

SIKKIM JUDICIAL ACADEMY

HIGH COURT OF SIKKIM



P R O F I L E

(Amended 2016-2017)

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INTRODUCTION

The principal aim of the Sikkim Judicial Academy (SJA) like State Judicial Academies elsewhere in the Country is to impart training on various aspects of judicial work to the judicial officers of the State so that all of them achieve excellence in the work and become capable of rendering of quality justice in the causes which come before them for adjudication. However, considering the peculiar circumstances prevailing in Sikkim, the object of setting up the Academy was to impart training not only to the Judicial Officers but also to the civil servants, police force, public prosecutors and the members of the bar, particularly, fresh entrants in the profession and its novice members. The benefits of the Academy would also be extended to final year law students of the Government College and Universities in Sikkim, who are keen on joining the Bar or Judicial Service upon their graduation.

OBJECTIVES

- to develop and deliver educational programmes in order to make them available to the judiciary and the legal fraternity in the Sikkim State as widely as possible;
- to keep the judiciary informed about new legislations and other developments of particular interest in the judiciary and to develop programmes like study courses, conferences and seminars etc. to achieve this aim;
- to provide continued legal education to judicial officers and novice members of the Bar. Courses may also be held for Public Prosecutors, Police Officers, Members of the Civil Administration and Probationary Officers of the Indian Forest Services as and when required/requested.

ADMINISTRATION

The present administrative set up of the SJA comprises of the following: -

- Patron-in- Chief** - **HON'BLE THE CHIEF JUSTICE MR. SUNIL KUMAR SINHA**
- President** - **Hon'ble Smt. Justice Meenakshi Madan Rai,
Judge, High Court of Sikkim**
- Director** - Mrs. Kesang Chukie Barphungpa,
Registrar General, High Court of Sikkim.
- Additional
Director** - Mr. N.G. Sherpa,
Registrar, High Court of Sikkim

ANNUAL BUDGET ALLOTMENT

As there is no separate budget allocation in the SJA presently, the Hon'ble Chief Justice of the High Court of Sikkim shall, for the time being, provide requisite fund for the working of the SJA. The Academy will also utilise the funds available under 14th Finance Commission Grant for the academic purposes of the Academy.

CAMPUS OF THE ACADEMY

2.92 acres of land at Sokeythang, East Sikkim has been provided by the State Government for the construction of campus for the Academy. Hon'ble Mr. Justice Altamas Kabir, the present Chief Justice of India, laid the foundation stone for the Academy in the above campus. But as the construction of the new building is expected to take years to complete, the Academy will now start functioning from the old office of the learned Advocate General at the High Court premises. The facilities, which are available in the present building of the SJA, are as follows:-

(i) Chamber for the President

There will be a well-furnished chamber for the President of the SJA. The Academy will meet in the President's Chamber. Hon'ble Judges and other delegates visiting the Academy will be received in the Chamber.

(ii) Training Hall

The main training hall of the Academy has the facility to accommodate 40 participants.

(iii) Director's Room

The Director has been provided with a well-furnished room in the Academy building.

(iv) The Additional Director has been provided with a well-furnished room in the Academy building.

(v) Library

The High Court library will be the Academy's library for the time being.

ACTIVITIES

As the SJA is catering to Novice Lawyers and Law Students also apart from the Judicial Officers of the State, it will offer the following courses for the Novice Lawyers and Law Students:-

- (i) Introductory Lecture on the greatness and nobility of the legal profession;
- (ii) Lectures on Advocacy;
- (iii) the equipment of the lawyers with special emphasis on the 7 (seven) lamps of Advocacy, e.g. honesty, courage, industry, wit, eloquence, judgment and fellowship.
- (iv) Professional ethics including court room manners and language;
- (v) meetings and dealings with the clients; and
- (vi) preparation of a case-drafting of pleading, examination of witnesses, professional conduct, duty to the litigants, duty to the clients, duty to the Court, duty to the witnesses, duty to the public and the State, duty to lawyer himself and of topics of relevance in the context of the hoary traditions of the Bar as an equal partner of the Judges in the administration of justice.
- (vii) Academic Quiz competitions to be conducted by the Members of the Board of Governors or the visiting faculty or the Director.

For the judicial officers of the State, the Academy will offer various types of training including the following:-

- (i) **INDUCTION COURSES** for the new recruits of the judicial services;
- To prepare newly appointed judges for performing their duties and function;
 - To ensure uniformity and predictability of decisions by equipping the judges with adequate command of laws, procedures and the technology of judging;
 - To educate judges on related areas of knowledge and skills useful for judicial work;
 - To inculcate the right kind of values, attitudes and perspectives desirable for undertaking judicial functions;
 - To motivate and prepare for absorbing reformist initiatives, overcome resistance to change and to manage change in a manner beneficial to judicial administration.
- (ii) **IN-SERVICE TRAINING FOR THE JUDICIAL OFFICERS** who are already members of the judicial service. As the total strength of the judiciary in the State is not much, the training to be given to the judicial officers will be State level training on second Saturdays. This training programme will consist of lecture classes on topics of every application in Court rooms such as (a) the Civil Procedure Code, (b) the Evidence Act, (c) the Transfer of Property Act, (d) the Contract Act, (e) the

(iii) Specific Relief Act, (f) the Indian Succession Act, (g) Personal Laws, (h) the Family Court Act, (i) the Limitation Act, (j) Partnership and Partition Laws and Licence etc.

(iii) Other statutes and Old Laws of Sikkim which are applicable in the State of Sikkim such as –

(A) Property Laws

- (1) Notice dated 2nd January 1897 relating to transfer of land by Bhutias and Lepchas.
- (2) Sikkim Darbar Gazette Vol. XVIII No. 11 dated 21st April, 1969 Right of a woman to purchase or sell land after her marriage vis-à-vis Revenue Order No. 1 of 1917.
- (3) Office Order No. 105/L.R. dated 25th February, 1961.

(B) Registration Laws

- (1) Sikkim State Rules Registration of Documents, 1930.

(C) House Rent & Eviction Laws

- (1) Notification No. 6326-600/H&W-B dated 14.04.1949 Regulation of Letting and Sub-letting of Premises etc. (Health & Works Department).
- (2) Gangtok Rent Control & Eviction Act 1 of 1956 dated 31st May, 1956.
- (3) The Sikkim Public Premises (Eviction of Unauthorized Occupants and Rent Recovery) Act, 1980.

(D) Land Laws

- (1) The Sikkim Cultivators Protection Act, 1985.
- (2) The Sikkim Regulation of Transfer of Land Act, 2005.

(E) Adoption Laws

Notification No. 2341-4/G dated 17th June, 1930 (Regarding Adoption of Heir).

(F) Civil Courts Act

Sikkim Civil Courts Act, 1978.

(G) Municipal Laws

- (1) Sikkim Shops and Commercial Establishment Act, 1983.
- (2) Sikkim Allotment of House Sites and Construction of Buildings (Regulation and Control) Act, 1985.

(H) Interpretation and General Clauses Act

Sikkim Interpretation and General Clauses Act, 1978.

(I) Other Local Laws

The Sikkim Anti Drugs Act, 2006.

(J) Notification on Issuance of Certificate of Identification

Notification No. 66/Home/95 dated 2nd November, 1995.

**SIKKIM JUDICIAL ACADEMY
TENTATIVE ACADEMIC CALENDAR 2014
(April 2014 to December 2014) OVERVIEW BY MONTH**

Sl.No.	Prog. No.	Programme Duration	Name of the Programme
1.	p-1	26 th - 27 th April, 2014	Orientation-cum-Training /Sensitization Programme
2.	p-2	3 rd - 4 th May, 2014	Refresher Course
3.	p-3	7 th -8 th June, 2014	Law of Juvenile Justice(Care & Protection of Children)Act 2000 & Juvenile Justice (Sikkim) Rules 1990
4.	p-4	21 st - 22 nd June, 2014	Enhancing Judicial Qualities, Attitude and Skills
5.	p-5	19 th July, 2014	Symposium with regard to the Project under the Scheme for Action Research and Studies on Judicial Reforms.
6.	p-6	2 nd -3 rd August, 2014	Refresher Programme for Ubuntu-Linux Master trainers
7.	p-7	22 nd and 23 rd September, 2014	Workshop on “Investigation and Appreciation of Evidence”

8.	p-8	18 th October, 2014	Appreciation of Local Laws: Sikkim State Rules Registration of Documents, 1930
9.	P-9	1 st -29 th November, 2014	1 st Institutional Training Programme
10.	p-10	12 th -13 th December, 2014	Training Programme on Ubuntu-Linux and Office Management

**DETAILS OF TRAINING COURSES TO BE CONDUCTED
BY THE ACADEMY DURING ACADEMIC
YEAR 2015-2016**

Sl. No	Name of Course/ Workshop	Target Group	Duration	Date
1.	2 nd Institutional Training	Newly appointed CJJM, Grade III	13 days	23 rd March, 2015 to 10 th April, 2015
2.	Change Management – Concept, Importance and Methodology. (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	25 th April, 2015
3.	Computer and Architecture (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	9 th May, 2015
4.	Recent Development in Criminal Law, Bail, Surety principles for grant and refusal under section 167 Cr.P.C. and Recording of statement under section 313 Cr.P.C., framing of charge	All Judicial Magistrates	1 day	23 rd May, 2015
5.	Requirement of proof, standard of proof, mode of appreciation of evidence & principles to be followed in adjudication of cases under Prevention of Corruption Act, 1988.	Presiding Officers of all Special Courts Constituted under the Prevention of Corruption Act, 1988.	1 day	6 th June, 2015
6.	Refresher on Ubuntu Linux 14.04 (e-Courts project oriented)	All Judicial Officers	1 day	12 th June, 2015
7.	Introduction to LibreOffice Writer in Ubuntu 14.04 (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	27 th June, 2015
8.	One day training programme on “Psychology, Clinical Psychology and Psychiatry” and “Child Psychology” under Juvenile Justice care and Protection of Children Act, 2000 and its Rules, 2007	All JJB Members & JJB Panel Advocates	1 day	4 th July, 2015

9.	NC ver CIS 2.0 (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	11 th July, 2015
10.	Orientation-cum- Training/Sensitization Programme on ethics, court craft, court conduct and Civil & Criminal Laws	Advocates with upto 5 yrs of Practice	1 day	25 th July, 2015
11.	3 rd Institutional Training	Newly appointed CJJMs, Grade III	1 month	August. 2015
12.	Refresher Course on I. T. Act and Cyber Crimes	Prosecutors and Assistant Public Prosecutors	2 days	12 th – 13 th September, 2015
13.	Trial and adjudication of cases under all NDPS Act, 1985	All Special Court Judges	1 day	19 th September, 2015
14.	Installing operating system and other applications (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	29 th September, 2015
15.	Workshop on Powers and Duties of Drawing and Disbursing Officers. Formulation, Presentation of Budget and allied matters including planning. Maintenance of Accounts for all Nazirs/Accounts Clerks of the Subordinate courts.	Accountant and Accounts staff of Subordinate Courts.	1 day	3 rd October, 2015
16.	Refresher Course on 1. Domestic Violence Act, 2005 2. Arms Act	PPs and APPs.	2 days	09 th - 10 th October, 2015
17.	Hardware trouble shooting (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	7 th November, 2015
18.	Refresher on Ubuntu Linux 14.04 operating system (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	20 th November, 2015
19.	Refresher on LibreOffice Writer in Ubuntu 14.04 (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	21 st November, 2015
20.	Refresher Training Course on Tools and Techniques to conduct successful Prosecution	Public Prosecutors and Assistant Public Prosecutors	2 days	4 th – 5 th December, 2015

21.	Refresher on NC ver CIS 2.0 (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	9 th December, 2015
22.	Workshop on "Investigation and Appreciation of Evidence".	Investigating Officers (Police Inspectors)	2 days	12 th – 13 th February, 2016
23.	Concepts on Local Area Networking (LAN) (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	19 th February, 2016
24.	Refresher Training on Time Management/ Settlement of Issues	Civil Judges (Junior and Senior Division)	1 day	27 th February, 2016
25.	Refresher Training Course on (i) Specific Relief Act, (ii) Hearing under order 10, reference under order 10 Rule 1(A) C.P.C. and Settlement of issues	Civil Judge Junior and Senior Division.	1 day	5 th March, 2016

DETAILS OF TRAINING COURSES TO BE CONDUCTED BY THE ACADEMY DURING THE ACADEMIC YEAR 2016-2017

Sl. No	Name of Course/ Workshop	Target Group	Duration	Date
1	Motor Accident Claims Tribunal (MACT)	Members, Motor Accident Claims Tribunal	1 day	2 nd April, 2016
2	Workshop on ' Protection of Children from Sexual Offences Act, 2012'	For Fast Track Court Judges & Special Courts (POCSO Act, 2012)	1 day	7 th May, 2016
3	Role of the Family Court Counselors in Family Courts.	Family Court Judges and Counselors	1 day	14 th May, 2016
4	Workshop on "Protection of Women & Domestic Violence Act, 2005 & Rules."	Chief Judicial Magistrate & Judicial Magistrates	1 day	4 th June, 2016
5	Introduction to LibreOffice Writer in Ubuntu 14.04 (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	18 th June, 2016
6	Workshop on "Issues relating to Juvenile Justice under the Juvenile Justice (Care & Protection of Children) Act, 2015 with special reference to child adoption"	For Principal Magistrates, JJBs	1 day	25 th June, 2015
7	Court Decorum and Etiquette in Courts	5 th year Students of Law Colleges	1 day	16 th July, 2016

8	Change Management – Concept, Importance and Methodology. (e-Courts project oriented) & Computer Architecture (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	30 th July, 2016
9	Professional Ethics & Etiquette in Court Rooms.	Advocates with up to 1-3 years of Practice in the Bar	1 day	20 th August, 2016
10	One day Special Training programme on: a. Application of basic provisions of Procedural Laws in Civil and Criminal trials, with Indian Evidence Act, 1872	Advocates with up to 1-3 years of Practice in the Bar	1 day	27 th August, 2016
11	How summons are to be served, alternative service of summons in cases where the parties cannot be found/do not accept the notices /summons etc., the method of preparing the reports and its importance	Nazirs of all Subordinate Courts	1 day	3 rd Sept., 2016
12	Sikkim Anti Drugs Act, 2006 & NDPS Act, 1985	Investigating Officers (Police Inspectors)	1 day	10 th Sept., 2016
13	Refresher Training programme on: a. Remedial measures to cut short delay in Civil & Criminal Trials. b. Procedure in complaint cases with special emphasis on complaints under the Negotiable Instruments Act, 1881	Civil Judge-cum-Judicial Magistrates.	1 day	24 th Sept., 2016
14	Workshop on: a. Powers and Jurisdiction of Special Courts under Prevention of Corruption Act, 1988 and procedure to be adopted b. Participatory role of Judges in Criminal trials S. 165, Indian Evidence Act, 1872 and S. 311 CrPC, 1973	Judges of Special Courts	1 day	1 st October, 2016

15	Workshop on I. T. Act, Cyber Crime & appreciation of related evidence	Judicial Officers of Sikkim Superior Judicial Service	1 day	15 th October, 2016
16	One day Special Training programme on Practice and Procedure in: a. Matrimonial disputes under Hindu Marriage Act, 1955 b. Guardian and Wards Act, 1890 c. Section 125 & 127 CrPC, 1973	Family Court Judges	1 day	22 nd October, 2016
17	Refresher on Ubuntu Linux 14.04 operating system (e-Courts project oriented)	Selected staff of High Court of Sikkim and Subordinate Courts of Sikkim	1 day	5 th November, 2016
18	Workshop on Time and Stress Management, Skill and Leadership development.	For District and Sessions Judges	1 day	19 th November, 2016
19	Workshop on Powers and Duties of Drawing and Disbursing Officers. Formulation, Presentation of Budget and allied matters including Financial Planning, Financial Rules, Maintenance of Accounts.	Accounts Officers, Accountants, Jr. Accountants & Accounts Staff of the High Court & Subordinate Courts	1 day	26 th November, 2016
20	Role of Referral Judges under section 89 of the CPC, 1908 with reference to mediation	Judicial Officers of Sikkim Judicial Service	1 day	3 rd December, 2016
21	Refresher training Course on Juvenile Justice (Care & Protection of Children) Act, 2015 & Rules	Special Police Unit, Probation Officers, Wardens of the Observation Homes, Remand Lawyers of JJBs, Members of JJB Boards.	2 days	17 th & 18 th December, 2016
22	The Prevention of Money Laundering Act, 2002 & its Amendment, 2012	Officers of the rank of DSP	2 days	24 th & 25 th February, 2017
23	Workshop on "Animal Protection Laws and Animal Welfare Laws"	Civil Judges-cum-Judicial Magistrates & Chief Judicial Magistrate – Day 1 District & Sessions Judges – Day 2	2 days	18 th & 19 th March, 2017

(iv) Criminal Law – (a) IPC, (b) Cr. P.C., (c) other Penal Statutes of every day application, (d) classes on Constitution of India, (d) Court Management and Ethics (Legality and Morality in Personal and Judicial life, Judgment Writing and Sentencing Policy), (e) Cyber Crime and Cyber Forensic, (English Grammar, (g) Crime investigation and Police Records, (h) Service Rules and Disciplinary Proceedings etc.

PRACTICAL TRAINING

Practical training will be given to officers on aspects such as -

- (1) Framing of Issues,
- (2) Framing of Charges,
- (3) Test Identification Parade,
- (4) Writing of Interim Orders,
- (5) Writing of Bail Orders,
- (6) Judgment Writing – Civil and Criminal
- (7) Computer Training etc.

The Judicial Officers will be asked to send questions to the Director of the Academy on serious and interesting legal issues which vexed them during the course of their judicial work or otherwise along with their own answers. These questions and answers will be considered by the Judicial Academy in its research wing which will find out the correct answers to the questions asked. These questions will be discussed during the Questionnaire Sessions.

FACULTY OF THE ACADEMY

Presently the faculty of the SJA will consist of -

- (i) its President
- (ii) visiting faculty drawn from amongst former Judges, Jurists, Academicians, Senior Advocates and Advocates with practice above 25 (twenty five) years who are academically oriented and have the ability to take classes.

WEBSITE OF THE SJA

www.sikkimjudicialacademy.nic.in