

**Induction Training Programme for Newly appointed
Civil Judge-Cum-Judicial Magistrates, Grade III in the
State of Sikkim**

i.	Working of different sections in the establishment of the District Judge	One month
ii.	First part of the Institutional Training at Sikkim Judicial Academy, Gangtok	One month
iii.	Observe Court working in Civil Court	One month
iv.	Observe Court working in Criminal Court	One month
v.	Second part of the Institutional Training at Sikkim Judicial Academy, Gangtok	One month
vi.	Transfer of Judicial work experience in disposal of cases	Three months
vii.	Last part of the Institutional Training at Sikkim Judicial Academy, Gangtok.	One month
viii.	Field Training - Judicial Work	Three months

Scheme of Training :-

The training of the newly recruited Civil Judges posted at the headquarter of the civil district shall be in two parts –

Institutional training – The institutional training shall be imparted to the trainee judges at the Sikkim Judicial Academy (for short S.J.A.) Gangtok.

Field training – The field training shall be under the direct supervision and guidance of the concerned District and Sessions Judge.

The duration of training shall be one year inclusive of institutional training for three months. The training period is divided as under: -

1. After their posting and joining in the District, the trainee Judges, shall be required to attend institutional training in three parts, each part of the duration of about one month in the S.J.A., Gangtok and shall report at S.J.A., Gangtok for such training on such dates as may be approved by the Hon'ble Chief Justice.
2. The District Judge shall provide each trainee Judge with the following books/Bare Acts from his General Library immediately after the recruit Judge has joined at the district headquarters.
 1. Civil Procedure Code.
 2. The Limitation Act.
 3. The Court Fees Act.
 4. The Evidence Act.
 5. Indian Penal Code.
 6. Criminal Procedure Code.
 7. Contract Act.
 8. Accommodation/Rent Control Laws.

9. A compilation of important memoranda issued by the High Court containing instructions on pleadings and conduct and trial of cases etc.
 10. Compilation of Service Rules.
 11. Forms and Stationery Rules.
 12. A compilation of Financial Rules.
 13. Fundamental Rules.
 14. The Government Book Circulars.
 15. The Book on Financial Powers.
- Other relevant compilations.

Note : If there is any difficulty in compliance with the above, the District Judge shall, without delay seek further instructions from the High Court in this regard.

Methodology of Training

1. To begin with, the trainee Judge shall be required to study the working of different Sections like Nazarat, Malkhana, Copying, Record Room, Accounts, S.W. Section etc. under the guidance of Officer in-Charge of the respective section and shall also sit with senior officials in these Sections. During this period, they shall also study the relevant provisions of the Rules and Orders relating to the working of these Sections. The trainee Judge shall also sit with the Clerk of Court/Office Superintendent for about one hour daily with a view to see and study as to how pleadings are scrutinized and the office establishment work is done. The District Judge shall constantly guide the trainee Judge regarding the working of the different sections under the establishment.
2. After this one months programme, the Trainee Judge shall be required to attend the first part of the institutional training for one month at S.J.A. Gangtok. At S.J.A. the trainee Judges shall be required to maintain the dress code prescribed for civil judges. They shall also be required to bring with them such law books and stationery as may be specified in the training programme.
3. After this two months programme, the District Judge shall direct the Trainee Judge to sit with a Senior Civil Judge in the Court for one month to observe Court working and proceedings of civil cases, recording of evidence, hearing of arguments etc. During this period, the trainee Judge shall also be required to prepare draft issues, draft orders on interlocutory matters and also draft judgments.
4. For another month, the Trainee Judge shall be required to sit with the C.J.M./A.C.J.M./Senior Magistrate to observe Criminal Court working, framing of charges, recording of evidence, examination of accused, hearing of arguments etc. During this period, he/she shall be under the constant supervision of the Chief Judicial Magistrate and shall be required to prepare draft charges, draft questions for examination of accused, draft interlocutory orders and draft judgments.

5. From time to time, the Trainee Judge shall be required to submit his draft charges, draft issues, draft judgments/orders, draft interim orders to the District Judge, who shall after perusal thereof properly guide the Trainee Judge.
6. During this period of training, the District Judge shall also provide to the trainee Judge records of 10 contested disposed of Civil Suits and 10 Criminal Cases (such records may contain Judgment of appellate Court). The trainee Judge shall thoroughly study these records (order sheets, oral evidence, interim orders, if any, Judgment of the trial Court and that of appellate court) and prepare his notes and submit the same to the District Judge on weekends, for his perusal and appropriate directions.
7. The District Judges shall call the Trainee Judges on Sundays and holidays and have a meeting with them and orally test them about the progress of their field training and deliver them lectures by way of guidance on different topics/matters and shall also discuss with the trainee Judge, day to day working of the Court and various problems, aspects connected therewith and also the administrative matters. The District Judges shall also explain the trainee Judges, about admissibility of revenue records and Khasara entries in evidence and how they are to be proved, with reference to the provisions of Revenue Laws. In addition to this, they shall be explained how the discovery memo under Section 27 of the Evidence Act is to be proved and how the inadmissible part thereof, is to be excluded from evidence. The District Judge shall explain the broad principles of appreciation of evidence and rule of Corroboration. They shall also be explained the provisions relating to res-gestae, and direct, indirect hearsay evidence. Primary and Secondary Evidence, public and private documents, provisions relating to burden of proof, presumptions, cross examination and impeaching the credibility of the witness with reference to Sections 145 to 157 of the Evidence Act and also the principles underlying Section 165 ibid, and also Section 134. The trainee Judges shall be required to study different provisions of Accommodation/Rent Control Laws, Court Fees Act, Suits Valuation Act. They shall be also explained the provisions of Sections 17 and 49 of the Indian Registration Act. Similarly, they shall be required to study the different relevant provisions of Cr.P.C. like Sections 98, 100, 154, 156, 167, 193, 200, 202, 203, 451, 457 Cr.P.C. & also the chapter pertaining to framing of charges, recording of plea in summons cases and difference between summons and warrant trial and procedure relating thereto. They shall also study the relevant provisions of Contract Act like provisions relating to agreements, contracts, adequacy and lawfulness of consideration, breach of contract and assessment of damages. From time to time the District Judges shall orally test the knowledge of the trainee Judge pertaining to the above subjects and remove his doubts and confusions.
8. After this two months field training programme, the Trainee Judge shall be required to attend the second part of the institutional training for one month at Sikkim Judicial Academy, Gangtok.

9. After this part of the training as aforesaid, the Trainee Judges shall be given simple Civil Suits, few Execution Cases and M.J.C. (Civil & Criminal) and simple Criminal Cases triable by Magistrate Second Class for trial and disposal. Necessarily, only such Civil Cases shall be transferred in which written statement has been filed and such Criminal Cases in which, the accused have appeared and are on the stage of framing charges and some of them are on evidence stage, so that the trainee Judges may dispose of at least few Civil and Criminal Cases within a period of three months. At every weekend, the trainee Judge shall submit the records of such Civil & Criminal cases in which he may have passed any order/Judgment or framed issues/charges etc. to the District Judge or any other Senior Judge as may be directed by the District Judge, for his perusal & appropriate directions.
10. After gaining this experience of practical court working (for about three months), the Trainee Judges shall be required to attend the last part of the institutional training at S.J.A., Gangtok for one month. The trainee Judges shall bring with them copies of judgments delivered by them in Civil and Criminal Cases.
11. On completion of last part of the institutional training at S.J.A.,Gangtok, the Director, S.J.A. shall with the prior approval of the Chief Justice, issue a certificate of successful completion of training at S.J.A. by the trainee Judge.

After this, the trainee Judges shall, under the constant guidance of the District Judge, work on the judicial side for the remaining period of three months. During this period, if the District Judge is of the opinion that a trainee Judge needs further training, he shall accordingly send a detailed report to the High Court specifically mentioning the areas in which training is required.

Note

1. In every workshop at Sikkim Judicial Academy there will be Computer/Laptop Training of One & Half Hours.
2. This Module is subject to necessary amendments and additions depending upon exigencies and future needs.
3. Training programme at the Academy will be informed separately.
4. Dress code shall be observed at all times during the training.

D I R E C T O R
SIKKIM JUDICIAL ACADEMY (SJA)
GANGTOK