mohapatra, Judge of Allahabad High Court, Justice B. P. Ray, Judge of the Kerela High Court, all gracious ladies present, the Ministers of the State of Odisha, Members of Parliament, Members of Odisha Legislative Assembly present, Learned Senior Advocates, Judicial Officers, Members of Bar, the Chief Secretary and all other Members of the State Administration, all are guests from the media. A very good morning to all of you.

At the outset, I must personally thank my Lord Chief Justice of India and the Chief Minister of the State who have found the time to come to this function and inaugurate the New Building of the Odisha Judicial Academy.

You have already heard two Judges from the Supreme Court, Justice Gopala Gowda and Justice Dipak Misra, and you must have noticed the different styles difference contents of their speech and that is what the Supreme Court is. Supreme Court comprises Judges from all the States with all kinds of thoughts. Judges in the High Courts and the Subordinate Judiciary may have limitations. But Supreme Court Judges have to work within the limits of their constitutional powers but their thoughts are absolutely free within the constitutional limits. So, let me give a 3rd view on this occasion. You have heard Chief Justice Nagappan saying that I had three institutions in my mind for Odisha. One is the National Law University, the second is the Judicial Academy and the third is the High Court, and these three will ensure a wonderful Bar and a wonderful Bench, this is what I thought was necessary for the rule of law and for democracy to function properly. Accordingly when Mr.Naveen Patnaik congratulated me on my elevation to Supreme Court, I extracted three promises from him as the Chief Minister, he must provide the funds from his governance for infrastructure wise to the High Court, to the National Law University and to the

Odisha Judicial Academy, and he has fulfilled the promises on behalf of his governance I am very thankful to him.

Now, why a Judicial Academy at all. Way back in 1958 the need for training of Judicial Officers had been thought of by the Law Commission of India in its 14th report which was in 1958. The Law Commission has said that however well famed the substantive law and carefully designed the procedure law may be, the proper application working of the laws lies largely in the hands of officers presiding over the courts and therefore even if the laws are perfect, we would need adequate trained and capable Judicial Officers to apply and administer them. You may have said Indian Penal Code, Criminal procedure Code, Civil Procedure Code, Laws relating to Criminal Procedure Code, Contracts, Sale of goods, Transfer of Property, marriages, succession but who is going to apply them. It is the Judicial Officers of the State. So unless their mind is absolutely well equipped and trained Substantive Law and Procedural Law will not be effective in delivering justice. Therefore, the minds have to be trained.

Today, we have a developing economy and you must have read in the papers how wonderful Odisha has done in the area of poverty reduction. A poverty reduction 24% where is the highest in country. Unless the legal system and the judicial system in the State is able to provide a system of dispute resolution where is speedy and proper the rate of growth will also be arrested. I am, therefore, convinced that unless we have a good strong legal system to sort out disputes in the economy our economic development will be not that fast. As Lord Delwin has said of the British system of his times, if our business methods are as antiquated and the legal system which is slow and out dated, our economy will slow down. Hence, in 173th report that is 1986, the Law Commission of India concluded that the updating of the knowledge and skills can hardly be left to the voluntary effort of individual Judges and we must have any training facilities for Judges.

In High Court level we do not have any training facilities as such but we have some interaction between Judges and the Resource persons. But then we have to make our own individual efforts to update ourselves with laws. I make it a point to go and join discuss and listen in a seminar. That is how I update myself with the changing laws in the Supreme Court matters come from Bombay, which are difficult Commercial matters, arbitration matters, and international arbitration matters. Unless, I equip myself with the latest in these branches of law I won't be able to perform my function as a Judge of the Supreme Court. In 1992, the Supreme Court of India a through a Bench provided by Justice Ranganath Mishra, took the initiative and directed setting up of National Judicial Academy for training of District Judges and Addl. District Judges at national level and State Judicial Academies for Judicial Officers at the State Level. Hence, we have the National Judicial Academy at Bhopal and every state has a Judicial Academy in the State. Odisha did not have a State Judicial Academy till 2001. On 30th March, 2001, the

State Judicial Academy was conceived for Odisha when the High Court decided to establish the Odisha Judicial Academy. And thanks to the efforts of Justice Hanumanthapa, he ensured that the red building of the Board of Revenue, which was lying idle, is made over to the Orissa High Court for starting the Judicial Academy. I came back from Guahati in 2002 and around 2003 when Justice Burman Ray became the Chief Justice I persuaded him to provide whatever funds were there in the contingency available to the Judicial Academy so that the furniture etc. could be purchased and the Odisha Judicial Academy was inaugurated by Justice Pasayat and the then Director of the National Judicial Academy, Dr. Madhav Menon. But then that was only a temporary building of the Odisha Judicial Academy.

This land was allotted by the State Government and the 13th Finance Commission allotted 21 cores and thanks to the State Government headed by Chief Minister Mr. Naveen Patnaik who gave the balance funds for putting in place this infrastructure comprising an auditorium, a wonderful library, good lecture rooms, hostel rooms which are all air conditioned and computerized. But this constitutes only the infrastructure to begin with. Infrastructure does not make a judiciary. In India and all over the world is in the human mind which delivers Justice. Therefore, we must now make the best use of whatever infrastructure now we have here to produce good judicial minds or our Judicial Officers so that they can deliver quality justice & quick justice to the people of Odisha.

Thank you.

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SPEECH BY

Hon'ble Dr. Justice B.S. Chauhan

Judge, Supreme Court of India

DELIVERED AT THE OCCASION OF INAUGURATION
OF NEW ODISHA JUDICIAL ACADEMY BUILDING
AT CUTTACK ON 10.08.2013

"THE ROLE OF JUDICIAL ACADEMIES IN INDIA"

Perhaps, the biggest problem that the judiciary faces is that of pending cases. We have all heard the adage, "Justice delayed is Justice Denied" and "Justice hurried is Justice Buried." Therefore, whatever you do people are bound to criticize it. The best example on this can be Judge Cambro who decided a case as a Sessions Judge in Malta to which he was the sole eye-witness. Through the widow of his house, he saw a person running to save his life and another person chasing him with a knife. The assailant gave the victim several knife blows and ran away apprehending his arrest. In the meanwhile, a passer-by saw the victim crying, he came and tried to help him. By that time the police came and arrested the passerby. He was tried by Judge Cambro as he was the only Sessions Judge at that place considering the circumstantial evidence, he gave death sentence to the passerby. The same was affirmed by the appellate court and he was hanged. After some time, the incident was made public and there was a debate and people demanded that Judge Cambro should be hanged as he had given death penalty to an innocent person. However, a large number of persons realized that a Judge has to decide the case according to evidence led before him, and thus, Judge Cambro could be saved. People realized that a Judge is bound to follow the law enacted by the legislature without being influenced by his personal beliefs.

This view on the role of a Judge has prevailed in orthodox jurisprudence until recent times. When we are governed by the Constitution, the rule of law must prevail. Every Judge must keep in mind the doctrine of separation of powers which is the basic feature of our Constitution and can neither encroach upon the power of the legislature or the executive.

The Judicial Academies in India are a new species of Institutes, which have been set up for the fulfillment of numerous objectives other than its main objective of providing training to the Judicial Officers. It is also imperative that they be taught to study Court management which include Time management, Board management, Registry management, Bar management and the use of Technology and further to suggest improvements in the working of Judiciary.

In the present scenario, the Judicial Academy has to ensure that the mindset of the judicial officers is changed and they are taught that the prime duty of the Judge is to enforce the law and not to act on their

whims. Condoning unwarranted delays and showing unnecessary sympathies tantamount to showing utter disregard to the legislature. If we give strict adherence to the statutory requirements and prohibitions contained therein, we would be able to decide the cases in a better prospective.

A judge must play an active and effective role dispensation of justice. He is not a mere spectator and a recording machine but must be a participant in the trial evincing intelligence and active interest so as to elicit all relevant materials necessary for reaching correct conclusion, i.e., to find out the truth and administer justice with fairness and impartiality. Such a goal can be achieved by ensuring compliance to procedural law.

A Judge should not allow the parties to convert the trial into a redundant proceeding. A Civil Suit is pending before the Civil Court in Calcutta for last 178 years. A case was remanded to Civil Court Agra by the Privy Council in 1923 for retrial, which is still pending. In the United States, recently, a criminal case stood concluded in 28 years as it had been taken upto the highest court. The accused was ultimately acquitted. The debate is going on as why should they have a judicial system which had wasted the prime period of the life of a young man.

Only Judicial Academy can teach judicial officers the craft of marshalling the facts. It is often said that the facts speak for themselves. Judicial officers need to be made aware that in any given case, law always follows the facts.

The Supreme Court had to remand back the cases for re-trial because of gross mis-appreciation of facts and the courts below failed even to conduct the trial properly.

In Madan Mohan Singh v. Rajni Kant, AIR 2010 SC 2933 the documents relied on by the parties showed an inter se conflict of age, for the mother had given birth to her three children even before her own birth. This fact went un-noticed before as many as 4 adjudicatory forums including the High Court who proceeded to decide the matter only on legal issues.

Such instances ought not to have happened. Such a casual approach in deciding cases hampers rendering effective justice with the litigants and litigants being the actual sufferer. With the ultimate result being one that demonstrates grave injustice, the matters had to be remanded back for re-trial. This not only adds to the woes of the litigants and other persons involved, it also affects the administrative system as well which is already reeling under the pressure of ever increasing pending cases.

There is an urgent need to focus on the training of the Judicial Officers based more on the practical aspects of trial, rather than the principles of trial. Case modules and case study are a good mode of understanding and overcoming such situations.

The Government of Odisha had been gracious enough to grant a huge amount for establishment of this Judicial Academy and today, it is being gifted to us. Now, it is the time for us to give a return gift to the people of this State by working hard with all sincerity and integrity and by expeditious dispensation of justice. I hope that in this regard we will be able to come to the expectations of the people of Odisha.

Thank you all.

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SPEECH BY

Hon'ble Mr. Justice Dipak Misra

Judge, Supreme Court of India

DELIVERED AT THE OCCASION OF INAUGURATION OF NEW ODISHA JUDICIAL ACADEMY BUILDING AT CUTTACK ON 10.08.2013

I must state with all humility that I feel absolutely greatly privileged, immensely proud and profoundly delighted to be a part of the inaugural ceremony of Odisha Judicial Academy because, I must confess, I owe a debt to this High Court, my High Court. A debt can be paid back by expression of gratitude in words and in that event, it becomes a personal debt. But for me, it is an institutional debt and, therefore, it has to be an institutional gratitude which can always be partly paid by seemly institutional action. It has also an individualistic facet inherent in it so that I personally can also pay back the debt, if I can.

Time is the truest witness and, I am certain, it stands as an entrenched and embedded witness to all our actions who are present here today. Let us sit back for a while in the time machine. Socrates, one of the greatest philosophers of the world, incidentally born in ancient Greece, never thought of an Academy. He was an individual imparting education and teaching on absolutely individualistic basis. His disciple, Plato, opened an Academy because he believed in institutional conceptualization of ideas and effective concretization of action and he did that with solidified sincerity. I may with profit quote Plato, "the direction in which education starts a man will determine his future life". The history began and modern Academies grew.

Today we have Judicial Academies in almost all the High Courts of the country. The purpose of a Judicial Academy, and I do strongly believe, is to legally educate, impart concrete training, sharpen the intellect of the Judicial Officers, and widen the visions of the trainees, acquaint them with the changing pattern of law and the legal principles, sensitize them to the burning socio-legal issues, teach them institutional priority and institutional courtesy and ingrain in their mind the individual judicial etiquette and sense of impeccable integrity that the society expects from all concerned in the justice dispensation system. Presently, most of the Academies have their own curriculum. They have been scientifically synchronized with the calendar of the National Judicial Academy, Bhopal. However, State Judicial Academy is required to have its own programmes regard being had to the local necessity and the necessitous spheres of litigation.

I am aware that some of the Academies have given immense emphasis on extra-curricular activities. Undue stress on unnecessary extra-curricular activities is likely to divert the energy of the trainees. I do not, for a moment, say that extra-curricular activities should be totally discarded but the nature of activities, the purpose it serves, the time it consumes and other aspects are to be kept in view

and the same has to be thought of with care and caution. The central focus should be on training so that the Judicial Officers who come to Academies are made to understand that it is a rigorous one with some diversion but not the vice-versa.

The appetite for learning should be governed by reason and good temperament. An academy of this nature is required to implant in course of training in the mind of every Judicial Officer that real industry sharpens the appetite. It enables him to cultivate himself to be a good Judicial Officer and his experience makes him more sensible. He should have the perception that the training in a Judicial Academy is a noble acquisition. Imparting of legal education in a purposeful manner should be the ultimate motto of the Academy and any person in-charge of the Academy or anyone who imparts training, should imbibe the feeling in the trainee, to quote a line from Addison, "What sculpture is to a block of marble, education is to the human Soul."

Application of legal principles in an apposite manner has always been regarded as an asset of a Judicial Officer. This application has to be methodical and based on requisite ratiocination. This process in its ambit includes victory over individual's notions, conquest over subjective perceptions and triumph over personal prejudices.

The Judicial Academy has a sacrosanct duty to see that the Judicial Officers write their judgments and orders with clarity by ascribing adequate and proper reasons. Sometimes, it is noticed that orders are quite laconic which are not only legally unacceptable but also cast a doubt about the competence of the Officer. It is also noticed that precedents are being relied upon without understanding the ratio. It is so as the person authoring the judgment does not take the pain to read the decision relied upon in entirely. It should be the sacred obligation of the Academy to see that the analytical faculty of an Officer is enhanced so that these kind of avoidable errors do not occur.

There are three ways to perceive in one's role on this mother earth: some create history, some become a part of the history and some get merged with the history. Anyone who is desirous of becoming at least a part of the history, has to perform his duty with all dedication and devotion at his command. It is essential to remember that sincerity of purpose cannot be allowed to lie on a ventilator.

In conclusion, I would stress that a Judicial Officer is the guardian of the rights of the citizens. Proper study, curiosity to learn, and requisite training endow him with the ability to do justice which erase fear of fear, being "queen of all virtues". This virtue can be achieved; I do maintain the idea, if his faith is not shaken even for a moment in the "constitutional trust". I am absolutely certain that the physical infrastructure of the Odisha Judicial Academy has the potentiality to build the necessary superstructure of intellect and the present generation can proudly proclaim "what men have done, men can always do".

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SPEECH BY

Hon'ble Mr. Justice V. Gopala Gowda

Judge, Supreme Court of India

DELIVERED AT THE OCCASION OF INAUGURATION OF NEW ODISHA JUDICIAL ACADEMY BUILDING AT CUTTACK ON 10.08.2013

My Lord Justice P. Sathasivam, Hon'ble Chief Justice of India, Hon'ble Chief Minister Mr. Naveen Patnaik, My Lord Hon'ble Dr. Justice B. S. Chauhan and Mrs. Shashi Chauhan, My Lord Hon'ble Mr. Justice A. K. Patnaik and Mrs. Prativa Patnaik, My Lord Hon'ble Mr. Justice Dipak Misra and Mrs. Suprama Misra, my friend respected Hon'ble Mr. Justice C. Nagappan, Chief Justice of Orissa High Court and Mrs. N. Subha Nagappan.

Mr. Justice Indrajit Mohanty my good friend who is the architect of this function, the Board of Governors of the Odisha Judicial Academy and the great sons of this soil, who are sitting in the front row of the auditorium. Hon'ble Mr. Justice D. P. Mohapatra, Hon'ble Mr. Justice Arijit Pasayat, Former Judges of the Supreme Court of India, Mrs. Subala Pasayat, Hon'ble Mr. Justice A.K. Ganguly, Former Chief Justice of Orissa High Court, and former judge of the Supreme Court and Chairman of the West Bengal Human Rights Commission. Hon'ble Mr. Justice Sujit Burman Roy, former Chief Justice of Orissa High Court and former Chief Justice of Patna High Court, Mr. Justice P. K. Misra, my brother and sister Judges of Orissa High Court, my former colleagues of the Orissa High Court, Mr. B. P. Das, Justice L. Mohapatra, the former Chairman of Odisha Judicial Academy, former Judges of Orissa High Court who are present in large numbers, learned Advocate General Mr. Ashok Mohanty, respected Chairman of the Bar Council Mr. Gopal Krishna Mohanty, respected President of Orissa High Court Bar Mr. Roy and his office bearers, all other office bearers of different Bar Associations in Odisha State who are present here in large numbers, respected senior Members of the Bar, Vice-Chancellor Prof. Shri V. Nagaraj, the Chief Secretary of Odisha State Mr. J. K. Mohapatra, the Hon'ble Minister for Housing Mr. Mishra, the Hon'ble Parliament Members who are present among us, the Hon'ble Members of the Peoples Representative, my affectionate, young, energetic Members of the Bar, my brother and sister Judges of the Dist. Judiciary of Bhubaneswar and Cuttack Districts, respected invitees, Ladies and Gentlemen.

It is a great pleasure for me to be in your midst at this memorable inaugural function of the Odisha State Academy Building. It is a happy day for all of us having inaugurated this Gyana Mandir at Cuttack. I call this as a Gyana Mandir as from this historical mandir knowledge will be transmitted to both the judicial officers and lawyer friends to render justice to the people of this great country. From the bottom of my heart, I congratulate the Hon'ble Chief Justice and his companion Judges of the Orissa High Court, respected Chief Minister the Odisha State Shri Naveen Patnaik Ji, the Central Government and the people

of the State for having come forward to grant the huge money of Rs. 31 crores for the construction of this Gyana Mandir, by the side of this famous historical Kathajodi river of the State of Odisha.

The Indian Judiciary is today under the dynamic leadership of my Lord Chief Justice P. Sathasivam, who is the right and befitting personality to inaugurate this historical Academy building today. This programme was planned about 8 months back in consultation with my elder brother Justice A.K. Patnaik after he was designated as Chief justice for a period of one week. You must have read in all the newspapers and in electronic media, his Lordship's statements where he has candidly stated that we have to render social justice to the people of this country to achieve the constitutional mandates. His Lordship was kind enough to accept the invitation to inaugurate the building. Today His Lordship has inaugurated this monumental, historical Building of Odisha Judicial Academy and he is very much interested in imparting legal education to the legal fraternity. Legal education is required for all the concerned people involved in the process of rendering justice to the people of this country.

I am 100% sure under the guidance and leadership of the Chief Justice, my brother Justice Nagappan and Indrajit Mohanty, you will have very good resource persons and education in all the topics not only the law subjects, but also subjects like Geography, Economics, Sociology, Politics and other relevant subjects which are of concern to the people of this country, its masses, the downtrodden as well as the upper classes of the society. I am sure that you will be doing your main job which is to impart education to all those concerned. My request to the Chief Justice and also the President of the Board of the Judicial Academy - don't confine this Judicial Academy exclusively for only the Judicial Members but also extend the benefits of this Academy to all the Lawyers of this State by providing them accommodation so that they can acquire knowledge to effectively assist the judiciary to determine the rights of the people. I strongly believe and I have always been stating that lawyers are an invaluable part of the Indian judiciary. The lawyers are the ones who have contributed to the development of law in this country and it is the lawyers of this great country who are responsible for protecting the rule of law.

Therefore, you must involve them and impart education to the younger Members of the Bar so that they can take over the reins of the power of the Indian Judiciary. I am sure that this opportunity will be given to the Members of the Bar. I am told that an Advocates' Academy is already established. The President and the Board of Governors and the Chief Justice must coordinate with that Advocates Academy. They must also be taught in this Institution. I am appealing to the young Members of the Bar who are present in large numbers here, that they must take up the profession very seriously, they must have humility and sincerity and get a good legal education. They must respect the judiciary, and respect the elder and senior Members of the Bar. My request to the elder Members of the Bar also who are present in large numbers here, to please take the young Members of the Bar on their shoulders. You have to groom them so that they can take over the reins of the power of the country. Don't isolate them, don't keep away from them. You are required to guide them, coax them and educate them. Treat them as your children, even if they commit some mistakes, correct them and bring them to the correct path. I hope and

trust that the Senior Members will do that. The younger Members of the Bar must respect the Senior Members of the Bar and not only the Judges. It is you who are responsible to change the society of this great country. The millions of people of this country have a lot of expectations from us. There are people who don't have shelter, clothing, food or drinking water. So, please remember we are fortunate that we have the opportunity to serve the people of this country. The Judges of the District Judiciary can do yeoman service to the humanity by rendering justice to the common man of this great country. I am sure that this message will be well taken both by the Members of the Judiciary and the young and energetic Members of the Bar. In this direction we all must work under the leadership of my Lord Justice P. Sathasivam. The cases which we are dealing in the Apex Court, in the High Court, in the District Court and in the Magistrate Court are not simple cases but are sometimes 40 years or 50 years old. Please remember, today we are doing yeoman service to the people by protecting the constitutional values and the constitutional democracy of this great country. It is the Lawyers who are required to come forward and take the great responsibility of rendering justice as envisaged under the Constitution of India.

This State is a very fertile and intellectual one. The Orissa High Court Bar Association has produced a number of Judges of the Supreme Court and two Chief Justices from this great High Court. This is the High Court which has produced many eminent Jurists. If you see the All India Reporter and Supreme Court Cases right from 1950, you will see the contribution of lawyers is tremendous in developing law, and the Orissa High Court and the Odisha State have contributed a lot to the development of law in the State.

Thank you very much for giving me this opportunity to be present at this memorable occasion and share my thoughts with you. I am the happiest person today to see all of you at the historical inauguration function of the opening ceremony of this magnificent Building. Once again, I congratulate each one of you, particularly, the Chief Minister and the Chief Justice of the High Court, the President of the Academy and companion judges of the High Court of Orissa.

Thank you.

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SPEECH BY

Hon'ble Sri. Justice C.Nagappan

Chief Justice, Orissa High Court

DELIVERED AT INAGURATION OF ODISHA JUDICIAL ACADEMY NEW BUILDING ON 10.08.2013

I am delighted to extend a warm welcome to all the dignitaries both on the dais and in the audience for this august gathering.

It is indeed my proud privilege to welcome My Lord Hon'ble Chief Justice of India Justice P. Sathasivam and Madam Sathasivam. While I am short of words to describe the personality of Justice Sathasivam, his Lordship's dedication to the cause of law is well known to the nation at large. Whatever I may say about his Lordship may merely amount to showing a candle to the Sun. But I would be failing in my duty if I do not place on record the fact that today, his Lordship is not only shouldering the responsibility of leading the Indian judiciary, but also continues to bear such responsibilities with abundant ease and provides inspiration to all the members of the legal fraternity. His life is a message to all of us that hard work and dedication alone are required to achieve one's life's goals as well as recognition. Humility and simplicity are the hallmark of Justice Sathasivam and it merely acts as a cloak to his great intellect and knowledge. The innermost desire of Hon'ble the Chief Justice of India is to "Enhance Judicial Productivity" in order to ensure "social justice" in the society. Inspired by these ideals the Odisha Judicial Academy is conducting a seminar today itself on the topic "Enhancing Judicial Productivity" which is scheduled during the afternoon session of this function. We assure your Lordship that we will endeavour to achieve the very objectives set by your Lordship. I, on behalf of Orissa High Court and on behalf of Odisha Judicial Academy extend a warm & cordial welcome to Hon'ble Justice Sathasivam and Madam Sathasivam.

While welcoming Hon'ble Chief Minister Mr. Naveen Patnaik on this auspicious occasion, I must record the gratitude of the Odisha State Judiciary to the continuing support rendered by the State Government under the able leadership of the Hon'ble Chief Minister and for the efforts being made by his Government to enhance the judicial infrastructure in the State. Odisha Judicial Academy is only the latest contribution made by the Central and State Governments towards improving the judicial infrastructure. The new High Court building, establishment of the National Law University of Odisha and now the Odisha Judicial Academy are indeed milestones in the history of the judiciary of Odisha. I extend our hearty welcome to Mr. Naveen Patnaik, the Hon'ble Chief Minister of Odisha to this momentous occasion.

I extend a warm welcome to Hon'ble Dr. Justice B.S. Chauhan and Madam Chauhan. I have learnt that his Lordship has never turned down any invitation extended to his Lordship to visit Odisha and consequently a mandatory visit to Mahaprabhu Lord Jagannath of Puri. His Lordship on every occasion

has been proud of his association with the State of Odisha and has always given due credit to Lord Jagannath for having showered His blessings on him and his family. In turn the Odisha State Judiciary has been showered by his Lordship's goodwill and affection. I welcome My Lord Justice Chauhan back to his Lordship's own home State i.e. Odisha. My Lord Justice Chauhan's period as the Chief Justice of the High Court of Orissa was remarkable and his Lordship is fondly remembered for the immense interest taken by him in the setting up of the National Law University of Odisha and most importantly for the interest shown by his Lordship in nurturing continuing judicial education through Odisha Judicial Academy. The seeds planted by his Lordship will definitely show results in the future generations of the judiciary. I, on behalf of Orissa High Court and on behalf of Odisha Judicial Academy extend a cordial welcome to My Lord Hon'ble Justice Chauhan and Madam Chauhan.

I extend our hearty welcome to Hon'ble Mr. Justice A.K. Patnaik, the son of the soil, back to his home to grace today's momentous function along with his wife Madam Patnaik. I have been informed by my colleagues that Justice Patnaik had shared with them his dream of ensuring establishing three institutional requirements in his home State, which would provide the future generation with the support needed for new challenges. The first was a new High Court building, the 2nd was establishment of a National Law University and the 3rd was to set up the Odisha Judicial Academy. Today, we can proudly state that under his Lordship's leadership and continuing guidance all these three dreams have come true. Justice Patnaik's period as a Puisne Judge of the High Court of Orissa, Chief Justice of Chhatishgarh, thereafter Madhya Pradesh and presently as a Judge of the Supreme Court of India has indeed brought laurels to the State of Odisha and his Lordship is a continuing source of inspiration for all of us. I, on behalf of Orissa High Court and on behalf of Odisha Judicial Academy extend a warm welcome to Hon'ble Justice Patnaik and Madam Patnaik.

While welcoming Hon'ble Justice Dipak Mishra, another son of the soil and a proud flag bearer of the State of Odisha, back to his own home town and Madam Mishra, I take this privilege to welcome a person of great intellect not only in the field of law but also in the field of literature and history. His personal interest in education flows from his Lordship's family's commitment to the cause of education. My Lord Justice Mishra is a shining example of commitment, perseverance and the dedication to the cause of the judiciary. I am informed that the address of his Lordship at the Odisha Judicial Academy and the National Law University of Odisha have been a subject matter of great appreciation and admiration amongst the students & trainees, not only for the content of the speech but also for his Lordship's command over the English language. I am informed, his Lordship also possesses a great knowledge of Sanskrit, which immediately brings to my mind my revered senior Mr. K. Parasaran, Former Attorney General of India. I, on behalf of Orissa High Court and on behalf of Odisha Judicial Academy extend a cordial welcome to My Lord Justice Mishra and Madam Mishra.

I also extend a warm welcome to My Lord Justice V. Gopala Gowda, Judge, Supreme Court of India and Madam Gowda. At the very outset it is my proud privilege to bring to the notice of all the dignitaries

and the audience the fact that today's inaugural function had been in fact planned and fixed by his Lordship Justice Gopala Gowada in December, 2012 while his Lordship was here in Odisha as Chief Justice. The invitation had also been addressed to Hon'ble Justice Sathasivam to inaugurate this building. Today, the only thing that has changed is, while, his Lordship has been elevated to the Hon'ble Supreme Court of India, I happen to be in his place, to welcome him back to his loving State of Odisha for the very function which he had conceived. Justice Gowda's commitment to the judiciary and in particular to the legal education, contribution to the setting up of the National Law University of Odisha as well as to the Odisha Judicial Academy is indeed his greatest contribution to the judiciary of this State. On this momentous occasion, I, on behalf of Orissa High Court and on behalf of Odisha Judicial Academy extend our warm welcome to Hon'ble Justice Gopala Gowda and Madam Gowda.

It is also my duty to extend a very warm welcome to My Lords Hon'ble Justice D.P. Mohapatra, Hon'ble Justice Dr. Arijit Pasayat, and Hon'ble Justice A.K. Ganguly, former Judges of the Supreme Court of India and Madams; My Lords Hon'ble Justice Sujit Barman Roy and Hon'ble Justice P.K. Mishra, former Chief Justices of High Courts; and all the former Judges of the Orissa High Court and respected Madams for having accepted our invitation and for their gracious presence today.

It is also my pleasure to welcome two of our erstwhile colleagues of the Orissa High Court Hon'ble Justice L. Mohapatra, Judge of the Allahabad High Court and Hon'ble Justice B.P. Ray, Judge of the Kerala High Court for having accepted our invitation and being present here today.

I am also duty bound to welcome all my learned Sister and Brother Judges, whose selfless cooperation and support made, organizing this function possible.

I also heartily welcome the learned Advocate General Mr. Asok Mohanty, the Chairman of the Odisha State Bar Council Mr. Gopal Krishna Mohanty and Mr. Bijan Bihari Ray, President of the Orissa High Court Bar Association.

I also extend a very warm welcome to Mr. Debi Prasad Mishra, Hon'ble Housing & Urban Development Minister of the State for having accepted our invitation to grace the occasion.

I also extend a warm welcome to Shri J.K. Mohapatra, Chief Secretary, Government of Odisha, Mr. V. K. Saxena, Home Secretary, Government of Odisha, Mr. Prakash Mishra, Director General of Police Odisha, Prof. V. Nagraj, Vice Chancellor of the National Law University, Members of the Bar, Officials of the Government of Odisha present here; Registrar General and Officers of the Orissa High Court; Director & Officers of the Odisha Judicial Academy; All the Judicial Officers; the Press both print and electronic media; and Ladies and Gentlemen.

Today is a red-letter day for the judiciary of the State of Odisha when a permanent building of the Odisha Judicial Academy is being inaugurated in the august presence of Hon'ble Chief Justice of India, Chief Minister of the State and four sitting Hon'ble Judges of the Supreme Court of India and distinguished guests in the audience. I am informed that the seed for the present Academy was planted on 30th March,

2001 when the Orissa High Court passed a resolution to set up a Judicial Academy in the State for the purpose of continuous legal training of judicial officers. The Academy actually started functioning from 20th December, 2003 in the Old Building of the Board of Revenue where it continued till November, 2012. Thereafter the Academy was shifted to the Old Chief Justice's Bungalow at Killa Fort, Cuttack where it was functioning till today. This journey has finally concluded today with the inauguration of this permanent building.

The foundation stone of the present building at this site was laid by Hon'ble Mr. Justice N.Y. Hanumanthappa, the then Chief Justice of Odisha on 22nd September, 2001. But, it was only in the year 2010 when the 13th Finance Commission's Grant came to be made available and with the financial support of the State Government, the work on the building commenced in the winter of 2010. I am informed that the total approximate expenditure of this building is about Rs. 31 crores. The construction of this building was taken up under the leadership of the then Chief Justices of Orissa High Court, whose presence amongst us today greatly enhances the momentous occasion.

With these words I conclude my welcome speech with a warm welcome to one and all, including those about whom I have made a special mention and those about whom I could not, for want of time, though not for want of space in my heart.

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INAUGURATION

(L to R) Hon'ble Mr. Justice P. Sathasivam, Chief Justice of India, Shri Naveen Patnaik, Hon'ble Chief Minister of Odisha, Hon'ble Dr. Justice B. S. Chauhan, Judge, Supreme Court of India, Hon'ble Mr. Justice A. K. Patnaik, Judge, Supreme Court of India, Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India, Hon'ble Mr. Justice V. Gopala Gowda, Judge, Supreme Court of India & Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court on the Dias.

Inauguration of Plaque.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court offering flower bouquet to the Hon'ble Mr. Justice P. Sathasivam, Chief Justice of India.

Hon'ble Mrs. & Mr. Justice P. Sathasivam, Chief Justice of India with Shri Naveen Patnaik, Hon'ble Chief Minister of Odisha and Hon'ble Mr. Justice C. Nagappan, Chief Justice of Orissa High Court.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court offering flower bouquet to the Hon'ble Dr. Justice B. S. Chauhan, Judge, Supreme Court of India.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court offering flower bouquet to the Hon'ble Mr. Justice A. K. Patnaik, Judge, Supreme Court of India.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court offering flower bouquet to the Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court offering flower bouquet to the Hon'ble Mr. Justice V. Gopala Gowda, Judge, Supreme Court of India.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court offering flower bouquet to the Hon'ble Mr. Justice A. Pasayat, Former Judge, Supreme Court of India.

Hon'ble Mr. Justice A. K. Ganguly, Former Judge, Supreme Court of India with Hon'ble Mr. Justice Indrajit Mahanty, Judge, Orissa High Court & Chairperson, Odisha Judicial Academy during Inauguration of new Academy building.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court offering flower bouquet to the Hon'ble Mr. Justice S. B. Roy, Former Chief Justice, Orissa High Court.

Hon'ble Mr. Justice B.P. Ray, Judge, Kerala High Court during Inauguration.

Inauguration of Odisha Judicial Academy New building by Hon'ble Mr. Justice P. Sathasivam, Chief Justice of India and Shri Naveen Patnaik, Hon'ble Chief Minister of Odisha, is present.

Lighting of lamp by Hon'ble Mr. Justice P. Sathasivam, Chief Justice of India.

SEMINAR ON "ENHANCING JUDICIAL PRODUCTIVITY" ON 10TH & 11TH AUGUST 2013

Lighting of lamp by Hon'ble Mr. Justice A. Pasayat, Former Judge, Supreme Court of India.

Hon'ble Mr. Justice A. Pasayat, Former Judge, Supreme Court of India addressing the Delegates.

Hon'ble Mr. Justice P. K. Misra, Chairman, Goa Human Rights Commission addressing the Delegates.

Hon'ble Mr. Justice L. Mohapatra, Judge, Allahabad High Court addressing the Delegates.

Hon'ble Mr. Justice C. Nagappan, Chief Justice, Orissa High Court addressing the Delegates.

Hon'ble Mr. Justice A. K. Ganguly, Former Judge, Supreme Court of India addressing the Delegates.

Hon'ble Mr. Justice S. B. Roy, Former Chief Justice, Orissa High Court addressing the Delegates.

Hon'ble Mr. Justice P. Mohanty, Judge, Orissa High Court & Executive Chairman, Odisha State Legal Services Authority addressing the Delegates.

Hon'ble Mr. Justice M. M. Das, Judge, Orissa High Court addressing the Delegates.

Hon'ble Mr. Justice Indrajit Mahanty, Judge, Orissa High Court & Chairperson, Odisha Judicial Academy addressing the Delegates.

Hon'ble Kumari Justice Sanju Panda, Judge, Orissa High Court & Member, Odisha Judicial Academy addressing the Delegates

Hon'ble Mr. Justice B. N. Mahapatra, Judge, Orissa High Court addressing the Delegates.

Hon'ble Mr. Justice S. C. Parija, Judge, Orissa High Court addressing the Delegates.

Hon'ble Mr. Justice B. K. Patel, Judge, Orissa High Court & Member, Odisha Judicial Academy addressing the Delegates.

Hon'ble Mr. Justice B.K. Nayak, Judge, Orissa High Court during inauguration of Seminar on 10th August 2013.

Hon'ble Mr. Justice S. K. Mishra, Judge, Orissa High Court & Member, Odisha Judicial Academy addressing the Delegates.

Hon'ble Mr. Justice C. R. Dash, Judge, Orissa High Court addressing the Delegates.

Hon'ble Sri Justice A. S. Naidu, Former Judge, Orissa High Court, Hon'ble Dr. Justice A. K. Rath, Hon'ble Sri Justice B. N. Mohapatra & Hon'ble Sri Justice Raghunath Das, Judges of Orissa High Court present at the Seminar on 11.08.2013.

Hon'ble Mr. Justice Biswajit Mohanty, Judge, Orissa High Court addressing the Delegates.

Hon'ble Dr. Justice B. R. Sarangi, Judge, Orissa High Court addressing the Delegates.

Mr. Arun Mohan, Senior Advocate, Supreme Court of India addressing the Delegate.

Prof. V. Nagaraj, Vice Chancellor, National Law University, Odisha addressing the delegates.

Seeing is Learning

A 3- days Training Programme was organized for Prison Officers, Public Prosecutors and Police Officers, on the theme "Seeing Is Learning" (SIL), by the Directorate of Prisons & Correctional Services, Odisha, in collaboration with the Bureau of Police Research & Development, (BPR&D), New Delhi, at the **Odisha Judicial Academy**, Cuttack, from 03.09.2013 to 05.09.2013.

Lighting of Lamp by Hon'ble Mr. Justice C. Nagappan, Chief Justice of Orissa High Court.

A total number of 40-participants took part in the aforesaid training programme- 20 number of Prison Officers, 5-Police Officers and 15- Public Prosecutors.

Hon'ble Mr. Justice C. Nagappan, Chief Justice Orissa High Court addressing the participants.

It was indeed a proud moment for all of us as the said Training Programme was inaugurated by Hon'ble Mr. Justice C. Nagappan , the then ,Chief Justice ,Orissa High Court, Cuttack in the august presence of Hon'ble Mr. Justice Indrajit Mahanty,Judge ,Orissa High Court and Chair person, Odisha Judicial Academy Hon'ble Kumari Justice Sanju Panda Judge ,Orissa High Court and Member ,Odisha Judicial Academy ,and Hon'ble Sri Justice Mr.B.K.Patel. Judge ,Orissa High Court and Member ,Odisha Judicial Academy.

Hon'ble Mr. Justice C. Nagappan, Chief Justice of Orissa High Court, Hon'ble Mr. Justice Indrajit Mahanty, Judge, Orissa High Court & Chairperson, Odisha Judicial Academy, Hon'ble Kumari Justice Sanju Panda, Judge, Orissa High Court & Member, Odisha Judicial Academy & Hon'ble Mr. Justice B. K. Patel, Judge, Orissa High Court & Member, Odisha Judicial Academy on the Dias.

It was a new learning experience for the participants as the Training Module was designed to cater to both the practical/Field Training and Theoretical Training, with special reference to various aspects of prison Justice Experts from various fields imparted training on the following subjects- "**Prison Justice**" " **Overcrowding in Jails**" and" The Role of Prison Officers in the Social Re-integration of Prisoners"; "Jail Reforms" and "Vocational Training To Prisoners"; " Provision of Legal Aid for the Prisoners" ; " **Study on Drug De-Addiction**"; " Mother and Child Protection and Care vis-a-vis Hon'ble Supreme Court

Hon'ble Mr. Justice Indrajit Mahanty, Judge, Orissa High Court
& Chairperson, Odisha Judicial Academy addressing the participants.

directions ; Yoga and Meditation Classes by a Yoga Teacher, ; Field Visits to Drug De-Addiction Centre at Project Swarajya, Cuttack and Visit to Circle Jail, Choudwar.

Dr. D. P. Choudhury, Director, Odisha Judicial Academy addressing the participants.

On the last day, an Open Discussion was held among the Participants on the" Operational Problems being faced in managing the Prisons and formulation of Action Plan" and the Training Programme ended with a Valedictory Session

Compiled by : ***Dr. P. M. Samal***
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