

FORUM FOR  FAST JUSTICE

# Nyay Disha

Justice In Time - Justice For All

October 2014  
Issue :1

A Quarterly Journal

॥ सत्यमेव जयते ॥



**SAVE JUDICIARY - SAVE NATION**

## NATIONAL CONVENTION ON JUDICIAL REFORMS AT MUMBAI



Shri Bhagvanji Raiyani, Chairman FFFJ, L to R Shri M Venkatraman, Shri Venkatachaliah, Retired Chief Justice, Shri Veerappa Moily, and Shri O. P. Monga



Shri Veerappa Moily Minister of Law and Justice delivering keynote address.



Shri Arvind Kejriwal at the session on Judicial Reforms. L to R Shri Mayank Gandhi, Shri Chhokar, and Rajendra Thacker.



Shri Venkatachaliah Retired Chief Justice addressing gathering.



Shri Jayprakash Narayan, President Lok Satta Party, being presented Memento by Sneha.



Prominent personalities present at the National Convention



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## FORUM FOR FAST JUSTICE

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If we want to save the nation, the democracy with lofty ideals,  
the judiciary must be saved.

**Justice R.C.Lahoti**  
former Chief Justice of India

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**Disclaimer:** All views expressed in this journal are by individuals in their own capacity and are not necessarily shared by the Forum for Fast Justice and the editors of this journal.

## Editorial

– From the Editorial Board

On 15th August 1947, India's freedom struggle ended, and a new struggle was born. The struggle to rebuild a ravaged country, to provide equal justice to all of its citizens. Today, India has made tremendous strides in rebuilding its economy, but the struggle for justice continues. One of the most important elements of a successful democracy is justice for its people. However, justice and fair treatment remain elusive in India, denied by the habitual delay of justice that has become a dangerous gangrene in society.

"Justice delayed is justice denied." Coined by William Ewart Gladstone, the former British Prime Minister, this phrase is now highly appropriate for the present situation. Delays in justice have multiple causes. Some can be corrected using immediate measures and some require longer term remedies. Implementing these measures and remedies requires the public being aware of the issues, stakeholders and citizens participating collectively, our leaders showing political will, and a judiciary willing to play ball.

"NYAYA-DISHA", this journal, was conceived by The Forum for Fast Justice, a body of people concerned about the sorry state of affairs regarding the dispensation of justice in India. This journal aims to be a common platform for experts and laymen to express their views alike, with the goal of raising public awareness on issues of and remedies to the ailing justice system. The journal will also highlight the work being done by the Forum and the various local Societies for Fast Justice that are germinating like wild fire all across the nation.

India has adopted, as its motto, a phrase from the *Manduka Upanishad*: "*Satyameva Jayate*" (Truth alone triumphs).

In the case of *A. Shanmugam vs Ariya K.R.K.M.N.P. Sangam* (2012) the Supreme Court held "*The entire*

*journey of a Judge is to discern the truth... In the administration of justice, judges and lawyers play equal roles. Like judges, lawyers must ensure that Truth triumphs in the administration of justice... Public confidence means giving expression to history and not hysteria. Public confidence is ensured by the recognition that the Judge is doing justice within the framework of the law and its provisions*".

Yet, the journey to justice has become so slow that relief, and not truth, has become the primary desire for a litigant. Public confidence has eroded. We are more prey to hysteria, not history.

Independence of the Judiciary is necessary to sustain democracy. So is the protection of the fundamental rights of every citizen. Both are enshrined in the Constitution. Both are non-negotiable. There is a need for an efficient, accountable and transparent system to preserve the spirit of the Constitution.

The time has come for the citizen to start taking responsibility as well. Our Prime Minister, Narendra Modi, said in his Independence day speech that "*Mera kya, mujhe kya attitude has ruined the nation*". We have to change our attitude. As per the Fundamental duties in the Constitution, every citizen is required to abide by the Constitution, to cherish and follow the noble ideals that have inspired our national struggle for freedom.

The Forum of Fast Justice is exactly that; ordinary citizens who want to fulfill their obligation to their country. The Forum is committed to bringing about change for the better in the dispensation of justice. We invite all stake holders to participate and support the initiative to chart a new course for justice – Nyay Disha – a path towards timely and fair justice to all. Let truth alone triumph.

Satyameva Jayate.



## From the Chairman's Desk

– Bhagvanji Raiyani

The Forum For Fast Justice is an independent non profit organization devoted to judicial reform. The Forum was registered in March 2008. It aims to create awareness amongst the general public as well as the executive and legal fraternity on the importance of an efficient, effective and transparent judiciary. Its goal is to accelerate the wheels of justice so as to prevent social and political criminalization.

The Forum for Fast Justice has a simple message

**“SAVE JUDICIARY – SAVE NATION”.**

The right to constitutional remedy was created as one of the main fundamental rights because the constitution recognized the need to protect the rights of the citizens. Jawaharlal Nehru said that *“justice in India should be simple, speedy and cheap”*.

In the year 2001, in the case of *Gaya Prasad v. Pradeep Srivastava*, the Supreme Court held *“The time is running out for doing something to solve the problem which has already grown into monstrous form. If a citizen is told that once you resort to legal procedure for realization of your urgent need you have to wait and wait for 23 to 30 years, what else is it if not to inevitably encourage and force him to resort to extra-legal measures for realizing the required reliefs. A republic, governed by rule of law, cannot afford to compel its citizens to resort to such extra-legal means which are very often contra-legal means with counterproductive results on the maintenance of law and order in the Country.”*

Every judge has sufficient experience and knows how to prevent delays in court, as well as the misuse of the process of law by the rich and the famous. There are now 3.30 crore cases pending in

various courts, an increase from mere 22 lakh cases in 1956.

The legal fraternity plays an important role in helping citizens in protection of their democratic rights. Madan Mohan Malavia, Motilal Nehru, Bal Gangadhar Tilak, C. Rajagopalachari, Sardar Patel, Vithalbhai Patel, Tej Bahadur Sapru, Kailashnath Katju, Dr. B. R. Ambedkar, Lala Lajpat Rai, C. R. Das, Kanaiyalal Munshi, Mahatma Gandhi, Mohammad Ali Jinnah were all prominent lawyers who dedicated themselves to the freedom movement of our motherland. We urge upon lawyers to support the cause of the citizens for ensuring speedy and affordable justice.

If the Judiciary, despite being an independent Institution, is unable to provide speedy justice as guaranteed under the Constitution, what remedy remains for people in India?

The Forum has relentlessly conducted a campaign through letters, leaflets, brochures, workshops, seminars, conclaves and conventions in various cities and has held discussions with various members of the legal fraternity and civil society and NGOs to spread the awareness on the urgent need for judicial reforms.

To encourage citizen participation, the Forum has enabled setting up of Societies for Fast Justice. As of September 2014, we have twenty seven societies already registered. Sixteen new societies are awaiting registration. By 2015, we intend to set up over hundred societies.

On behalf of the Forum, I make a sincere appeal to all members of the civil society to extend support to this campaign and help us in our mission **“SAVE JUDICIARY – SAVE NATION”**.

## Societies for Fast Justice – Building a National Movement

– Pravin Patel

Timely justice has become a luxury, rather than a fundamental right, in our country. To help reclaim our fundamental right to timely justice, members of the Forum for Fast Justice have launched a strategy to reach out to each and every district of the country by the year 2017. On the 21<sup>st</sup> of October 2012, at Jaipur, a Think Tank Conclave of 15 sub-groups discussed various issues at one of the parallel sessions, one of which was *“Setting up Societies for Fast Justice in towns and cities”*. The first target set was to reach 100 major cities of India by 2015.

Having independent registered Societies in each district of the country may sound cumbersome, or even excessive, but it provides several useful functions. The Societies can focus on local issues and problems. With the help of the Forum, the local Society can provide guidance, technical / financial support, and organize seminars and workshops. The local societies would also engage with the Forum to address larger national issues, providing feedback from the grassroots, as it were. Moreover, the formation of a Federation of Societies for Fast Justice with support of the Forum will create an efficient feedback loop for local area societies to address certain local issues at a national level, as well as educate the masses on their legal and constitutional rights through mass awareness programs. Ultimately, the Forum, together with the Societies, can prove to be an effective pressure group on the powers that be to ensure that the Justice system is reformed at the grassroots level and timely justice is available to all.

September 2014, there are already 27 registered societies. Besides, 18 more societies are already formed and have applied for registration. Separately, the Forum has completed successful workshops at another 40 towns where teams are being formed to kick off the registration process. The ultimate aim, reaching all the districts of India by 2017, remains a key goal for the Forum.

### Registered Societies

- |                   |                       |
|-------------------|-----------------------|
| 1. Mumbai         | 15. Cuttack           |
| 2. Jaipur         | 16. Dahanu            |
| 3. Dwarka (Delhi) | 17. Odisha State      |
| 4. Rajori         | 18. Bhadrak           |
| 5. Gurgaon        | 19. North 24 Parganas |
| 6. Puri           | 20. Rohtas            |
| 7. Kolkata        | 21. Muzaffarpur       |
| 8. Bargarh        | 22. Sarguja           |
| 9. Chattisgarh    | 23. Bilaspur          |
| 10. Mungeli       | 24. Korba             |
| 11. Raipur        | 25. Raigarh           |
| 12. JanjgirChampa | 26. Balodabazar       |
| 13. Dhamtari      | 27. Chennai           |
| 14. Kanyakumari   |                       |

### Pending Societies

- |                |                 |
|----------------|-----------------|
| 1. Bhojpur     | 10. Patna       |
| 2. Samastipur  | 11. Motihari    |
| 3. Nagpur      | 12. Wardha      |
| 4. Durg-Bhilai | 13. Mangalore   |
| 5. Kochi       | 14. Mahasamund  |
| 6. Adilabad    | 15. Imphal      |
| 7. Ukhul       | 16. Sundergarh  |
| 8. Koraput     | 17. Bhubaneswar |
| 9. Chandrapur  | 18. Kawardha    |

The Forum is pleased to state that as of 19<sup>th</sup>

## My Vision for “Fast Justice”

– Bhagvanji Raiyani

Through this journal, I am delighted to share my thoughts and vision that started many decades ago to bring about governance and reforms in the field of education, public service and judiciary. I was pained to see the huge pendency of cases in courts, the frustration of litigants, and the eroding faith in our justice system.

With intent to structure the effort and mobilize support, I established Janhit Manch, an NGO. It became necessary to file public interest litigation and seek judicial intervention to secure orders that would direct the state, executive and public institutions to deliver and be accountable to the public. The NGOs I founded have since filed 105 PILs, of which 40 % of the cases have secured favorable orders.

The main aims and objectives of Janhit Manch are:

- Provide affordable legal services to the poor
- Monitoring of assets held by judges, as well as productivity through a special legislation
- Enhance speed of disposal of cases by limiting number of adjournments, double shifts, fast track and special courts, strengthening the alternate dispute resolution system, providing pre-litigation counseling, and filling up the vacancies of judges
- Make the Judicial administration financially independent, accountable and autonomous
- Amend or repeal century old statutes which are outdated, irrelevant, and counter productive
- Make judiciary a people friendly and democratic institution
- Improve the quality of education in legal educational institutions
- Set up societies and service centres in major cities to spread awareness and build support
- Better infrastructure in Courts
- Create modern incentives, including updated remuneration packages to attract talent
- Establish a clear system of redressal of complains against corrupt practices encountered in Courts.

With help of eminent citizens and members of the legal profession, a procession was organized on January 30, 2002 from Azad Maidan to Bombay High Court to submit a memorandum to the Chief Justice of Bombay High Court and also to the Chief Minister of Maharashtra. The steady drumbeat has continued through campaigns, seminars, and conventions to spread awareness and mobilize support and consensus.

The issues have been highlighted in numerous reports and surveys but the situation remains grim for want of effective measures to address the root causes. According to a global survey by Transparency International conducted in 2007, approximately 77% of Indians believe the country's judiciary is corrupt, and 36% paid bribes to the judiciary the year before. The report says delays due to a shortage of judges as well as complex legal procedures are making Indians take recourse to corrupt measures to get justice. In 2008, Janhit Manch, along with Common Cause group, Lok Seva Sangh and Ravi Goenka filed a civil writ petition no. 122 in the Supreme Court seeking directions from the Court to implement measures that will enable the enforcement of fundamental rights and speedy justice. The PIL is still pending as of today. This reflects the lack of seriousness and urgency that the issue deserves.

It is clear that the judicial system needs to be reclaimed and reinvented by “*we, the people*” such that it upholds the true spirit of the Constitution. The judiciary, without a doubt, owes it to the people of India, but we have to strive for it together.



## Time bound Justice – A slow death ?

Pravin Patel & Chetan Roy

The architects of our constitution, benefiting from the hindsight of other nations, created a marvelous document. The preamble of our constitution states, *"We, the people of India having solemnly resolved to constitute India into a sovereign, socialist, secular, Democratic Republic and to secure to all its citizens -- Justice, -- social, economic and political."* Justice is given the highest priority, even higher than other fundamental rights like liberty, equality and fraternity. Yet, ironically, justice in India is rarely ever on time! A popular joke goes *"in our courts of law, dates are easy to get, but not justice."*

The situation of our courts and our justice system is now dire. Years of neglect have made our courts moribund. Pendency of cases in our courts of law has increased from 22 lakh (2.2 million) cases in 1956 to over 3.3 crore (330 million) cases in 2012. At the current rate of increase, pendency will be 15 crore (1.5 billion) cases by the year 2015. Even more alarming is that this figure does not include cases pending in tribunals or arbitration, nor does it include the various scenarios that camouflage the real pendency number. Pendency numbers would actually be far worse if not for the nearly 95% of litigants who either give up in frustration, or are compelled into an unfair settlement.

The denial of justice through delay is not just a mockery of law; delay in actuality kills the entire framework of law and order in the country. This has led to people settling scores on their own, resulting in a growing number of criminal syndicates in the country and reflecting the loss of people's confidence in the rule of law.

The wisdom shown by the framers of our Constitution, when they prioritized justice, has been demolished over time. How did this happen? Where are the fault lines? Who is accountable? How did India, whose constitution has accorded justice as the topmost priority, come to such a deplorable state of affairs in its judicial system?

**Firstly**, it is important to recognize that India does not have a problem of law. More often than not, appropriate laws are in place, but neither effectively

implemented nor enforced. There is neither the desire, nor are the checks in place, to deliver timely justice as is done in most other countries in the developed world.

The real problem lies in a combination of clogged courts, a poorly paid and corrupt police force that is sometimes run as a politician's or powerful person's fiefdom, and the difficulty in micro-tracking law breakers in a massively populated country like India.

**Secondly**, even as India's population has exploded, the number of judges and courts in the country has remained largely stagnant. We have only 10.5 judges per million people, amongst the lowest in the democratic world. In the USA, the ratio is of 125 judges. In Canada, it is even higher. The shortfall is further magnified by the fact that over one third of the sanctioned strength of judges in our country lies vacant on average. The Supreme Court of India passed an order in 2003, in response to a PIL, to increase the ratio of judges to 50 per million people by 2007. The order remains an order. The Indian government has not yet complied with the order.

**Thirdly**, judicial upkeep is severely underfunded. India allocates less than 0.2% of budgetary allocation against 1.2% in Singapore, 1.4% in USA and 4.3% in U. K. Given that 33% of lawmakers are lawbreakers themselves, an extremely slow moving justice delivery system suits them just fine.

Democracy survives on three pillars, of which judiciary is one. The judicial pillar is dying a slow death through starvation and inattention. Without a strong judicial system, democracy is doomed. India is fast becoming an informally lawless society since fewer and fewer people are scared of being taken to court or being punished for breaking the law.

It is time we question ourselves. Can we live with such a situation forever? Should we? Or can we take action to ensure that our right to seek timely justice is finally made available to all the people of India, rich and poor alike.

## Time bound Justice – Yes, it can happen

Shailesh Gandhi, Former CIC

*Shailesh Gandhi, during his 4 year term as Central information Commissioner, disposed 20,400 cases - 3 times the historical average annual disposal rate. Pendency rate was brought down to less than 90 days. In a letter to the Chief Justice of India in May 2014, Shailesh Gandhi offered some meaningful and workable solutions to address the problem of pendency of 3 crore+ cases. The letter did not meet any response. In this article, Shailesh Gandhi presents his suggestions on reducing the huge backlog in cases.*

Like many citizens, I have been reading that the Indian Judiciary would need centuries to clear its backlog. Justice VV Rao of AP High Court said it would take 320 years to clear the backlog of cases in India. Since everyone talks of the huge and insurmountable backlog, the legal and judicial system has accepted that unless the number of judges is increased manifold, the judicial system would remain helpless. I decided to take a look at the issue by doing some number crunching with the objective of trying to estimate the number of judges required. I must disclose my core belief, that unless the judicial system delivers in reasonable time, it is not meaningful. However, in the current context, the Indian judicial system has become irrelevant for the common citizens, and this is responsible for many ills that plague our Nation including disrespect for laws and corruption.

There are quarterly reports being published on <http://supremecourtfindia.nic.in> which gives vital information on the news cases, disposal and pendency of cases in all the Courts. A quick analysis of the data for the 12 quarters (July 2009 to June 2012) shows that the **average pendency for the Supreme Court, High Court and the District & Subordinate Courts for the period July 2009 to June 2012 is 9 months, 30 months and 19 months respectively.**

This appears to indicate that if the principle of 'First In First Out' (FIFO) could be strictly followed, the average disposal time for a case should not exceed 3 years. There may be many arguments to the contrary including validity of assumptions and its feasibility but can there be any justification for many cases taking almost a decade or more. The Judiciary is required to make concerted efforts to make a start with simple solutions and monitor the implementation with timely corrective measures

when deviations are noted. The suggestions that may be considered on priority are as follows.

1. Listing of cases should be a computer program with judges having the discretion to override it only in 5 % cases. This would result in removing much of the arbitrariness, and also reduce the power of some lawyers to hasten or delay cases as per their will.
2. Vacancies in the sanctioned strength of judges should be less than 5%.
3. Cap the number of adjournments and exceptions should be rare and reasons should be recorded.
4. Data regarding new cases received, disposed and pendency per Judge should be mapped and published on the Court websites.
5. Timely filling up of vacancies to avoid further compounding of the problem of pendency with increasing news cases.
6. Complaint redressal system should be mapped and data as regards with number of complaints received and disposed should also be publicized.

Right to constitutional remedy is also a fundamental right and it is the duty of the Judiciary to ensure that the fundamental rights of the citizens are upheld in a time bound manner. According to the World Bank in a report on '**Governance in India**', "*although India's courts are notoriously inefficient, they at least comprise a functioning independent judiciary*". We, as citizens respect the independence of the Judiciary. However, every independent and self – regulated institution also needs to have a system that can monitor the performance of the Judges in a transparent manner and seek feedback to improve the delivery of justice.

## The Justice Delivery System in India – Challenges

Changes that can define a new 'course'

Indira Unninnayar, Advocate Supreme Court & Delhi High Court

### Challenges

Firstly, the Indian Judiciary is far removed from the common man. Its lack of transparency, tortuous procedural complexity, archaic, convoluted language and colossal delays pose insurmountable barriers.

Obsolete laws create further confusion. The absence of any accurate record of court proceedings by way of audio or video recording and its transcription forces judges to rely upon their memories to pass court orders or judgments. Without the benefit of templates/formats and a tendency to ramble, careless mistakes and avoidable errors are aplenty in court orders.

Thus the system benefits those who gain from delays and from mistakes.

Add to this, a 'colonial mindset' of 'talking down' to people with opaque, anachronistic systems that are blindly followed even today, and the gap between ordinary people and the 'justice delivery system' is expanding.

### Indicators

'Case pendency', a unique Indian term coined to depict delays, is colossal at over 3 crores. Most cases take two years or more to be disposed. The right to justice though a guaranteed fundamental right, is denied to most Indians.

### Present efforts

Unfortunately, the approach to address the situation is ad hoc and piece meal, by focusing on 'quantity' (disposal rates) rather than the 'quality' of justice (timely, accurate, useful). Much effort is expended to increase judge strength, fill up vacancies, add infrastructure and to computerize. However, the qualitative aspects of justice delivery are inadequately addressed and most of the challenges listed above remain. In the eagerness to increase 'disposals', the

pressure to somehow 'settle' matters is also enormous.

### Proposed changes

The following could chart the course for developing a much improved justice delivery system:

1. **Video & digital recording of court proceedings**– To provide accurate, tamper free records of proceedings, and to improve accountability.
2. **Preparation of cause lists in a realistic and responsible manner** – To ensure that all cases are heard meaningfully, only a reasonable number of 10–15 cases on a court day.
3. **Provisional allocation of time slots to each listed case and their disclosure in the cause list** – To streamline court hearings, and to treat litigants uniformly in similar cases.
4. **Preparation of time-plan for each case** – To ensure proper management, the preparation of indicative time plan after preliminary hearing, identification of real issues early on, prevention of attempts to prolong / delay.
5. **Special training and orientation programmes for judges on patient listening and communication with courtesy, dignity and compassion, 'public service orientation' and work ethic** – To encourage truth, foster communication and help truly resolve disputes in order to render justice.
6. **Writing judgments following a format / template that ensures coverage of necessary issues and facilitates greater clarity and understanding**– Brief facts, Material submissions of each party, Issues, Legal Reasoning, Citations, Orders/Directions, Ratios. Numbered paragraphs with clear headings and sub-headings.

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## Delays in Justice – whose ends are served?

*Machiavelli articulated that 'the end justifies the means'. Do the means and methods used by litigants lead to ends of justice being met? Senior Advocate Arun Mohan and writer of the book 'Justice, Courts and Delays', writes about two serious concerns and solution.*

**Arun Mohan, Senior Advocate**

Delayed justice is a much discussed issue. There are, however, two more issues which, despite their seriousness, find little discussion:

1. Docket exclusion: i.e., the injustice suffered by those who lack the wherewithal to access justice;
2. Succumbing en route: i.e., those who come to Court, after waiting for few years, and despite being in the right, give up (abandon) as they are unable to bear the cost and delay.

The creation and continuation (with obstructionist tactics) of most of the civil litigation in our courts can be attributed to the fact, and it is the general belief not entirely misplaced, and not wrongly, that:

- The other side will get tired and settle for less or pay up, i.e., succumb en route;
- Even if he does not, the Court will grant only a paltry sum as mesne profits;
- Costs awarded will be only token and not realistic;
- There is no penalty for the wrongs

90% of the civil court time is wasted on the account. If the party knew that one day it would have to pay for the delay tactics, it would behave differently.

Why does all this happen? It happens because, till the recent past, the courts (at the time of finally deciding the matter) did not spend a few minutes to look into this factor (or simply examine the record from this angle) and then did not order restitution, impose realistic costs and penalty for wrongdoing. Fortunately, the move to do so has now begun. The day we start doing so often, things will change.

The major problem with civil litigation and court delays can be identified, and placed, under three broad heads:

- The practices with regard to pleadings, which are the foundation of the litigation, far from encouraging statement of truth, actually offer an incentive for misstatements, misrepresentations, concealments and confusion;
- The reluctance to 'manage' the case by deploying preparatory and pre-trial procedures and thus reduce the width of the controversy going to trial;
- The reluctance of courts to order a restitution *pendente lite* and/or realistic costs – simply, make the successful party whole.

In order to achieve efficiencies and reduce costs of justice delivery, the cost (risk) – benefit perception of the wrongdoer must be targeted. Then, the Court must also be reimbursed the cost for the time that it spent, particularly that which was spent on the uncalled for component of litigation.

Similarly, there is a need to have an appropriate monetary penalty payable to the State for following wrongs:

- Wrongs by a party against the other party;
- By the party's stance at mediation / pre-action protocol;
- Before the Court.

The statute needs to make a provision for these two so as to prevent the abuse and waste caused by one of the two parties in the adversarial system.

## What ails the Judiciary : Judge, Law, System, or Procedure?

By former High Court Judge – Justice Hosbet Suresh

As at present, we have about 3.30 crore cases pending in all the Courts and Judicial Tribunals. It has been said that at the present rate of filing and disposal of cases, we will have 15 crore cases by 2040. The question arises, will we have enough judges and courts to deal with all these cases?

The tally of Judges is 19000 across 18000 Courts. The (UPA) Government had sanctioned the strength of Judges to be 19421, of which 4300 remain vacant. In the case of High Courts, as against the sanctioned strength of 1100 Judges, the vacancies are about 270. I will not be surprised if by 2040, the judiciary is stultified to the point of doing no justice at all to anyone!

If the Law Commission's recommendations were to be accepted, we should have had more than 200 judges per million people, whereas, at present, we are about 16.8 Judges per million people. Therefore, increase in number of judges is the inevitable solution. This raises the important question on method of selection and appointment of Judges.

So, what should be the basis for selecting a Judge?

The UK Constitutional Reform Act 2005 makes merit the sole criteria. It sets out five core qualities:

1. Intellectual capacity to absorb, analyse and appropriate knowledge of Law;
2. Personal qualities such as integrity, decisiveness, objectivity and sound sense of justice;
3. Ability to deal fairly with respect and equal courtesy for all;
4. Authority and communication skills with the ability to explain any decision;
5. Efficiency i.e. ability to work with speed

Unfortunately our method of selecting judges, at every level, is too superfluous to deserve any merit for discussion. This is one of the reasons for multiplicity of proceedings from the lowest level to the highest level, at every stage of the litigation.

An inefficient Judge is no better than a corrupt Judge. Both do no justice. The worst victims are the poor, which necessarily includes “the Weak, the Widow, the Worker” (3Ws of Chagla CJ) and the marginalised. Very often, justice delivery institutions are themselves sources of injustice.

The Judicial Appointment Commission Bill has been much debated. The old collegium system is perceived to be lacking transparency in selection and appointment of Judges. The new bill is yet to be tested for its merit and efficacy.

The system is made of people and process. The rule of law is required to be interpreted such that justice is perceived as done. Essentially, it all depends on the quality of the judge.

A quality judiciary must have as its core values, independence, impartiality, integrity, fairness, transparency and diligence. Cases are not mere statistics. Credibility of the Institution is maintained and confidence of the public can be earned when the judicial system adheres to the core values that reflect the rule of law. However, this is possible only when the Judges demonstrate such values and attributes.

Hence, regardless of the collegium system or the new system, a process that can assess the values, qualities, merit and competence in an objective manner should govern the criteria for selection and appointment of Judges.

## PIL on Judicial reforms pending since 2008, continuing violation of rights of citizen – is there a will ?

contributed by Members of Janhit Manch

Janhit Manch, apart from its consistent long drawn efforts to create awareness amongst the public, the Executive, the Chief Justice of India and various High Courts, about the need to expedite implementation of judicial accountability and reforms has also filed a writ petition (PIL) no. 122 of 2008 in the Supreme Court of India.

In March 2008, the said PIL was filed by Janhit Manch along with Common Cause, Ravi Goenka (CA), and the Lok Seva Sangh against the Union Government of India through the Secretary of the Department of Justice in the Ministry of Law & Justice. The PIL was drawn and settled by senior advocate Prashant Bhusan and Advocate Indira Unninayar who are the advocates for the petitioners.

### Key points in the PIL:

- The petition seeks to restore the fundamental and constitutional rights guaranteed under Articles 21, 14, 19 and the Preamble, and to enforce the constitutional obligations of State under Article 39A of the Constitution of India.
- Many cases in India take up to 10 years for disposal and usually take far longer than the stipulated 6 months or 2 years for trials, resulting in enormous pendency. The pendency of cases in India, was about 3.00 crores in 2007.
- Although justice is meant to be “simple, speedy, cheap, effective and substantial”, yet it remains elusive to Indians and one of the major reasons are these delays in the dispensation of justice.
- As a consequence of this, the petitioners fear that there has been a loss of public confidence. The petitioners feel that public confidence in the judiciary must be restored immediately, in order to arrest and reverse this negative trend.
- Various authorities such as the Law Commission, benches of this Court, eminent lawyers and judges, etc. have, over the last 50 odd years, identified problems in the judicial system, reasons for delay in the dispensation of justice and specific measures to overcome

delays and expedite the disposal of cases. Yet, the effective implementation of many such recommendations is still pending.

- The 'super reasons' or 'broad overarching reasons' for delays & pendency as identified by authorities including the Law Commission are:
  - a) Delays in implementation of various recommendations;
  - b) Lack of effective will to institute reforms;
  - c) Reorganization proposals to do with manpower planning being patchwork, ad hoc and unsystematic solutions to the problem;
  - d) Absence of hard technical information and analysis of manpower planning;

Further, specific sources of delay are known to be:

- e) Inadequate number of judges and commensurate infrastructure, including electronic connectivity;
  - f) Lack of adherence to basic procedures and principles of case-management and disposal;
  - g) Poor resource allocation to the judiciary coupled with the lack of will to institute reform;
  - h) Insufficient recourse to alternate modes of dispute redressal, pre-litigation measures and plea bargaining;
  - i) Filing and admission of frivolous litigation without imposition of costs;
  - j) Lack of adequate training and appropriate orientation among judicial officers / judges and lawyers;
  - k) Lack of proper tracking of cases and pendency;
  - l) Lack of accountability and transparency in the system.
- This Court had already passed directions in 'All India Judges Association' (2002) 4 SCC 247 to



increase judge strength fivefold, to fill up existing vacancies by 2003, to create ad hoc posts and commensurate infrastructure by 2007, and yet these directions still await implementation.

- This Court had also passed directions in Salem Advocate Bar Association, Tamil Nadu Vs. Union of India (UOI), (2005) 6 SCC 344, P.Ramachandra Rao (2002) 4 SCC 578, Shambhu Nath (2001) 4 SCC 667, and Hussainara Khatoon, 1980 1 SCC 93, to strictly adhere to procedural laws laid down in the Code of Civil Procedure (CPC) and the Code of Criminal Procedure (Cr PC) respectively, in order to ensure effective and timely disposal of both civil and criminal matters. Yet many of these directions are not taken seriously, with the result that justice is delayed and denied to litigants.
- The Parliament has also, enacted several laws including amendments in the CPC 2002, and the Cr PC through new or revised sections to streamline and rationalize procedures.
- The aim today, is to merely achieve strict implementation of directions and laws already laid down. Today therefore, the petitioners merely seek imple the Union is obliged to ensure compliance of such orders under Article 256 of the Constitution of India,
- If this Court fails to imentation of past directions by this Court and of laws that have already been enacted by Parliament.

### Main Grounds

- This Court has the power and duty under Articles 141, 142, 144 and 145 (1)(c) to pass directions to render justice and enforce fundamental rights, andntervene and provide timely interim relief, citizens would continue to be denied of their fundamental rights with no immediate hope for improvement in the future.

### Orders by Supreme Court : 2008 – 2012

- April 15, 2008 : The CJI and Justice R.V.

Raveendran heard the petition and issued notice to the respondent Union of India

- February 2011 : High Courts directed to furnish the information as regards pendency, disposal and vacancies are the pro-forma drawn up by the petitioner's advocates within 6 weeks. The State Governments and Union of India of India were also directed to furnish information with regard to the allocation of annual budget/percentage of the budgetary expenditure allocated to the judiciary in the annual budgets for the last five years.
- August 2011 : Re- directs High Court who have not submitted the information, to submit the information in the requisite format within 6 weeks. Court requests the help of Petitioner's advocate to render her services to the office in compiling the information received from various High Courts and permits the Petitioner's counsel to inspect the records of the said case.
- November 2011 : Supreme Court noted that data on vacancy in High Courts and lower Courts is disturbing and request Petitioner's counsel to provide some concrete practical suggestions which may be useful to expedite disposal of pendency. Consequently, a detailed note of 20 pages was submitted by the Petitioner's advocates.
- December 2012: Data submitted by the Petitioner's advocate on video – recording of court proceedings in other countries. Matter listed for February 2013 for direction.

### The Apathy Continues...

The matter has not been heard in last 2 years. As at December 2013, the vacancy of Judges in Supreme Court, High Court and Lower Courts are 2, 266 and 4296 respectively. The total pendency of cases in aggregate in all Courts as at December 2013 is 3.30 crores as against 3.03 cases as at January 2009 indicating an increase of 7%, despite so much of talk on the needs to reduce pendency.

The Executive and Judiciary must demonstrate commitment to judicial reform. If there is will, there will be a way.

## Case of the Month

**Minakshi Maheshwari**

*The brutal killing of a young advocate, Pallavi Purkayastha on August 10, 2012, shocked Mumbai. The daughter of 2 senior bureaucrats, Pallavi came to Mumbai on a work assignment with Excel Entertainment, a company owned by the actor Farhan Akhtar. She lived with her fiancé, Advocate Avik Sengupta, in a flat on the 16<sup>th</sup> floor in Wadala's Himalayan Heights. In 2013, Avik died due to depression and brain infection.*

Here is a timeline of the events in this case and questions that it raises.

**August 2012 :** Sajjad Pathan, a guard in the building, deliberately tripped the power supply to create an opportunity to enter Pallavi's flat. He sneaked out with the flat keys after fixing the problem and later entered the apartment with intent to rape her.

**October 2012 :** Mumbai Police filed a 434-page charge sheet against Pathan. During the trial, a total of 43 witnesses were examined. The investigation revealed that the murder was premeditated. Pathan was reported to have bought a knife 15 days prior to the crime and had told other building staff that he planned to scare Pallavi and rape her. The intercom of the flat wasn't working and the 4 CCTV cameras were deactivated on the morning of August 9, 2012. Pathan is believed to have deactivated these components.

**November 2013 :** Aveek suffered severe trauma resulting in deterioration of his mental and emotional health. His last rites were performed at the Sion Hindu Crematorium where Pallavi had also been cremated. "We wanted Aveek to be cremated at the same place as Pallavi as he always wanted to be with her. Death has brought them together again," said Aveek's father.

**June 2014 :** The special women's court convicted Pathan of murder, outraging a woman's modesty, and criminal trespass. The prosecution team, led by Special Public Prosecutor Ujjwal Nikam, had argued for the death penalty but Judge Vrushali Joshi rejected the demand stating that the case did not fall under the rarest of the rare argument. Pallavi's mother expressed shock and said that "My daughter was stabbed 16 times. If this doesn't warrant death penalty, then I don't know what does."

**September 2014 :** The state government challenged the session court's decision, saying the latter had shown "undue sympathy" to Pathan. *"The crime was so heinous in proportion that it imperiled and endangered the very existence of society," states the appeal. "This daring and diabolical act has shattered the conscience of society and shaken the very foundation of trust and faith that civilised society lives by".* The plea adds that the lenient sentence given to Pathan had resulted *"in causing incalculable harm to the justice system and undermined public confidence in the efficacy of law".*

**Two young lives were lost, two families devastated. Has it led to better policing and citizen activism for a safer Mumbai ?**

**Social Campaign started by Farhan Akhtar**

In 2013, after Pallavi's tragic death, Farhan started an initiative 'Men Against Rape and Discrimination' (MARD) in 2013. The social campaign has since gained tremendous support from popular celebrities

**Better Policing, Compliance and Transparency**

1. In Maharashtra, private security agencies are given permission to operate under the Private Security Agencies (Regulation) Act, 2005, and the Maharashtra Private Security Agency Rules, 2007. Every agency is required to obtain a Pasara license by making an application in the prescribed format to the Joint Commission of Police – Administration. The prescribed format of the application is given under Form II under Rule 4 and URL is given below.

[http://mumbaipolice.maharashtra.gov.in/download/s/application\\_form\\_for\\_private\\_security\\_agency.pdf](http://mumbaipolice.maharashtra.gov.in/download/s/application_form_for_private_security_agency.pdf)

...Cont. page no 14

....continued from page no.13 **The case of the month**

It is apparent that the process is detailed and also requires a complete verification of character and antecedents of Security Guards and supervisors by the agency.

**The questions that arise:**

- a) Was this process followed by security agency Ahmed Hamid Enterprises?
- b) Are satisfactory audit and compliance procedures in place for organizations that specialize in security?
- c) What action has Mumbai Police taken against the agency?
2. The Haryana Police department publishes the details of all private security agencies with their names, contact information, license number and other relevant information on the department website

<http://haryanapolice.nic.in/PSARA.pdf>

Similar data is also published by Delhi Government.

When a resident of a housing society sought details from Mumbai Police as regards the license issued and approval process related to security agency deployed in her housing society, it was denied. She had to use the Right to Information Act to get the requisite data.

Can the Mumbai police replicate the good governance practices followed by their counterparts in other states?

....continued from page no.8 **The Justice Delivery System**

7. **Writing orders following a template / format that ensures greater clarity and understanding**– Interim versus Final Order with clear rationale, reason for adjournment and delays.
8. **Monitoring of quality improvement**– Monitoring after specific effort to enable identify the more effective inputs.
9. **Transparent and public judge appointment systems**– Appointments by an independent body through public advertisements and multiple stages, with opportunity for public feedback to weed out objectionable candidates and identify meritorious and deserving candidates instead of settling for 'fait accompli' appointments.
10. **Transparent and timely complaint redressal systems**– Should be based on video-records and written representations, with feedback systems and action taken reports vis-à-vis established standards and norms of judicial conduct.

These ten steps could prop up the sagging public confidence in the Justice Delivery System. For justice would not only be done, but also be seen as done, if these changes were to be inculcated in letter and spirit.



## Anti- corruption measures – who is the biggest watchdog?

Vishakha Wadhwani & Prashant Mahesh, Mumbai University

### Students Corner

In May 2011, India had ratified the United Nations Convention against Corruption (UNCAC). India is bound to take appropriate punitive and preventive measures to address the problem of corruption.

In December 2013 the UPA Government passed the Lokpal and Lokayukta Bill in Lok Sabha. This happened after eight unsuccessful attempts over the last five decades and only after nationwide anti-corruption agitation led by social activist, Anna Hazare.

2014 marked BJP's historic win in 16<sup>th</sup> Lok Sabha election was based on the promise of 'Good Governance' and 'Development'. We all know that the Indian Inc's favourable demographic profile and attractiveness is dented by the rising corruption.

Can there be sustainable development without good governance? Can good governance foster without effective measures to curb corruption?

Corruption exists in other countries as well but the difference lies in the effectiveness of the measures to arrest the problem. Hong Kong shares a legal heritage with England as is the case with India. In 1997, Hong Kong had transfer of sovereignty from its colonial masters to special administration by China. Hong Kong has managed to achieve high standards of anti-corruption in its system. India ranks 94 out of 177 countries, while Hong Kong ranks 15 in Transparency International's Corruption Perception Index (2013). Transparency International, a non-governmental agency that monitors and publicizes corporate and political corruption in international development.

Hong Kong's efforts to curb corruption started in 1970 when it was rated as one of the most corrupt cities in the world, according to Transparency International. Hong Kong adopted a three-step approach to tackle corruption – Prevention,

Punishment and Education. Monica Yu, executive director of the Hong Kong Ethics Development Centre, a division of Independent Commission Against Corruption (ICAC) stated "*We don't teach them about the laws but we teach them about the values.*" Monica Yu's statement holds true as inculcating values leads to the strengthening of civilian will to remove corruption more than the enforcement of law. Today ICAC is a strong organization, which has effectively been able to curb corruption in Hong Kong and is helping many other countries' governments do the same. Several overseas governments, as well as members of the Beijing government, have turned to the ICAC for advice.

Georgia, a small Caucasian country, has demolished the myth that corruption is endemic and inevitable. As per Transparency International's Corruption Perception Index, Georgia ranked 112 in 2005 which improved to 64 in 2011. The World Bank's 2012 Doing Business rankings placed Georgia at the 16th easiest place for a company to do business. The World Bank Vice President at the release of the book '**Fighting Corruption in Public Services** : Chronicling Georgia's Reforms' said that Georgia's experience shows that the vicious cycle of endemic corruption can be broken and, with appropriate and decisive reforms, can be turned into a virtuous cycle. Fighting corruption requires both political and civilian will. It requires the legal and social framework to work at tandem. It requires an effective system of implementation and monitoring. The current law in India does not focus on the bribe giver.

It takes two to tango, though. Let us at least restrict bribe giving.

Is every citizen ready for it?

## About the Chairman

*Bhagvanji Riayani's name is synonymous with social and Judicial activism. Mr. O.P Monga, his long time associate in the Forum, walks us through his inspiring journey that started from a small village Supedi in Saurashtra. His energy and commitment at the age of 77 remains indefatigable in his passion and commitment as a social activist.*

Bhagvanji Riayani's journey towards promoting education and activism started at the age of 21 years when he founded a high school in his village Supedi in Gujarat. A graduate in civil engineering, he retired from his construction firm, La'builde Group, to pursue his passion.

Bhagvanji Raiyani, through his NGOs, has filed a record 105 PILs in last two decades, some of them leading to landmark judgments. The achievement is even more commendable given that he is not an advocate and has argued most of the PILs in person.

In 2001, in a meeting was held in the office of Shri M. P. Vashi, an eminent advocate of the Bombay High Court, to launch a campaign to secure speedy justice for citizens. This meeting was attended by Bhagvanji Raiyani of Janhit Manch, Hasmukh Panchmatia of Forum For Fairness In Education, Jaswant Mehta of Forum For Better Democratic Alternative, Dr. Zaverchand Haria of Federation of Parents & Guardians Association and R. N. Engineer of IBPL Urja Research Foundation.

On January 30<sup>th</sup> 2002, a procession was organized from Azad Maidan to Flora Fountain, which was attended by more than five hundred people including advocates.

In April 2005, a seminar was organized in the Indian Merchant's Chamber on the theme of SAVE JUDICIARY-SAVE NATION. The key note speakers were Hon'ble Justice Chandrashekhar Dharmadhikari, Advocate M. P. Vashi, Hon'ble Justice Suresh, Hon'ble Justice S. K. Desai and Advocate Rajni Iyer.

In December 2007, Justice R. C. Lahoti, former Chief Justice of India, inaugurated a national convention on judicial reforms hosted by Janhit Manch.

Over the years, Bhagvanji, through Janhit Manch, filed public interest litigation on various issues such as demolition of 1300 illegal shrines on roads and footpath on Mumbai city; restoration of the heritage

of Mandpeshwar, Kanheri, Vajreshwari and Mahakali caves; illegal hoarding; relocation of buffalo sheds (tabelas) to areas outside of Mumbai Metropolitan Region; establishing a sessions court in Dindoshi; and restricting BMC from allowing use of TDR to construct buildings in prohibited corridors. The Manch has also filed a PIL in the Supreme Court on judicial reforms. The PIL is still in process.

Bhagvanji also founded the Forum of Fairness in Education, which filed over 35 PILs to fight against the malpractices in the education system. Many of these yielded favorable results such as a refund of Rs. 30 lakhs taken as donation from students by the Indian Cultural League, making Parent Teacher Association mandatory in all schools in Maharashtra with right of management in select areas, monitoring the establishment and administration of Engineering and Medical Colleges as per norms necessitating proper infrastructure and qualified staff, improvement in Municipal schools, illegal collection of capitation fees by New Era School, implementation of pre-school admission Act for granting admissions on priority to those who stay in the vicinity etc.

As Janhit Manch was the vehicle to file PILs, Bhagvanji set up Forum for Fast Justice to focus on the judicial reform movement. It was registered in March 2008 as a public trust. The Forum has launched various campaigns and rallies and continues to make best efforts to reach to all the stakeholders to gather support for judicial reforms.

Bhagvanji is a founder of *Dhanya Saurashtra Dharani*, a quarterly magazine of *Saurashtra Patel Samaj*; *Kala Gurjari* - a Mumbai based NGO promoting literature, music, dance, drama, sculpture, handicraft and art. He has authored three books - *Pankhi Pravase Paschim Pardeshe*, *Shodhun Swaraj Sapananun and Gandhine Deshwato*.

If you ask him what is that he desires most - he will say 'Justice in time, Justice for all'.

## Across the Nation - Societies for Fast Justice

**3<sup>rd</sup> May, 2014**

Dhamtari Society for Fast Justice organized a one day seminar on creating legal awareness about the rights of the people. The causes of extra ordinary delay in getting justice were also scrutinized. Justice L. C. Bhadoo, former Judge of Chhattisgarh High Court and Chairman of Chhattisgarh Law Commission delivered the inaugural address as Chief Guest. Bhagvanji Raiyani, Ramesh Kanakia and Pravin Patel from Forum for Fast Justice, Dr. B. D. Sharma – IAS (Retd), Dr. P. Raghvan Raja – IAS (Retd) and Former Commissioner, National Commission for SC/ST, Alok Singh – General Secretary of the Society for Fast Justice Chhattisgarh, Rakesh Chaubey, and Inderjeet Chabra from Raipur Society took active part. Mamta Sharma of Raipur Society for Fast Justice conducted the program, and Digvijay Singh of Dhamtari Society for Fast Justice gave the welcome address. Sri Somjibhai Damor – former MP (for 7 consecutive terms) and National President of Akhil Bhatriya Adiwasi Vikas Parishad was also present as distinguished guests.

From 6 PM to 8 PM, a public meeting was held in the evening at village Kaaira where issues related to Forest Rights Act, 2006 and Panchayati Raj Act were discussed. About 500 villagers, mostly tribals, took part. Bhagvanji Raiyani, Ramesh Kankia and Pravin Patel from Forum for Fast Justice, Dr. B. D. Sharma – IAS (Retd), Dr. P. Raghvan Raja – IAS (Retd) and Former Commissioner, National Commission for SC/ST, Alok Singh – General Secretary of the Society for Fast Justice Chhattisgarh, Rakesh Chaubey, and Inderjeet Chabra from Raipur Society took active part. Mamta Sharma of Raipur Society for Fast Justice conducted the program, and Digvijay Singh of Dhamtari Society for Fast Justice gave the welcome address. Also present were Advocate R. K. Gupta and Advocate Raja Ahmad from Durg.

**8<sup>th</sup> August, 2014**

World Indigenous Day was celebrated by Society for Fast Justice – Korba in association with Adivasi Sakti Pith at Korba by organizing a debate on

Constitutional Rights of Tribal. Awards were also given on the occasion to the top three winners in three categories.

Society for Fast Justice – Chhattisgarh held a meeting with eight other societies of Fast Justice which are registered in Chhattisgarh



## Across the Nation - Societies for Fast Justice

**28<sup>th</sup> February and 1<sup>st</sup> of March, 2014**

Raipur Society for Fast Justice in association with Forum for Fast Justice organized a two day National Convention at Raipur. Many delegates from all over the country and a few valued guests took part. Justice L. C. Bhadoo, former Judge of Chhattisgarh High Court, inaugurated the event. Bhagvanji Raiyani, Forum Chairman, presided over the inaugural session. Distinguished guests included Dr. K. Subramanian – former DGP of Tripura, Dr. Kamal Taori – former Secretary of the Planning commission of India, Sri O. P. Monga – Senior Trustee of the Forum for Fast Justice and others. Dr. Ajit Anand Degwekar welcomed the guests and delegates at the convention. Dr. Raj Kachroo – Judicial Researcher from New Delhi, Dr. Rashmi Oza – Professor of Law at Bombay University, Dr. M. Prasad Rao, – Head, Legal Dept of ITM University, Venkatraman Murlidhar– Sr. Trustee of Forum, were also present.

In the political session, leaders of all the major political parties took part coming out with their suggestions on how to reduce the pendency at court of law, Raipur Mayor Kiranmoyee Nayak released the Souvenir of the convention. The valedictory session was chaired by Sri Brijmohan Agarwal, a senior minister in Govt. of Chhattisgarh in the company of Justice L. C. Bhadoo, Venkatraman Murlidhar, Dr. M. Prasad Rao, Dr. Ajit Anand Degwekar and others.

**29 June, 2014**

**Korba Society for Fast Justice** organized a meeting at the state guest house to discuss two severe issues. Dr. P. Raghvan Raja, President, Society for Fast Justice – Chhattisgarh presided.

The first issue on the agenda was that the number of reserved seats for tribals in medical colleges of the state has come down from 144 seats last year to approximately 30 seats in the current year on the basis of the cutoff mark fixed by the Medical Council of India. It was identified that the situation is due to a change made in the examination that neither conformed to the Higher Secondary Education Syllabus studied by the tribal students of Chhattisgarh, nor was the change properly published. In fact, the State government was not even taken into confidence by the Medical Council of India before the change over was implemented. It is an injustice heaped on this community to their peril. It was decided to submit a memorandum to the Chief Minister in the matter to take action.

**The other issue** on the agenda was the local elections to municipal bodies scheduled to be held in about three months time. Non-tribals are not being allowed to contest in tribal populated areas of the Korba District, a fifth schedule area. This is in violation to the provisions in the Constitution of India. It was decided that the matter be brought before the High Court of Chhattisgarh in the interest of justice by filing a Public Interest Litigation. President Dharmendra Dhruv conveyed vote of thanks.

## Across the Nation - Societies for Fast Justice

**5th June, 2014**

World Environment Day was celebrated by Society for Fast Justice– Raigarh by organizing a seminar on “Environmental laws, Industrial pollution and Realities at the ground”. A number of coal based sponge iron and thermal power plants have come up around Raigarh town. Due to a huge amount of discharge of industrial pollutants, the environment of Raigarh and surrounding villages is highly polluted causing immense hardship to the residents. The seminar speakers expressed their concern that despite the fact that there are enough environmental laws to protect the air and water from being polluted beyond a certain limit, the reality on the ground is just the opposite. The State Pollution Control Board is supposed to ensure that environmental laws be followed but is sitting silent. It was resolved to send a memorandum to the Governor of Chhattisgarh and apprise him of the ground reality.

Dr. P. Raghvan Raja (IAS Retd) – President of Society for Fast Justice Chhattisgarh was the Chief Guest and inaugurated the Seminar. Also participating were Pravin Patel, Alok Singh, Advocate Shivraj Singh, Dr. Ruplal Chauhan – President Society for Fast Justice of Raigarh, Laxmi Prasad Behra and Uttam Prasad Dansena, both from Raigarh Society. Ramdas Agarwal – President of the Chhattisgarh Agarwal Samaj, Inderjeet Chabra, Rakesh Choubey and Sanjay Solanki from Raipur Society, Advocate Kahara, Khemchand Banjara and others from Jhagir Champa Society, Radheshyam Sharma, and many other civil society members from Raigarh.

**2<sup>nd</sup> May, 2014**

**Seminar on “Constitutional Rights & Complicated Justice Delivery System”** was organized at Balodabazar by Balodabazar Society for Fast Justice. Issues discussed were

- Labour laws
- Economic exploitation of daily wage workers in cement industry being paid wages lower than that prescribed by the Cement Wage Board
- Poor working conditions
- Unfair and mischievous land acquisition of tribal land
- Poor compensation in the event of accidental death
- Filing of false cases against social activists

Bhagvanji Raiyani, Ramesh Kankia, Pravin Patel from Forum for Fast Justice, Dr. B. D. Sharma – IAS (Retd) and Former Commissioner, National Commission for SC/ST, Sri Alok Singh – General Secretary of the Society for Fast Justice Chhattisgarh, Rakesh Chaubey, Smt. Mamta Sharma and Inderjeet Chabra from Raipur Society took active part. Bhagwati Sahu, President, Society for Fast Justice welcomed guests while Dharmesh Verma proposed the vote of thanks.

**26<sup>th</sup> June, 2014**

World Anti Torture Day was celebrated by Society for Fast Justice– North 24 Paraganas of West Bengal by organizing a legal awareness program followed by a medical camp. CHIEF GUEST on the occasion was Smt. Sunanda Mukherjee, Chairperson of West Bengal State Commission for women. This was held at Banirupa Hall, at Deganga, North 24 Parganas.

## LIST OF REGISTERED SOCIETIES AS ON SEPTEMBER 1, 2014

S. N.	City	State/UT	Contact details		
			Name of President	cell phone number	Email ID
1	MUMBAI	MAHARASHTRA	Raju Thacker	09987781039	rjthacker57@gmail.com
2	DAHANU	MAHARASHTRA	Santosh Shetty	09860314815	smc.construction@gmail.com
3	Dwarka	DELHI	Balbirsingh	09868881190	scadwk@gmail.com
4	RAJORI	JAMMU & KASHMIR	Akhta rHussain	09796084512	akhter_hussain_2006@yahoo.co.in
5	GURGAON	HARAYANA	Raj Kachroo	09818400116	kachrooraj@gmail.com
6	JAIPUR	RAJASTHAN	Gopal Sharma	09829013192	sgs.nyayikjwala@yahoo.com
7	KOLKATA	W. BENGAL	Bhakar Sur.	09432153546	bhaskar_radical@yahoo.com
8	NORTH 24 PARAGANAS	W. BENGAL	S. Mukhtar Ahmad	09903099690	imamindia@gmail.com
9	Chhattisgarh	CHATTISGARH	Dr. P. Raghvan Raja	09584462334	praghavanraja47@gmail.com
10	BILASPUR	CHATTISGARH	Nand Kashyap	09406213116	nand.kashyap@yahoo.com
11	RAIPUR	CHATTISGARH	Dr. AjitAnandDegwekar	09425203664	aaddr1960@yahoo.co.in
12	MUNGELI	CHATTISGARH	Suresh Khushro	09755727363	suresh.khusro@gmail.com
13	KORBA	CHATTISGARH	DharmendraDhruv	09301869412	dharmendra1760@gmail.com
14	RAIGARH	CHATTISGARH	Dr. Ruplal Chauhan	09826132820	laxmipdbehra@gmail.com
15	JANJGIR-CHAMPA	CHATTISGARH	Advocate Kahara	09907125617	khemchand.banjare@gmail.com
16	BALODA BAZAR	CHATTISGARH	BhagwatiSahu	09893122133	bhagwatisahu5960@gmail.com
17	DHANTARI	CHATTISGARH	Digvijay Singh	09827960280	dkridutt@yahoo.com
18	SARGUJA	CHHATTISGARH	Dineswar Soni	09713002913	dinesh.rajni9001@gmail.com
19	ODISHA	ODISHA	Yudhishtir Moharana	09437163528	myudhishtir@rediffmail.com
20	CUTTACK	ODISHA	Barun Kumar Mukherjee	09438213585	barunkumar.mukherjee.com
21	BHADRAK	ODISHA	Ajay Kumar Swain	09040551705	ajaykumarswain77@gmail.com
22	PURI	ODISHA	Jayant Kumar Das	09861770749	jayanta6544@rediffmail.com
23	BARGARH	ODISHA	Amitabh Patra	08769924299	amitabhpatra@gmail.com
24	ROHTAS	BIHAR	DadanPandey	09431783380	dadandpandevair@gmail.com
25	MUZAFFARPUR	BIHAR	Subodh Kumar Pandey	09199918786	agvsvmuzaffarpur@gmail.com
26	CHENNAI	TAMILNADU	Dr. Henry Thiagraj	09940653379	henrytraj@gmail.com
27	KANYAKUMARI	TAMILNADU	Dr. H. Giftson Samuel Rajan		
			Arul Kannan	09444691456	

## ACTIVITIES OF FORUM FOR FAST JUSTICE AT DIFFERENT CITIES OF THE NATION



Justice Suresh Hospet (Retd) presenting Pravin Patel "O.P.Monga National Award" at Azad Maidan for outstanding services in Judicial Reforms.



Protests at Azad Maidan at Mumbai. Save Judiciary -Save Nation. Lead by Sri Bhagavanji Raiyani on 30<sup>th</sup> January, 2014



Dr. B. D. Sharma IAS (Retd), at Balodabazar Workshop. Sitting from L to R Shri Alok Singh, Shri Bhagvanji Raiyani, Shri Somjibhia Damor former MP, Shri Ramesh Kanakia and Shri Pravin Patel.



Bhagvanji Raiyani, Kashyap Vyas at Wardha Workshop . Sri Kamal Taori IAS (Retd) is at Extreme left.



Audience at a workshop on Judicial Reforms at Kanpur ..



Shri Pravin Patel, conducting awareness meeting at Jhasuguda (Orissa). Present Shri H. S. Nath, Chief Manager, Syndicate Bank.



## NATIONAL CONVENTION AT RAIPUR AND THINK TANK CONCLAVE AT JAIPUR



National Convention at Raipur - Justice L. C. Bhadoo (Retd), Dr. Ajit Anand Degwekar, Shri O. P. Monga, Dr. K. Subramanian IPS (Retd), Dr. Kamal Taori IAS (Retd), Shri Bhagvanjibhai Raiyani and Mrs. Mamta Sharma .



Natcon 2014. From L to R: Shri M. Venkatraman, Shri Lulu Patnaik, Shri Bisarath Lenka, Shri Yudhishtir Moharana, Justice L. C. Bhadoo (Retd), Shri Karunakar Gaya and Shri O. P. Monga,



Delegates and Guests during Lunch on Day one after the inaugural session



Justice Bhadoo at NATCON at Raipur, Dr. Ajit Shri Anand Degwekar, Dr. Kamal Taori IAS (Retd), Dr. K. Subramanian, IPS (Retd), Shri Bhagvanji Raiyani and Shri O. P. Monga



Think Tank Conclave at Jaipur. Shri Prashant Bhusan, Shri Suresh Agrarwal, Shri Gopal Sharma and Shri Bhagvanji Raiyani,



Shri Bhagvanji Raiyani, addressing audience at Think Tank Conclave at Jaipur.