

**Speech by Hon'ble Mr. Justice Kailash Nath Goyal
Lok Ayukta U.P.**



उत्तर प्रदेश राज्य के लोकायुक्त
माननीय श्री न्यायमूर्ति कैलाश नाथ गोयल
Hon'ble Mr. Justice K.N. Goyal
Lok Ayukta, Uttar Pradesh

Hon'ble the Chief Justice of India, Hon'ble Mr. Justice S.C. Agarwal, Acting Chief Justice, Hon'ble Mr. Justice Khanna, other brother judges of the High Court, Director Mr. Hajela, ladies and gentlemen,

I am extremely thankful to Hon'ble Chief Justice Khanna and the Director for giving me an opportunity to say a few words to this august gathering.

It is indeed a proud moment for this Institute that the head of the country's judiciary himself has honoured it by laying down the foundation stone of its building. I cannot help recalling the difficulties that I and my colleagues had to face, when seven years ago we were called upon to establish this Institute. We had no option but to hunt for rented premises. It was, particularly, difficult to secure a proper building for providing residential facilities for about fifty trainees at a time, and also, an adequate lecture hall and a library building, which all be close to the administrative offices. Although the difficulties were somehow surmounted – to our regret no space for sports facilities could be secured, still the need for having ones own building, specially planned for the requirements of an Institute of this nature—continued to be felt. And I feel, particularly, gratified that the first step for fulfilling that need has been taken today.

The subordinate judiciary has more than one reason to be, specially beholden to the Hon'ble Chief Justice Venkatachaliah. Under his stewardship, the Supreme Court has given authoritative recognition to the special place of the subordinate judiciary as distinct from administrative services.

And it is under his active leadership that the National Judicial Academy has been registered as a society with the primary object of providing training for judicial officers all over the country. The facilities already available at this Institute could well be utilised by the National Academy – at any rate in the initial years, until the Academy is able to develop its own infrastructure.

The need for training of judges and magistrates is no longer in question. This Institute is, happily, also a research institute. The judicial system today is under severe strain. The judiciary is no doubt independent. The Constitution has guaranteed its independence, and our Supreme Court has been, zealously, guarding that independence. The Constitution has given to the judiciary here more powers than perhaps the Constitution of any other country of the world. And inspite of it, or may be in part because of the very amplitude of its jurisdiction, it is not able to deliver the goods. Cases take too, too long to decide. Offenders are not brought to book promptly enough, if at all, and trespassers are not promptly evicted. As a consequence, powerful mafia have sprung up everywhere and are going about their nefarious activities with impunity. Our law enforcement agencies, privately, defend their excesses as born out of frustration at their inability to get offenders punished through the due process of law.

It is time we set up and did something about it. Our knowledge of the judicial system has, so far, been confined, partly for historical reasons and partly due to the language barrier, to the English speaking common law countries. In spite of the language barrier, our scientists, our industrialists, even our illiterate labourers, have been dealing with the Germans, the Japanese, the French, the Russians and the Arabs. Why can't we, judges and lawyers, overcome this difficulty and try to learn more about their systems and to borrow their useful features? I hope the Institute will take a lead in the matter.

I will, also, like the Institute to organise the compilation of works like Halsbury's laws of England. It can, also compile an annotated edition of the Supreme Court decisions of the first fifty years. A gist of every ruling – though a gist, it should use the very words of the judges and not try to paraphrase them, – with notes on how it has been followed, departed from or distinguished in subsequent cases – may be prepared and brought out in say, twenty-five handy volumes.

My best wishes for an early and successful completion of this project.

Thank you.
