



# JTRI NEWSLETTER

Biannual Newsletter Published by Judicial Training & Research Institute, UP, Lucknow

JTRINL - Issue 1 (2019)



## ABOUT OUR PATRON

**HON'BLE MR. JUSTICE GOVIND MATHUR**

Chief Justice  
Allahabad High Court

Hon'ble Mr. Justice Govind Mathur, the Chief Justice of High Court of Judicature at Allahabad, Practised in the Rajasthan High Court at Jodhpur in Constitutional, Service and Labour matters and Worked as Standing Counsel for University of Rajasthan, Jaipur, Indian Oil Corporation, Water & Power Consultancy Services, New Delhi and also worked as Standing Counsel for National Teacher's Education Council, Rajasthan Vidyapeeth, Bhilwara, Central Co-operative Bank, Central Bank of India, Thar Anchalik Gramin Bank and Punjab National Bank. His Lordship was transferred to Allahabad High Court and took oath on Nov 21, 2017. Initially His Lordship was appointed as Acting Chief Justice of Allahabad High Court from Oct 24, 2018 and he took oath as Chief Justice of Allahabad High Court on Nov. 14, 2018

## SUPERVISORY COMMITTEE OF JTRI



**HON'BLE  
MR. JUSTICE PANKAJ KUMAR JAISWAL**  
Senior Judge  
Allahabad High Court, Lucknow-Bench



**HON'BLE  
MR. JUSTICE MUNISHWAR NATH BHANDARI**  
Judge  
Allahabad High Court, Lucknow-Bench



**HON'BLE  
MR. JUSTICE D.K. UPADHYAYA**  
Judge  
Allahabad High Court, Lucknow Bench

## FROM THE DIRECTOR'S DESK



**SMT. SAROJ YADAV**  
Director, J.T.R.I., U.P.

The Judicial Training & Research Institute, Uttar Pradesh has completed 32 years of relentless service in line with its motto - 'योगः कर्मसु कौशलम्' translated in English as "Adroitness in Human Action is Yoga". Our vision is to upgrade the skills and attune the orientation of the judicial officers and other stakeholders, through the induction and in-service trainings, in consonance with the 'vision of justice' enshrined in our Constitution and the tradition of rendering justice established by the judiciary in Uttar Pradesh, over the last more than 150 years under the High Court of Judicature at Allahabad.

Through the inaugural issue of JTRI's - 'Biannual News Letter - an attempt has been made to provide, a brief introduction of various facets of the institute. While encapsulating, the activities of the Institute, our effort is to provide the readers with a medium to assess the vibrancy of the centre for judicial education and research.

## FACULTY MEMBERS



**SANTOSH RAI**  
Addl. Director  
(Research)



**RAM NAGINA YADAV**  
Addl. Director  
(Training)



**RAJIV MAHESHWARAM**  
Addl. Director (Admin.)



**SMT. SUNITA ADITYA**  
Addl. Director (Finance)



**MOHINDER KUMAR**  
Deputy Director



**DR. AVANISH KUMAR**  
Deputy Director



**SMT. NEELANJANA**  
Deputy Director



**S. K. C. SINGH**  
Deputy Director

## EDITOR-IN-CHIEF

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Director, J.T.R.I., U.P.

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Addl. Director (Research)

**RAJIV MAHESHWARAM**  
Addl. Director (Admin.)

**MOHINDER KUMAR**  
Deputy Director

**DR. AVANISH KUMAR**  
Deputy Director

## ABOUT JTRI

### Vision :

The vision of the Institute is ceaseless upgradation of skills and appropriate attitudinal reorientation through induction level and in-service training in consonance with the imperatives of national and global environment.

### Objectives :

The Institute has been established to pursue the following objectives:

1. To give induction training to new appointees to the judicial and prosecution services.
2. To conduct in-service training/refresher courses for the judicial officers of U.P. in order to update their legal knowledge, skills and techniques.
3. To conduct research work in the field of law to make the legal system more effective.
4. To find out ways and means for expeditious disposal of cases.
5. To improve knowledge and skill of Judicial Officers so that they can perform their duties more effectively and efficiently.
6. To foster the innovation and creativity amongst Judicial Officers and to help prevent obsolescence of manpower.
7. To provide the participants a wider awareness, enlarge skill enlightened altruistic philosophy and make enhanced personal growth possible.
8. To conduct study, analysis and research relating to judicial education and practical problems in the working of District Courts.
9. To organize seminars/workshops on current legal issues.
10. To author and publish journals, digests and brochures of law and distribution thereof to the judicial officers of the State.

### A. Infrastructure (Present)

**Campus :** The Institute is located in tranquil surroundings, spread over an area of 32 acres. The Institute has a separate Training Wing, Administrative Block, 500 Seated Auditorium, Conference Hall, Library, Officers' Hostel with attached dining facility, gymnasium and Yoga Hall, Brochure room, Computer Lab and residential facility for the Director and the senior faculty.

**Training Wing :** The Training Wing comprises of 4 air-conditioned lecture theaters of total seating capacity of 200 trainee officers and 8 tutorial rooms each having a seating capacity of 20 trainee officer. The lecture theaters are well furnished and air-conditioned and equipped with L.C.D. projectors, white boards, sound systems and close circuit cameras.

**Conference Hall :** Full furnished air-conditioned Conference Hall seating capacity of about 150 persons, is part of the training wing. The Hall has been renovated recently and is well furnished, air-conditioners and equipped with latest state of art technologies, LCD projectors, sound systems and computers.

**Seminar Hall :** The Seminar Hall for carrying out the interactive sessions during training is located at the top floor of the Administrative Block. It has the seating capacity of around 70 persons and has been developed by the Institute specially for group discussions and interactive method of training. The Hall is fully furnished and equipped with latest audio visual systems.

**Lounge :** The Institute has a lounge attached to the conference hall of the training wing. Around 40 persons can be accommodated at a time in the lounge it has been prepared and developed especially for hospitality purposes to the guest speakers and dignitaries coming to the institute.

**Computer Lab :** Recognizing the necessity of becoming technology friendly & establishment of full fledged e-courts the Institute provides necessary training of handing computers to all the trainee officers. To facilitate this process, the Institute's Computer Lab is equipped with latest Core processor systems and laptops with latest configuration.

**Library :** The Library of the Institute is housed in a beautiful ambiance into two spacious air-conditioned halls in the Training Wing with one being dedicated to Law books & commentaries and books of general interest, and other exclusively for storing Journals. This center of knowledge has more than 35000 books. The Institute has been subscribing 22 legal journals of varied nature including All England Reports. SCC online has been provided in the library for the use of trainee officers. Library has been equipped with AIR database also to facilitate the officers with the judgments and precedents laid down by Hon'ble Supreme Court and High Courts of the Country. The Institute is working on to develop e-knowledge hub and e-library in near future.

**Administrative Block :** The Administrative Block is a three storied building. The nerve centre of the institute houses the Chairman's Office with attached meeting hall of the capacity of 50 persons, along with the office of the Director. It also has the main office and the officers of the faculty members, along with the Seminar Hall, Gymnasium and the Brochure Room.

**Officers' Hostel :** All training courses are residential. The in-campus officers' hostel is a three storied building with 114 air-condition rooms. The officers hostel of the institute is located at a distance of about 150 meters from the training wing. The hostel is fully furnished and equipped with the best house-keeping and hospitality facilities.

**Officers' Mess and Dining Hall :** The mess of the Institute is attached to the officers' hostel, with a Dining Hall which can accommodate 250 persons at a time. To ensure proper hygienic conditions, the kitchen of the mess has been equipped with ultra modern gadgets and utensils. The cafeteria of the Institute is fully air conditioned and well furnished with entertainment facilities too.

**Gymnasium :** Keeping in view that a healthy mind rests in healthy physique, the Institute has established and developed a gymnasium. The physical training is generally part of the training programs organized by the Institute. The facilities of gym has been made available to

the trainee officers during the training programs. It has been fitted with state-of-the-art modern equipments and machines.

### B. Infrastructure Under Construction at JTRI

1. Guest House of 04 Suite
2. Hostel Consisting of 18 Rooms including Gym
3. 02 Store Rooms with Dining Hall
4. Conference Hall/ Lecture Hall for 120 Persons
5. Raising the Height of Boundary of JTRI, Construction of Drainage and External Electrification Work

### C. Infrastructure Proposed

1. Hostel of 200 Rooms (400 Bedded)
2. Construction of Additional Tube well
3. Type V Residence for the Faculty Members
4. Sports Complex including Swimming Pool Badminton & Lawn Tennis Court, Table Tennis etc.
5. Dormitory
6. Extrusion of Academic block
7. Library
8. Director Residence
9. Construction of main gate

### D. Publication Division

The Institute has published 29 books and 230 brochures on different Law topics and other fields of general importance. The Institute is publishing a Journal titled as "JTRI Journal" regularly. It contains articles on legal subjects by Hon'ble Judges of the Supreme Court and High Courts and other luminaries and jurists. The Institute is also publishing a "Quarterly Digest" containing notes on the reported judgments of the Hon'ble Supreme Court and the Hon'ble Allahabad High Court. The Digest and the Journal are distributed amongst the Judicial Officers of Uttar Pradesh. "JTRI Journal" is also sent to the Hon'ble Judges of Supreme Court, Allahabad High Court and Chief Justices of other Hon'ble High Courts.

## E. Programs Conducted at JTRI in 2018-19

Total No. of Programmes-51		Total No. Of Participants- 2588
Foundation Training Programme for Civil Judges	No. of Programmes : 03	No. of Participants : 297
Foundation Training Programme for Addl. District Judges (Direct Recruits)	No. of Programmes : 01	No. of Participants : 28
Refresher Training Programme for Additional District Judges	No. of Programmes : 14	No. of Participants : 626
Special Training Programme for Recently promoted Civil Judges as Additional District Judges	No. of Programmes : 03	No. of Participants : 135
Special Training Programme for District Judges	No. of Programmes : 02	No. of Participants : 76
Training Programmes on Mediation	40hrs.Mediation Training Programme (For Civil Judges) :02 Special Advanced Capsule Course (For Advocate Mediators) :02	No. of Participants :213 No. of Participants :83
Ubuntu & CIS Refresher Training for Judicial Officers	Ubuntu 16.04- Cum- CIS Training :12	No. of Participants: 393
Seminar on PC & PNDT Act for CJM's, Prosecuting Officers & District Nodal Officers	No. of Programmes :02	No. of Participants :242
Training Programme for Court Officials	Special Training on Court Fees and Suit Valuation for 46 Stamp Reporters of Hon'ble High Court	03 Special Training Programmes for Chief Administrative Officers/Senior Administrative Officers of 72 District Courts
Training Programmes for Other Stakeholders	For 119 Prosecuting Officers 1 Month Programme	For 06 Newly Recruited Dy. S.Ps of U.P. -01 Prog. (For 3 Days)
	For 82 Newly promoted Income Tax Officers-2 Prog	For 48 Assistant Inspector General, Registration -1 Prog.
	For 42 Officers of UP Power Corporation Ltd.- 1 Prog.	
Workshops, Seminars & Sensitization Programmes	Capacity Building; Court Management, Case Management, Case Flow Management and Docket Management.	Prevention of Cruelty Against Animals
	Gender Justice.	PCPNDT Act with Special Emphasis on "Save the Girl Child".
	Constitutional Vision of Justice with specific reference to Human Trafficking & Modern day Slavery	Child Rights & Juvenile Justice in India.
	Tort and Protection of Consumer	Legal Aid & Speedy Justice.
	Suit Valuation & Court Fees.	An Aspect of Judicial Reforms – How to Strengthen the Mechanism of Lok-Adalat
	Constitutional Vision of Justice with Special Emphasis on Speedy Justice & Protection of Human Dignity.	Land Laws & Revenue Laws
Special Management Development Programme, Partner Organization -Indian Institute of Public Administration (IIPA), New Delhi	No. of Programmes Organized- 10 To continue in 2019-2020	No. of Participants-360



## F. Proposed Programs at JTRI in 2019-20

Organization of Workshops, Refresher & Orientation Courses in the Cluster of Districts	75 Districts of UP sub-divided into 22 Clusters	Hon'ble Judge In-charge to supervise training in the individual Cluster
	Hon'ble Judge In-charge to supervise training in the individual Cluster	
Foundation Training Programme for Civil Judges (Junior Division)	No. of Programmes : 02	NO. of Participants : 215
Refresher Training Programme for Judicial Officers (Civil Judges & ADJ) Clubbed with CIS Training	No. of Programmes : 37	No. of Participants : 1850
40 hrs. Training Programmes On Mediation	Proposed Programme for Judicial Officers : 15	No. of Participants (30x40) :1200
	Proposed Programme for Adv. Mediators: 15	
Induction Training Programme for Assistant Prosecuting Officers	No. of Programmes : 02	NO. of Participants : 240
Other Likely Training Programmes	Induction Training for 610 Civil Judge (JD)	Induction Training for around 100 Additional District Judges (Direct Recruits)
	5 Days Seminar/Workshop for Family Court Judges	01 day workshop for CJM's, Prosecuting Officers & District Nodal Officers
	Special Training programme for likely to be promoted HJS Cadre Officers	

### DOWN THE MEMORY LANE

1. **Justice Sujata V. Manohar, Judge, Supreme Court of India** on his visit to JTRI on 21.03.1998-  
*" I am very impressed by the facilities provided at the Training Institute. The library is very well stocked. I am sure that the dedicated faculty will be able to impart valuable training to judicial officers and make them more effective in their work. "*
2. **Justice S. Saghir Ahmad, Judge, Supreme Court of India** on his visit to JTRI on 07.09.2000-  
*" It was a great pleasure to come back to the glorious institute, which is now scaling new heights in all its activities. I wish it all success. "*
3. **Sri N.R. Madhava Menon, Director, National Judicial Academy, Bhopal** on his visit to JTRI on 06.04.2004-  
*" I am delighted to see the Institute, one of the oldest of the country to have developed well over the years contributing to the betterment of administration of justice. I hope together we can take judicial education and training to the greater heights in the coming years. "*
4. **Justice Y.K. Sabharwal, Judge, Supreme Court of India** on his visit to JTRI on 30.10.2004-  
*" Very happy to see the institute and I hope and wish that soon there would be computerization and other facilities provided for. I wish best of luck to trainee judicial officers. "*
5. **Hon'ble Mr Justice C.K. Thakkar, Judge, Supreme Court of India** on his visit to JTRI on 22.01.2006-  
*" I had heard about this institution before many years but had no occasion to visit it. Today, I got an opportunity to come and I am very happy to see the institution working. The library and other blocks have been kept extremely well and staff is also cooperative. I would like to visit again. "*
6. **Justice R.V. Raveendran, Judge, Supreme Court of India** on his visit to JTRI on 13.11.2010-  
*" It gives me great pleasure to visit institute of judicial training and research, U.P., Lucknow. The facilities are very good. Being the oldest and one of the best maintained institute, this institute can be a model for other similar State Judicial Academies. The Judicial Academy discharges the crucial function of nurturing and shaping young judicial officer into the Torch bearers of the judiciary. Let this Institute continue the good work. "*



## G. LEGAL JOTTING

SUBJECT	IMPORTANT RECENT JUDGMENTS BY HON'BLE SUPREME COURT
1. Section 38 Specific Relief Act: Plaintiff Has To Prove His Actual Possession On The Date Of Filing The Suit: SC CIVIL APPEAL NO. 1509/2019, Judgment dated - 06-02-2019	<b>BALKRISHNA DATTATRAYA GALANDE VERSUS BALKRISHNA RAMBHAROSE GUPTA AND ANOTHER</b>
2. Suit In Respect To Properties Situated In Jurisdiction Of Different Courts Can Be Instituted In One Of Those Courts CIVIL APPEAL NO. 1052/2019, Judgment dated - 06-02-2019	<b>SHIVNARAYAN (D) BY LRS. VERSUS MANIKLAL (D) THR. LRS. &amp; ORS.</b>
3. Revenue Record Entries Can Be Challenged On The Ground That It Was Made Fraudulently Or Surreptitiously CIVIL APPEAL NO. 516/2019, Judgment dated - 05-02-2019	<b>DHARAM SINGH (D) THR. LRS. &amp; ORS. VERSUS PREM SINGH (D) THR. LRS.</b>
4. Decree Passed On Plaintiff's Evidence Without Defendant's Appearance At Trial Is Ex-Parte Decree CIVIL APPEAL NO. 2582-2583/2011, Judgment dated - 01-02-2019	<b>G. Ratna Raj (D) by Lrs. VERSUS Sri Muthukumarasamy Permanent Fund Ltd. &amp; Anr.</b>
5. Irregularity In Local Commissioner's Report Not A Ground To Dismiss The Suit CIVIL APPEAL NO. 8285/2009, Judgment dated - 04-02-2019	<b>RAM LAL &amp; ORS. Appellant(s) VERSUS SALIG RAM &amp; ORS.</b>
6. Mere Agreement To Sell The Leased Property To Tenant Would Not Terminate Landlord-Tenant Relationship: SC CIVIL APPEAL NO. 1237-1238/2019, Judgment dated - 28-01-2019	<b>Dr. H.K. Sharma ....Appellant(s) VERSUS Shri Ram Lal</b>
7. When Can Appellate Court Allow Plea For Adducing Further Evidence: SC Explains CRIMINAL APPEAL NO. 148/2019, Judgment dated - 24-01-2019	<b>BRIG. SUKHJEET SINGH (RETD.) MVC VERSUS THE STATE OF UTTAR PRADESH &amp; ORS.</b>
8. 'Cheque Bounce' Complaint Against Director Not Maintainable If Company Is Not Arraigned As Accused, Reiterates SC CRIMINAL APPEAL NO. 1465/2019, Judgment dated - 17-01-2019	<b>HIMANSHU VERSUS B. SHIVAMURTHY &amp; ANR.</b>
9. "Section 30 of the Hind Succession Act, permits the disposition by way of Will of the interest of a male Hindu in a Mitakshara CIVIL APPEAL NO. 7092/2010, Judgment dated - 23-01-2019	<b>RADHAMMA &amp; ORS. VERSUS H.N. MUDDUKRISHNA &amp; ORS.</b>
10. SC Permits Wife & Daughters Of Deceased De Facto Complainant To Compound Criminal Case CRIMINAL APPEAL NO. 87/2019, {SLP (CRI) 8512/2015}, Judgment dated - 15-01-2019	<b>DUVVU RAJA SEKHAR @ RAJU &amp; ANR. VERSUS THE STATE OF ANDHRA PRADESH</b>
11. Suspicion, Howsoever Grave, Can't Substitute Proof In Criminal Trial, Reiterates SC CRIMINAL APPEAL NO. 148/2010, Judgment dated - 08-01-2019	<b>DEVI LAL VERSUS STATE OF RAJASTHAN</b>

<p>12. Execution Of A Will Can Be Held To Be Proved When It Is Found To Be Ordinarily Free from Suspicious Circumstances, Reiterates SC                  CIVIL APPEAL NO.5050/2009, Judgment dated - 29-11-2018  <b>JARNAIL SINGH &amp; ANR</b>  <b>VERSUS</b>  <b>BHAGWANTI (D) THR. LRS. &amp; ORS.</b></p>
<p>13. SC Explains Test To Be Applied When There Is Omission To Implead Defendant's Legal Representative                  CIVIL APPEAL NO. 4380-4382/2016, Judgment dated - 28-11-2018  <b>SUNKARA LAKSHMINARASAMMA (D) BY Lrs</b>  <b>VERSUS</b>  <b>SAGI SUBBA RAJU &amp; OTHERS ETC.</b></p>
<p>14. Failure To Determine Blood Group Of Accused From Sample Collected From The Scene Not Enough To Acquit Him: SC                  CRIMINAL APPEAL NO. 2324/2014, Judgment dated - 04-07-2018  <b>PRABHU DAYAL</b>  <b>VERSUS</b>  <b>THE STATE OF RAJASTHAN</b></p>
<p>15. Plea of Insanity Has To Be Established By Accused Only On Preponderance Of Probability, Reiterates SC                  CRIMINAL APPEAL NO. 814/2017, Judgment dated - 02-07-2018  <b>DEVIDAS LOKA RATHOD</b>  <b>VERSUS</b>  <b>STATE OF MAHARASHTRA</b></p>
<p>16. Dishonour Of Cheque-Presumption U/S 139 Of NI Act Can't Be Rebutted By Mere Denial: SC Reiterates                  CRIMINAL APPEAL NO. 803/2018, Judgment dated - 02-07-2018  <b>KISHAN RAO</b>  <b>VERSUS</b>  <b>SHANKARGOUDA</b></p>



Presentation of green plant to Chief Justice Hon'ble Mr. Justice Govind Mathur by the Director, JTRI, Smt. Saroj Yadav on 3<sup>rd</sup> Nov. 2018



Director, JTRI, Smt. Saroj Yadav Presenting memento to the Chief Justice Hon'ble Mr. Justice Govind Mathur on 4<sup>th</sup> August 2018



Judicial Training by way of Workshop, Refresher & Orientation Course at Cluster Jhansi on 19th May 2019





Chief Justice Hon'ble Mr. Justice Govind Mathur with Civil Judge (JD) in Induction Training Program



Visit of Chief Justice Hon'ble Mr. Govind Mathur to JTRI on 3<sup>rd</sup> Nov. 2018



Chief Justice Hon'ble Mr. Justice Govind Mathur meeting with the trainee officers in Induction Training Prog. of Civil Judge (J.D.) on 4<sup>th</sup> August 2018



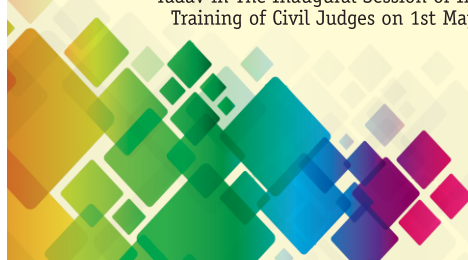
Presentation of green plant to Hon'ble Mr. Justice D.K. Upadhyay by the Director, JTRI, Smt. Saroj Yadav in The Inaugural Session of Induction Training of Civil Judges on 1st May 2019



Inaugural Session of Refresher Training Prog. of District & Session Judges on 10<sup>th</sup> September 2018



Advanced CIS 3.1 Training Program for Master Trainers under the Supervision & Direction of E-Committee of Hon'ble Supreme Court of India in JTRI on 11th & 12th May 2019







ADMINISTRATIVE BLOCK



AUDITORIUM



COMPUTER LAB



LIBRARY



GYM

**PHONE NUMBERS & E-MAIL ID OF THE OFFICERS OF JTRI (WEBSITE- [www.ijtr.nic.in](http://www.ijtr.nic.in))**

SL.NO.	NAME	DESIGNATION	OFFICIAL E-MAIL ID	PHONE NO.
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3	Sri Ram Nagina Yadav	Additional Director (Training)	-	9415114098
4	Sri Rajiv Maheshwaram	Additional Director (Admin.)	jtrihelpline@gmail.com (For Quarries on Judicial Helpline)	9415114097
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6	Sri Mohinder Kumar	Deputy Director	-	9415112806
7	Dr. Avanish Kumar	Deputy Director	-	9415114094
8	Smt. Neelanjana	Deputy Director	-	9415112805
9	Sri Srikrishna Chandra Singh	Deputy Director	-	9415114994