



# SIKKIM JUDICIAL ACADEMY

## BIANNUAL NEWSLETTER JANUARY – JUNE 2024



Hon'ble Mr. Justice Biswanath Somadder,  
Chief Justice, High Court of Sikkim &  
Patron-In-Chief, Sikkim Judicial Academy



Hon'ble Mr. Justice Bhaskar Raj Pradhan,  
Judge, High Court of Sikkim & Chairperson /  
Judge-In-Charge, Sikkim Judicial Academy



Compiled By:  
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### Sikkim Judicial Academy

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Sikkim Judicial Academy conducted 26 programmes from January - June 2024. Of the total programmes, some were exclusively for the Judicial Officers, while rest were conducted for other stakeholders of the Justice Delivery System.

## ECT\_9\_2022 Refresher Course for staff of District Judiciary of Sikkim on 9th February 2024

Resource Person: Mr. Yoland Z. Christopher, Section Officer (Systems),  
District & Sessions Court, Gangtok



The Resource Person provided an in-depth overview of the eCourts project, initiated by the eCommittee, Supreme Court of India. He highlighted that the core values governing the digital courts are: Trust, Empathy, Sustainability and Transparency. He discussed key components such as the National Judicial Data Grid (NJDG), eFiling, ePayment, and eSewa Kendra, along with the phased development of the Case Information System. Participants were briefed on the objectives, functionalities, and implementation strategies of these components, with emphasis on how they collectively aim to enhance efficiency, transparency, and accessibility in the Indian judicial system.

The NJDG was highlighted as a vital tool for monitoring case pendency and aiding data-driven decision-making. eFiling and ePayment were noted for streamlining legal procedures and promoting convenience and transparency. The role of eSewa Kendras in assisting litigants and advocates was also explained. The session offered a clear understanding of how the eCourts project is transforming judicial processes through the adoption of digital technologies.

**ECT\_10\_2022 Programme for Technical Staff of the Registry of Hon'ble High Court of Sikkim and District Judiciary on 15th February 2024**

Resource Person: Mr. Deependra Dixit, Section Officer (Systems),  
District & Sessions Court, Namchi



The Resource Person provided detailed insights into key areas of IT infrastructure management, including software management, data replication, hardware management, maintenance, and network administration. Emphasis was placed on best practices and strategic approaches to ensure stability, efficiency, and resilience within IT systems. Software management was discussed as essential for maintaining a robust digital environment, with a detailed explanation of the Case Information System's architecture and functionality.

The Resource Person highlighted data replication for its role in ensuring data availability and disaster recovery, with a focus on consistency, integrity, and performance monitoring. Maintenance activities, including system backups and software optimization, were presented as critical for sustaining performance and reliability.

The session also covered network administration, introducing participants to monitoring tools, fault detection techniques, and the importance of security measures such as segmentation and encryption. Overall, the session equipped participants with practical knowledge to strengthen IT systems and support institutional efficiency.

**Discussion and Deliberation on Warrant, Summons and Summary Trials under Code of Criminal Procedure, 1973 for Chief Judicial Magistrates and Judicial Magistrates of District Judiciary of Sikkim on 17th February 2024**

Resource Person: Mr. Benoy Sharma, Learned Central Project Coordinator, High Court of Sikkim



The programme aimed to enhance understanding of the procedural aspects of Warrants, Summons, and Summary Trials under the Code of Criminal Procedure, 1973. The resource person discussed the legal provisions, practical implications, and recent developments in Chapters XIX, XX, and XXI of the CrPC, 1973.

Participants were reminded of the importance of thorough examination of complainants and witnesses under Section 200, the distinction between summons and warrant cases, and the need to establish *prima facie* evidence before framing charges. Recent amendments to procedural laws and the IPC were reviewed, along with trial procedures, documentation, and judicial discretion. Emphasis was placed on neutrality, evidence evaluation, legal interpretation, and accountability.

The training included case studies and practical scenarios, such as challenges in executing warrants across states, the use of technology for serving summons (subject to judicial approval), and the role of summary trials in reducing lower-court backlogs. The session concluded with a call for continuous training, collaboration, and commitment to fair and legally sound judicial practices.

## ECT\_4\_2022 eCourts Programme for Members of the Bar on 23rd February 2024

Resource Persons: Mr. Tashi Rapten Barfungpa and  
Mr. M. N. Dhungel, Advocates, Sikkim



The session on e-Filing was jointly conducted by resource persons Mr. Tashi Rapten Barfungpa and Mr. M. N. Dhungel (Advocates). The session commenced with emphasis on the growing importance of e-filing, especially post-COVID-19, as lawyers increasingly adopt digital tools in court practice. They discussed the initial reluctance of the legal community in using digital tools and emphasized the need for in-person training to ease the transition. The benefits of e-filing, such as convenience and reduced paperwork, were highlighted, along with persistent challenges like hard copy requirements in some lower courts and difficulties faced by new lawyers during registration of cases.

A step-by-step explanation of the e-filing process was given, covering registration, fee payment, document formatting, and portal navigation. The resource persons encouraged active participation and addressed common doubts to ensure clarity in use of digital tools. The resource persons also highlighted the Case Information System (CIS) upgrades from version 2.0 to 3.0, urging participants to stay updated with system improvements. The session concluded with a Question and Answer Session, reinforcing the importance of continuous learning and collaboration in adapting to digital systems.

**Skill Enhancement Programme on the Art of Judgment Writing, Orders and Case Law Analysis for Judicial Officers of District Judiciary of Sikkim on 24th February 2024**

Resource Person: Hon'ble Mr. Justice Bhaskar Raj Pradhan, Judge, High Court of Sikkim & Chairperson/Judge-In-Charge, Sikkim Judicial Academy



The programme was virtually presided over by Hon'ble Mr. Justice Bhaskar Raj Pradhan and featured active participation from judicial officers. The programme was divided into two sessions: the first session featured presentations by the Chief Judicial Magistrates and Judicial Magistrates-cum- Civil Judge, while the second consisted of presentations by the District & Sessions Judges.

The first session concentrated on judgment writing in civil and criminal cases, emphasizing the structure, language, issue framing, evidence appreciation, and legal reasoning. It was highlighted that judgment writing is a skill honed through experience. The second session delved into judgment structure, covering case overviews, facts analysis, legal issues, and reasoned decisions. This session stressed the importance of concise, clear language and logical organization.

The session concluded with reflections on judgment writing as a continuous learning process and an essential judicial craft. Judges were encouraged to refine their individual styles while upholding clarity, fairness, and legal rigor, and to seek mentorship and feedback from senior colleagues.

**Session on Constitutional Vision of Justice and Discussion on various provisions of Commercial Courts Act, 2015 and Arbitration & Conciliation Act, 1996 for Judicial Officers of District Judiciary of Sikkim on 2nd March 2024**

Resource Person: Mr. Samrat Sen, Ld. Senior Advocate, Calcutta High Court



The session delved into two main sections: an exposition on the Indian Constitution and an in-depth overview of the Commercial Courts Act, 2015. The resource person, Mr. Samrat Sen, highlighted the Constitution as an evolving "Ship of Theseus," with the Basic Structure Doctrine safeguarding core principles such as democracy, federalism, and judicial independence. Landmark judgments, including *Kesavananda Bharati*, were discussed, along with fundamental rights and doctrines like *Audi Alteram partem* ("listen to the other side"), emphasizing fairness in judicial decision-making.

Mr. Sen then explained the Commercial Courts Act, 2015, which aims to reduce delays in commercial litigation by establishing specialized Commercial Courts and Divisions with fixed timelines and procedural innovations. This helps expedite commercial dispute resolution above ₹3 lakhs (the original threshold was ₹1 crore) through pre-institution mediation, strict case management, defined timelines, and limited appeals. He highlighted procedural innovations such as summary judgments, electronic evidence provisions, and jurisdiction rules, stressing the need for judges to apply cost-benefit analysis and possess commercial transaction expertise.



The session also covered the Arbitration & Conciliation Act, 1996, emphasizing party autonomy, limited judicial interference, and the promotion of institutional arbitration to reduce court burdens. Amendments enhancing enforcement and expediting proceedings were discussed.

In conclusion, Mr. Sen underscored that the judiciary must deliver justice aligned with India's evolving legal and economic landscape. The Commercial Courts Act, 2015 promotes swift, fair, and accessible justice, fostering investor confidence and supporting India's integration into the global business framework.

**ECT\_12\_2022 Cyber Laws, Appreciation and Handling of Digital Evidence  
for Public Prosecutors, Assistant Public Prosecutors and Government  
Advocates on 8th March 2024**

Resource Person: Mr. Tashi Rapten Barfungpa, Ld. Advocate/  
Master Trainer, High Court of Sikkim



The session began with an overview of the Information Technology Act, 2000, along with its key amendments, laying the foundation for understanding the country's cyber law regime. Participants were informed about various categories of cyber-crimes, particularly those targeting individuals. The resource person illustrated the widespread nature of cyber scams and underscored the urgent need for public awareness and education – even among the educated sections of society.

Emphasizing the dynamic nature of technology, the resource person highlighted the importance of staying updated on developments in cyber legislation. The session served as a valuable platform for public prosecutors and interested individuals to engage with the complexities of cyber laws and enhance their preparedness in addressing cyber-crimes. The overall aim was to equip participants with the knowledge and tools necessary to navigate and respond effectively to emerging digital threats.

**ECT\_12\_2022 Computer Skill Enhancement Level I and II Programme for  
Members of the Bar on 8th March 2024**

Resource Person: Mr. M. N. Dhungel, Advocate/  
Master Trainer, High Court of Sikkim



The programme focused on enhancing computer literacy and file management skills among participants. The session began with an overview of essential computer hardware components such as the PC, CPU, RAM, and GPU, emphasizing how their interaction affects overall system performance.

The resource person stressed the importance of systematic file organization and regular data backups to prevent data loss. The participating advocates were encouraged to adopt structured folder creation and digital file management practices. Key word processing functions, including left and right indents, data formatting, page layout, and margin settings, were explained in a simplified manner to cater to varying levels of computer familiarity.

Practical aspects such as the continued role of paper in file organization and distinctions between basic and advanced computer knowledge were also discussed. The participants gained clarity on how data is processed within a computer system and how this understanding aids in effective digital functioning.

## ECT\_17\_2022 ICT and eCourts Induction Programme for Civil Judges of Sub-Divisions on 16th March 2024

Resource Person: Mr. Benoy Sharma, Lt. Central Project Coordinator, High Court of Sikkim



The programme commenced with valuable insights of the resource person on current disparities in digital infrastructure and proposed practical solutions, including the strengthening of subdivisions, recruitment of computer technicians, and the establishment of dedicated district-level funds to support the sustainability of digital initiatives. Providing historical context, he explained the unique complexities of digitization within the judiciary, distinguishing it from other government departments. While acknowledging the potential of AI to assist judges, he raised critical reflections on whether AI can fully substitute human reasoning in judicial decisions.

The session also explored systemic challenges in implementing digital solutions within government agencies, such as poor data entry practices, inadequate system integration, and difficulties in decommissioning outdated equipment. The importance of coordination, staff training, and robust technology infrastructure was underlined. Specific issues surrounding ePayment systems, including treasury-related complications and online deposits, were addressed with suggestions for improvement, particularly in ensuring data security and reliability. The Resource Person stressed the need for continued innovation, collaboration, and investment in technology to enhance transparency and efficiency in the judicial system.

# **Training Programme on Integration of Technology in Enhancing Court Efficiency and Access to Justice through ICT Solutions vis-a-vis Court and Case Management and Artificial Intelligence (AI) on 22nd March 2024**

Resource Person: Mr. Benoy Sharma, Lt.Central Project Coordinator, High Court of Sikkim



The resource person deliberated on the e-Courts project, Information and Computer technology (ICT) tools, Artificial Intelligence (AI), and blockchain applications to improve judicial processes, transparency, and service delivery. He explained the evolution of the e-Courts project, its three phases, and challenges in state-level implementation, such as funding gaps and technical disparities. Key topics included paperless courts, cloud-based backups, virtual courts, AI-assisted case management, and blockchain for document traceability, along with practical issues like data security and contested cases. The Interoperable Criminal Justice System (ICJS) was also discussed, highlighting the need for integration across police, prosecution, courts, prisons, and forensics to enable seamless transfer of data and information among these pillars of the Criminal Justice system.

The session came to an end with an emphasis on use of technology in the court processes rather than avoiding it. Mr. Sharma concluded that technology is essential for modern justice, emphasizing that the law must evolve with science rather than fear it.

## **Training Programme on Scanning and Digitization of Records for Staff Members of District Judiciary and High Court of Sikkim on 26th March 2024**

Resource Person: Mr. Nabin Debnath, Junior Supervisor,  
Digitization Department, Informatics  
Publishing Limited, Kolkata, West Bengal



The session began with an overview of how digitization streamlines data processing, enhances storage efficiency, and enables seamless data transmission. The resource person deliberated on the scanning and digitization of records. He gave a comprehensive presentation on the transformative role of digitization in modern data management. He explained that a Document Management System (DMS) Software repository is a centralized digital storage system for organizing, tracking and securing an organization's document. It was informed that the DMS would make the records in the courts more accessible to the end users, within the court premises as well as through the internet as intranet to those who cannot personally visit the court.

The Resource Person informed the participants that servers or workstations, multiple desktop computers, ADF scanners, a document camera for non-standard documents, and PDF reader/editors are essential equipment required for digitization of records. The detailed stages of the digitization process and advantages of digitization of records, such as space, financial, and time-saving and easy access of records were explained. Drawing from real-world examples, including the Reserve Bank of India's digitization of rare books and reports, the resource person demonstrated the practical benefits of such initiatives. The programme concluded with an interactive session.

## **Programme on Creating Accessible Documents and dealing with the needs of persons with disability on 30th March 2024**

Resource Person: Mr. Benoy Sharma, Ld.Central Project Coordinator, High Court of Sikkim



This programme was organized under the direction of e-Committee, Supreme Court of India. It addressed the need of enhancing accessibility of legal documents for persons with disabilities within the judicial system. The resource person, Mr. Benoy Sharma, focused on the practical, technological, and procedural aspects of making court documents accessible, primarily for persons with disabilities.

The resource person focused on improving accessibility for visually impaired individuals, highlighting the need for an inclusive judicial environment and accessible legal documents. The resource person discussed challenges such as improperly formatted PDFs and the critical role of screen readers and specialized software, urging district judges to support their procurement and provide training for effective use. Practical guidance was offered on creating accessible PDFs, tagging documents for better navigability, and using OCR-enabled scanners to convert printed or scanned materials into accessible formats.

The session concluded with a call for accessibility to be integrated into standard document creation processes, supported by continuous training and awareness programs. Stakeholders were urged to prioritize accessibility to ensure equality and justice for visually impaired individuals. The transition towards universal accessibility of legal documents was deemed essential to uphold the constitutional right to equality and non-discrimination.

**Session on Sikkim Court Fees and Stamps on Document Rules, 1928 and the Sikkim Court Fees (Exemptions and Miscellaneous Provisions) Act, 1983 and their amendments for Judicial Officers of District Judiciary of Sikkim on 6th April 2024**

Resource Person: Hon'ble Mr. Justice Bhaskar Raj Pradhan, Judge,  
High Court of Sikkim & Chairperson/  
Judge-In-Charge, Sikkim Judicial Academy



His Lordship commenced the session by providing a historical overview of the court fee legislation in Sikkim – tracing its unique evolution from pre-merger times to its current state. He emphasized the importance of understanding the statutory framework governing court fees and the proper application of stamp duties in judicial proceedings. His Lordship drew attention to key provisions of the 1928 Rules and the 1983 Act, explaining their relevance and scope in contemporary legal practice.

The session included practical discussions on exemption provisions, especially in cases involving indigent persons, government entities, and public interest litigations. His Lordship also addressed recent amendments and judicial interpretations that impact the levying and collection of court fees in various categories of cases.

Judicial Officers engaged actively with questions and real-case scenarios and his Lordship explained the procedural complexities and common interpretative challenges. The session concluded with reflections on the balance between procedural compliance and access to justice, underscoring a judge's responsibility to ensure fairness without compromising on statutory requirements.

**ECT\_8\_2022 Refresher Programme and N-Step Training for Administrative Heads, Nazirs, Process Servers and Prosecution Staff of District Judiciary of Sikkim on 16th April 2024**

Resource Persons: Mr. Yoland Z. Christopher, Section Officer (Systems), District & Sessions Court, Gangtok; Mr. Naresh Sharma & Mr. Sagar Sigdel, Software Programmers, High Court of Sikkim



The refresher program included two sessions focused on the use of digital tools in the judiciary. The resource persons, Mr. Naresh Sharma and Mr. Sagar Sigdel, led the first session, offering a detailed view of the eCourts project, National Judicial Data Grid (NJDG), eFiling, and the eCourts mobile app. They also disseminated information on eFiling helpdesk and paperless courts, with a focus on eFiling 3.0's advanced features aimed at efficiency. eFiling is mandatory as per the direction of the Hon'ble High Court of Sikkim. The initiative aims to streamline processes and enhance user convenience.

In the second session, Mr. Yoland Z. Christopher gave a live demonstration on how to operate the N-Step mobile app, emphasizing its impact on judicial services. It was then followed by queries and discussion on the practical issues faced by process servers while processing summons digitally. He also covered digital evidence handling in criminal cases, providing insights into digital documentation challenges and solutions. The session concluded with an understanding of the N-Step app's role in modernizing the judiciary.

**Two days orientation programme on new Criminal Laws: BNS, 2023; BNSS, 2023; and BSA, 2023 for Judicial Officers of High Court & District Judiciary of Sikkim on 25<sup>th</sup> & 26th April 2024**

Resource Persons: Mr. N. G. Sherpa, Director, Sikkim Judicial Academy; Mr. K. W. Bhutia, Principal District & Sessions Judge, Gangtok; Ms. Jyoti Kharka, Mr. Jiwan Kharka, Ms. Subarna Rai, Ms. Ranjeeta Pradhan, District & Session Judges, District Judiciary of Sikkim



A two-day orientation programme was conducted on the new criminal laws i.e., Bharatiya Nyaya Sanhita, 2023; Bharatiya Nagarik Suraksha Sanhita, 2023; and Bharatiya Sakshya Adhiniyam, 2023, which came into effect on 1<sup>st</sup> July, 2024 replacing the old criminal laws. It aimed to familiarize the judicial officers with structural changes, new concepts and shift from punitive to justice-oriented approaches introduced in the new criminal laws. The programme highlighted the need to adapt to the modernized legal framework for fair, efficient, and timely justice.

Day One included three sessions. The first session was on Bharatiya Nyaya Sanhita, wherein the resource person gave an overview of the provision under BNS including redefined offenses and contemporary criminal jurisprudence. The second session was on the provisions of Bharatiya Nagarik Suraksha Sanhita, addressing the changes brought in the investigation procedures, custody norms, etc. The third session was on the provisions of Bharatiya Sakshya Adhiniyam, focusing on evidence law, electronic evidence, etc.



Day Two featured sessions on integrating substantive and procedural reforms, addressing practical implementation challenges faced by investigative agencies and advocates. There was a discussion on judicial responsibility to ensure fair trials, public confidence, and continuous professional development. The programme concluded with a call for judicial officers to engage actively with the new criminal laws, embrace modernized procedures, and strengthen a transparent, efficient, and contemporary justice system.

**Training on Different Stages of Civil and Criminal proceedings & Duties of Stenographers, various types of orders (Civil, Criminal), reproducing citation in judgments, etc for Stenographers of District Judiciary on 26th April 2024**

Resource Person: Mr. Jaya Kumar S., Joint Registrar - cum - Senior Judgment Writer to the Hon'ble Chief Justice, High Court of Sikkim



The programme focused on the roles and responsibilities of Stenographers with the aim to enhance their professional skills and efficiency. The resource person gave an overview of the administrative and court-related duties entrusted to stenographers. Participants were guided on effectively managing official correspondence, and email communication while maintaining proficiency in basic computer applications.

It was informed that the key responsibilities of a stenographer includes systematic maintenance of files, registers, stationery, manuals, and books, as well as preparing agendas, papers, and folders for meetings in advance. They were also advised on managing officers' schedules, overseeing chambers in their absence, ensuring upkeep of office equipment, and maintaining confidentiality in handling classified documents.

The session further introduced participants to the fundamentals of judicial processes in civil and criminal proceedings under Code of Civil Procedure (CPC), 1908, Indian Penal Code (IPC), 1860, Code of Criminal Procedure (CrPC), 1973, and the Indian Evidence Act, 1872. While not directly responsible for these processes, stenographers were encouraged to be aware of court proceedings to assist judicial officers more effectively and efficiently.

## **Roles and Responsibilities of Family Court Judges for Family Court Judges of District Judiciary of Sikkim on 4th May 2024**

Resource Person: Ms. Ipsita Banerjee, Ld. Advocate, Calcutta High Court



The program explored the multifaceted nature of divorce, custody, maintenance, guardianship, and related legal principles. It provided an in-depth analysis of the stages of divorce, the role of judges and courts, the challenges faced by litigants, and the evolving jurisprudence in family law.

The resource person highlighted the complex nature of divorce, comparing its stages to the process of grief, and emphasized that judges must combine legal precision with human sensitivity. Ms. Banerjee outlined key stages of divorce, including emotional divorce (loss of trust and affection), legal divorce (formal court proceedings), economic divorce (division of assets), co-parenting (child custody and visitation), community divorce (impact on social relationships), and psychic divorce (psychological detachment and recovery). She stressed that judicial responsibilities span child-centric custody decisions, mediation to encourage settlements, and applying statutory law sensitively to socio-emotional contexts.

The session also addressed challenges faced by family court judges, such as handling complex cases involving abuse or addiction, applying gender-neutral family laws, and managing resource constraints that limit counseling or mediation. Ms. Banerjee concluded with the advice that family court judges act not only as legal adjudicators but also as stabilizing agents, guiding families through separation with empathy, legal clarity, and a focus on the best interests of children.

## **ECT\_3\_2024 Master Trainer Programme for Master Trainers/ New Master Trainers and Potential Master Trainers on May 22nd 2024**

Resource Person: Mr. Benoy Sharma, Lt. Central Project Coordinator, High Court of Sikkim



The resource person mainly focused on the evolution of the eCourts project, highlighting the need for new master trainers due to technological changes and staff promotions. The early use of Ubuntu and LibreOffice for cost-effectiveness in courts was also discussed.

The resource person updated participants on the progress of the eCourts Mission Mode Project, emphasizing challenges ahead and advocating for district-level autonomy in budgeting. As per the tripartite agreement between the Union of India, State Governments, and High Courts, he stated that recurring expenses should now be handled by State Governments.

He outlined hurdles such as judicial resistance to technology and difficulties in transitioning to paperless courts, including dependence on private vendors. Other topics included legal translation, e-summons, and data privacy was also discussed. He cited real-life examples like identity theft and loan scams to stress the importance of digital awareness. He explained the eFiling registration process, its dual verification system, and concluded with the need for more digital training for legal professionals.

## **ECT\_4\_2024 Advocate/Advocate Clerk eCourts Programme for Bar Members and Clerks of Sikkim on 24th May 2024**

Resource Person: Mr. Meghnath Dhungel, Advocate/  
Master Trainer, High Court of Sikkim



The training programme focused on electronic filing (e-Filing) of legal documents and the shift towards digital legal practices. Emphasizing the need for senior members of the bar to adapt to use of digital tools, he encouraged the use of electronic case management tools (ECMTs) and e-Filing platforms as integral to modern practice.

Participants were guided on registering with the Case Information System (CIS), with emphasis on document readiness and enrolment details. Practical demonstrations covered key steps in the e-Filing process i.e., login, case initiation, e-Payment, and submission, along with digital signature and mobile OTP verification. Challenges like document size limits and jurisdictional variations were addressed through practical solutions. The resource person stressed the importance of proper document formatting, accurate case details, and verification protocols. In conclusion, the session aimed at encouraging the participants to navigate the e-Filing system effectively, supporting a smooth digital transition and procedural compliance.

## **Roles and Responsibilities of Staff Members of District Judiciary on 24th May 2024 at Sikkim Judicial Academy, Gangtok**

Resource Persons: Mr. K.W. Bhutia, Ld. Principal District & Sessions Judge, Gangtok and Ms. Zamyang Choden Bhutia, Ld. Deputy Director, Sikkim Judicial Academy



The programme was organised for staff members of all District Courts of Sikkim with the aim of educating them on their crucial roles in the justice delivery system. Key areas of discussion included day-to-day administrative responsibilities, courtroom management, assisting judicial officers, maintaining case records, and ensuring timely communication of court orders.

Resource persons highlighted the importance of professionalism, integrity, and confidentiality in judicial work. Emphasis was also laid on effective coordination among staff, adherence to procedural rules, and the proactive role staff play in facilitating smooth functioning of courts. Interactive discussions allowed participants to share experiences, clarify doubts, and explore best practices in administrative and judicial support functions.

The programme concluded with a reinforced understanding of the significant contribution of each staff member towards the efficiency and credibility of the District Judiciary, emphasizing that well-informed and dedicated staff form the backbone of an effective justice system.

**Two days orientation programme on new Criminal Laws: BNS, 2023; BNSS, 2023; and BSA, 2023 Police Officers and Bar Members of Sikkim on 28<sup>th</sup> & 29th May 2024**

Resource Persons: Mr. N. G. Sherpa, Director, Sikkim Judicial Academy; Mr. K. W. Bhutia, Principal District & Sessions Judge, Gangtok; Ms. Jyoti Kharka, Mr. Jiwan Kharka, Ms. Subarna Rai, District & Session Judges, District Judiciary of Sikkim, Ms. Zamyang Bhutia, Deputy Director, SJA



This programme was aimed at familiarizing law enforcement officials and members of the Bar with the substantive and procedural changes introduced under these laws.

Day One featured three sessions led by distinguished resource persons. The first session focused on the Bharatiya Nyaya Sanhita, 2023, exploring redefined offences, classification of crimes, and updated criminal jurisprudence. The second session dealt with the Bharatiya Nagarik Suraksha Sanhita, 2023, emphasizing revised investigation procedures, arrest and custody norms, and procedural safeguards. The third session covered the Bharatiya Sakshya Adhiniyam, 2023, highlighting principles of admissibility, electronic evidence, and the streamlined presentation of facts in court.

Day Two continued with three sessions by other resource persons. The fourth and fifth sessions focused on practical challenges in implementing the new laws, coordination between police and legal professionals, and strategies for efficient case management. The sixth session emphasized the responsibilities of law enforcement and Bar members in upholding fair trials, ensuring timely justice, and maintaining public confidence in the justice system.

**Judicial Colloquium on Human Trafficking under the aegis of Ministry of Home Affairs, Govt of India for Judicial Officers, Public Prosecutors, Nodal Officers and Organizations working in the field of Human Trafficking on 1<sup>st</sup> June 2024**

Resource Persons: Mrs. K. C. Barphungpa, Ld. District & Sessions Judge, Gyalshing and Mrs. Sonia Gupta, Ld. Principal District & Sessions Judge, Jammu & Kashmir and Ladakh



The first session, led by Mrs. Barphungpa, focused on human trafficking as a serious humanitarian crisis, emphasizing collective awareness and action. Participants discussed the hidden nature of trafficking due to underreporting. The session traced trafficking from the transatlantic slave trade to modern forms such as forced labour, sexual exploitation, forced marriages, and organ trade, highlighting how economic and social vulnerabilities perpetuate these crimes. Global statistics showed forced labour as the most common form, followed by sexual exploitation and forced marriages, with rising concerns over trafficking of newborns. Challenges in identifying victims due to stigma, misconceptions, and covert networks were also discussed.

In the second session, Mrs. Gupta outlined legal frameworks, particularly Section 370 of the Indian Penal Code (IPC), 1860, emphasizing victim-centered, trauma-informed approaches. The session highlighted the role of NGOs and stakeholders, challenges like delayed trials and victim re-traumatization, and the need for improved case management and post-trial rehabilitation. It concluded with a call for coordinated, compassionate efforts to combat trafficking effectively.

**ECT\_6\_2024 e-Courts Programme on Digitization of case records for Officers and Staff Members of the Hon'ble High Court and District Judiciary of Sikkim on 7th June 2024**

Resource Persons: Mr. Deependra Dixit, Section Officer (Systems), and Mr. Rajiv Pradhan, System Administrator, District & Sessions Court, Namchi



The resource person, Mr. Deependra Dixit, commenced the first session by introducing participants to the concept of digitization in a simple and accessible manner. He explained how the eCourts project exemplifies digitization by aiming to make the judicial process paperless. He also discussed the Interoperable Criminal Justice System (ICJS), which seeks to integrate police, forensic labs (CFSL, RFSL), and judiciary under a unified digital framework. Drawing comparisons with UPI, eBanking, and eCommerce, he highlighted how digital tools are replacing physical systems. He outlined the key benefits of digitization, including ease of access and sharing, reduced paper usage, time and space savings, and the ability to create backups for long-term storage.

In the second session, Mr. Rajiv Pradhan discussed digitization rules as per the High Court of Sikkim Digitization of Records Rules, 2016. He stressed the importance of saving documents in PDF/A format for archiving and explained the document digitization workflow — selection, preparation, scanning, formatting, and storage. The session concluded with an interactive Question & Answer Session, where both resource persons addressed participants' queries in detail.

## **Session on Specific Relief Act, 1963 dealing with equitable reliefs/remedies for Civil Judges of District Judiciary of Sikkim on 13th June 2024**

Resource Person: Mr. Samrat Sen, Senior Advocate, Calcutta High Court



The resource person deliberated on equitable reliefs and remedies, emphasizing the courts' evolving approach of prioritizing substantive justice over procedural technicalities. He cited *Frost International Ltd. vs. Milan Developers* to illustrate that suit maintainability is now assessed at the time of decree rather than at filing, ensuring fairness in civil proceedings.

Mr. Sen discussed injunctions under various sections, including Section 41 of the Specific Relief Act, 1963, explaining the circumstances in which they are barred, such as cases related to criminal proceedings or critical infrastructure projects, highlighting the need to balance private rights with public interest. He also covered civil death declarations under Section 108 of the Indian Evidence Act, 1872, which allow families to resolve property and succession matters when a person has been missing for seven or more years. Through judicial precedents, the resource person illustrated practical applications of equitable principles in civil suits, injunction decisions, and property disputes.

In conclusion, Mr. Sen emphasized the importance of fairness, substance over form, and public interest in the application of equitable reliefs, encouraging judges to remain informed of judicial trends and exercise equitable discretion judiciously within the statutory framework.

## **ECT\_5\_2024 e-Courts Programme for Administrative Head/ Court Managers and Staff Members of District Judiciary of Sikkim on 15th June 2024**

Resource Person: Mr. Benoy Sharma, Lt. Central Project Coordinator, High Court of Sikkim



The resource person commenced the programme by emphasizing the mandatory display of the Justice Clock in every court during court hours and demonstrated the process for obtaining Online Certified Copies of judgments via the Hon'ble High Court of Sikkim's website. The session focused on the integration of digital platforms within the judiciary under the eCourts initiative. The resource person highlighted the role of eSewa Kendras as centralized service centers for electronic transactions and virtual courts as tools that enhance remote access to justice. He explained how ePayments streamline the collection of court fees and fines, making the process more efficient and transparent.

Additionally, he addressed the growing concern of eWaste management, noting its importance as digital adoption increases across the judiciary. Overall, the resource person stressed how digital tools like eCourts, eSewa Kendras, virtual courts, and ePayments are enhancing accessibility, efficiency, and accountability in justice delivery, urging participants to adopt these technologies for a modern legal ecosystem.

## **Motivational Session by Mr. Jamling Tenzing Norgay Sherpa for Judicial Officers, Senior Advocates and Members of the Bar on 16th June 2024**

Resource Person: Mr. Jamling Tenzing Norgay Sherpa, Mountaineer, Motivational Speaker and Author, Darjeeling, West Bengal



The motivational session by Mr. Jamling Tenzing Norgay Sherpa was both inspiring and thought-provoking for the participants. Sharing his journey from being the son of the legendary Tenzing Norgay to summing Mount Everest, Mr. Norgay drew powerful parallels between mountaineering and the legal profession. He spoke about perseverance, discipline, ethical decision-making, and mental strength – qualities vital both on the mountain and in the courtroom.

He encouraged the participants to see their work as a mission, much like climbing a peak, requiring teamwork, integrity, and a deep sense of duty. The importance of resilience in the face of adversity and staying grounded in one's values were central themes of his talk. He also touched upon legacy and service, reminding participants that, like climbers who leave no trace behind, legal professionals too must ensure justice is served without bias or personal gain. The session ended on an uplifting note, urging everyone to embrace challenges, remain humble in success, and resilient in adversity.

The audience left with a renewed sense of purpose and motivation, appreciating how deeply Mr. Norgay's experiences resonated with their own journeys, despite being in vastly different professions.



## VIDEO LINKS

1. ECT 9<sup>th</sup> February 2024 - [https://youtu.be/tX7nJHm\\_Ndo](https://youtu.be/tX7nJHm_Ndo)
2. ECT 15<sup>th</sup> February 2024 - <https://youtu.be/27itWcEz18o>
3. 17<sup>th</sup> February 2024 - <https://youtu.be/v-IIxGKB59U>
4. ECT 23<sup>rd</sup> February 2024 - <https://youtu.be/8CbmgWG3A8c>
5. 24<sup>th</sup> February 2024 - <https://youtu.be/1S7F9wN5zsU>
6. 2<sup>nd</sup> March 2024 - <https://youtu.be/Ze1WWMPgQzk>
7. ECT 8<sup>th</sup> March 2024 - [https://youtu.be/x3x1NfQW8\\_k](https://youtu.be/x3x1NfQW8_k)
8. ECT 8<sup>th</sup> March 2024 - <https://youtu.be/s3dA83bD3QQ>
9. ECT 16<sup>th</sup> March 2024 - [https://youtu.be/5v\\_pUnUEoVE](https://youtu.be/5v_pUnUEoVE)
10. 22<sup>nd</sup> March 2024 - <https://youtu.be/053NKVrdM1k>
11. 26<sup>th</sup> March 2024 - <https://youtu.be/iLlezQt6xhc>
12. 30<sup>th</sup> March 2024 - <https://youtu.be/HvMrGBXculs>
13. 6<sup>th</sup> April 2024 - N/A
14. ECT 16<sup>th</sup> April 2024 - <https://youtu.be/e--fp3fbUPc>
15. 25<sup>th</sup> and 26<sup>th</sup> April 2024 - N/A
16. 26<sup>th</sup> April 2024 - <https://youtu.be/SnHhaw1QGG0>
17. 4<sup>th</sup> May 2024 - <https://youtu.be/hpzfKfRwF0c>
18. ECT 22<sup>nd</sup> May 2024 - <https://youtu.be/HotCm4Ct5wk>
19. ECT 24<sup>th</sup> May 2024 - <https://youtu.be/scM-yFEsiTY>
20. 24<sup>th</sup> May 2024 - <https://youtu.be/gy8Hiy2iyso>
21. 28<sup>th</sup> and 29<sup>th</sup> May 2024 - N/A
22. 1<sup>st</sup> June 2024 - [https://youtu.be/h3v51-ZMuH\\_Y](https://youtu.be/h3v51-ZMuH_Y)
23. ECT 7<sup>th</sup> June 2024 - <https://youtu.be/O2iDY3qZm5A>
24. 13<sup>th</sup> June 2024 - <https://youtu.be/7BGDNMrQ4VQ>
25. ECT 15<sup>th</sup> June 2024 - <https://youtu.be/qHJq5ESPOQA>
26. 16<sup>th</sup> June 2024 - N/A