

# सर्वोच्च न्यायालय के न्यायाधीश ने रबी प्रदेश के पहले एडीआर सेंटर की आधारशिला



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# पहल सोनीपत में खुलेगा प्रदेश का पहला एडीआर सेंटर



पहला एडीआर सेंटर सोनीपत में खुलेगा।

**पहल सोनीपत में खुलेगा प्रदेश का पहला एडीआर सेंटर।**

पहला एडीआर सेंटर सोनीपत में खुलेगा।

# कानून की जानकारी सूचना के अधिकार का उठाएं लाभ : गौड़



**गौड़ ने कहा कि लोगों को सूचना के अधिकार के बारे में जानकारी प्राप्त करने के साथ ही इसका लाभ भी उठाना चाहिए।**

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# पृथला में लगा कानूनी जागरूकता शिविर



पृथला में लगा कानूनी जागरूकता शिविर।

# 'वैकल्पिक विवाद समाधान केंद्र से जल्द न्याय'



वैकल्पिक विवाद समाधान केंद्र की आधारशिला रखी।

**सौनीपत, जमनापुर संवाद केंद्र: वकील संजय गौड़ ने कहा कि लोगों को सूचना के अधिकार के बारे में जानकारी प्राप्त करने के साथ ही इसका लाभ भी उठाना चाहिए।**

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## Newsletter

Issue - January, 2012

**Patron-in-Chief**  
*Hon'ble Mr. Justice Ranjan Gogoi*  
Chief Justice, High Court, Punjab & Haryana

**Executive Chairman**  
*Hon'ble Mr. Justice Satish Kumar Mittal*  
Judge, High Court, Punjab & Haryana

**Member Secretary**  
*Deepak Gupta*



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## LAYING OF FOUNDATION STONE OF HARYANA'S FIRST DISTRICT ALTERNATIVE DISPUTE RESOLUTION (ADR) CENTER AT SONEPAT

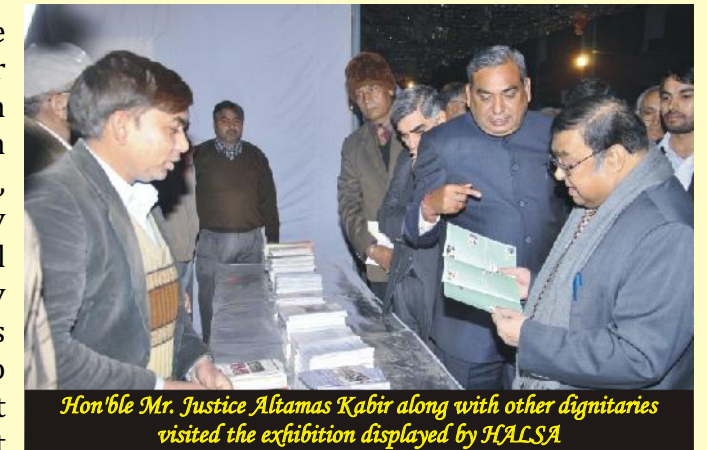
In order to improve Alternative Disputes Resolution Mechanism, Haryana State Legal Services Authority (HALSA) has decided to set up District ADR Centre in all Judicial Districts of Haryana, out of the funds provided by Thirteenth Finance Commission. For this purpose, sites have already been identified in all the districts of Haryana by A Committee appointed by Punjab & Haryana High Court. Lay out plans for District ADR Centers have been approved by the Hon'ble Building Committee of Punjab and Haryana High Court in 13 districts. A model plan of District ADR Centre, prepared by Architecture Department, Haryana, has been approved by HALSA. The PWD (B&R) Department, Haryana, has prepared standard rough cost estimate for construction of such ADR centres.

Hon'ble Mr. Justice Altamas Kabir, Judge, Supreme Court of India and Executive Chairman, National Legal Services Authority laid the Foundation Stone of first District Alternative Dispute Resolution (ADR) Centre at Judicial Courts Complex, Sonipat on 24.1.2012 in the august presence of Hon'ble Mr. Justice Surinder Singh Nijjar, Judge, Supreme Court of India, Hon'ble Mr. Justice M.M. Kumar, Judge, Punjab and Haryana High Court & Executive Chairman, Punjab Legal Services Authority, Hon'ble Mr. Justice Satish Kumar Mittal, Judge, Punjab and Haryana High Court & Executive Chairman, Haryana State Legal Services Authority, Hon'ble Mr. Justice Mahesh Grover, Judge, Punjab and Haryana High Court & Administrative Judge, Sessions Division, Sonipat; and Hon'ble Mr. Justice N.K. Sanghi, Judge, Punjab and Haryana High Court. Sh. Deepak Gupta, Member Secretary, Haryana State Legal Services Authority; Sh. Kuldip Jain, District and Sessions Judge-cum-Chairman, District Legal Services Authority, Sonipat; Sh. Pankaj Aggarwal, Deputy Commissioner, Sh. K.K. Rao, Senior Superintendent of Police, Judicial Officers, Members of Bar Associations, Sonipat, Gohana, Ganour, Panipat & Rohtak; Panel Advocates and Para-Legal Volunteers of District Sonipat, Panipat and Rohtak were also present at the occasion. While perusing the drawings of the Model ADR Center displayed by Architect Department, Haryana, Hon'ble Mr. Justice Altamas Kabir made certain suggestions. Hon'ble Mr. Justice S.K.Mittal assured his lordship to have a relook in the model plan of ADR to incorporate the suggested changes.



From left - HJM Mahesh Grover, HJM S.K.Mittal, HJM Altamas Kabir, Executive Chairman, NALSA, HJM S.S.Nijjar, Judge, Supreme Court of India, HJM M.M.Kumar, HJM N.K.Sanghi

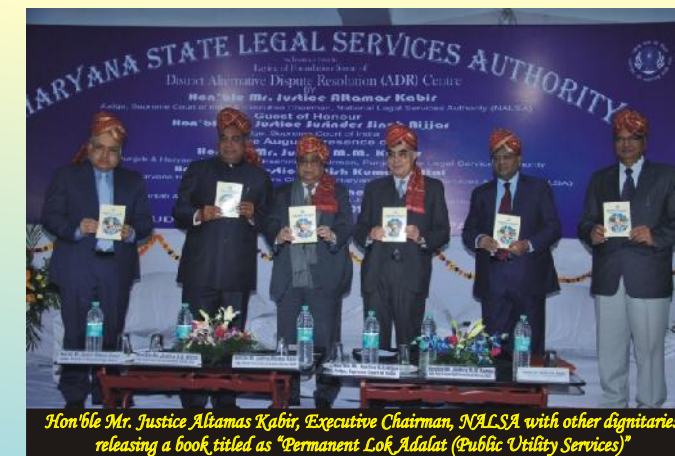
Hon'ble Mr. Justice Altamas Kabir along with other dignitaries visited the exhibition displayed by Education Department, Haryana; RUCHHI, an institution for mentally retarded children; and legal literacy books displayed by Haryana State Legal Services Authority. The dignitaries also visited Front Office of District Legal Services Authority, Sonipat and the District Mediation Center.



Hon'ble Mr. Justice Altamas Kabir along with other dignitaries visited the exhibition displayed by HALSA

On this occasion, a book titled as "Permanent Lok Adalat (Public Utility Services)" was also released by Hon'ble Mr. Justice Altamas Kabir.

While addressing the gathering, Hon'ble Mr. Justice Kabir told that NALSA has plans to open ADR Centers in every judicial district of the country. The concept of opening these ADR centers was to have a permanent single place, where



Hon'ble Mr. Justice Altamas Kabir, Executive Chairman, NALSA with other dignitaries releasing a book titled as "Permanent Lok Adalat (Public Utility Services)"

the disputes can be resolved by any of the ADR processes like arbitration, conciliation, Lok Adalat or mediation. His lordship told that Haryana will soon get its first District Alternative Dispute Resolution Centre, which will help to provide quick settlements out of court, which are informal in nature. His lordship also told at length about the concept of 'Legal Aid Clinics' and the scheme of Para Legal Volunteers. He said that "As Primary Health Centres have proved beneficial to the health sector, the District ADR Centre will play an important role in legal aid and legal service sector". These centres will provide the option to parties to settle their matters in satisfactory manner.



HJM Altamas Kabir, Executive Chairman, NALSA addressing the gathering on the occasion of laying of Foundation Stone of District Alternative Dispute Resolution Center on 24.1.2012 at Sonipat



Hon'ble Mr. Justice Surinder Singh Nijjar enlightened the gathering by expressing his esteemed views. He told about the importance and necessity of legal services and legal aid, which are increasing from the last one decade.

Hon'ble Mr. Justice M.M.Kumar said that today is a historic day for Sonipat



*Hon'ble M.M.Kumar, Executive Chairman, HALSA addressing the gathering*

expressing his esteemed views. He told that Haryana State Legal Services Authority will establish the District Alternative Disputes Resolution Centers in all the judicial districts of the State by the funds of 13<sup>th</sup> Finance Commission. He also disclosed that in Gurgaon, a building named as 'Tower of Justice' has been approved for 50 Courts, wherein District ADR Center in area of 20,000 sq.



*Hon'ble Mahesh Grover, Administrative Judge, Sessions Division, Sonipat addressing the gathering*



*Hon'ble S.S.Nijjar, Judge, Supreme Court of India addressing the gathering*

because foundation stone of first ADR Centers had been laid by Hon'ble Mr. Justice Altamas Kabir in district Sonipat.

Earlier, Hon'ble Mr. Justice Satish Kumar Mittal, while welcoming the dignitaries, enlightened the gathering by



*Hon'ble S.K.Mittal, Executive Chairman, HALSA addressing the gathering*

ft. shall be housed on ground floor. He told that these Centers shall be run by the Judicial Officers of the level of Chief Judicial Magistrate. He also told about various activities being carried out by HALSA under the aegis of NALSA. He told that more women Para-Legal Volunteers would be involved for spreading legal awareness in the women of rural areas.

Hon'ble Mr. Justice Mahesh Grover, Judge, Punjab and Haryana High Court and Administrative Judge, Sessions Division, Sonipat thanked all the dignitaries present on this occasion.

## MEDIATION TRAINING PROGRAMME

Haryana State Legal Services Authority and Punjab Legal Services Authority jointly organized 40 hours Mediation Training Programme in two phases from 13<sup>th</sup> to 15<sup>th</sup> January, 2012 and 20<sup>th</sup> to 22<sup>nd</sup> January, 2012 at Chandigarh Judicial Academy, Chandigarh. First phase training programme was inaugurated by Hon'ble Mr. Justice Satish Kumar Mittal, Judge, Punjab and Haryana High Court-cum-Executive Chairman, HALSA. Hon'ble Mr. Justice Ajay Tewari, Judge, Punjab and Haryana High Court also attended the inaugural function.



*Hon'ble Mr. Justice S.K.Mittal, Judge, Punjab & Haryana High Court & Executive Chairman of HALSA addressing the participants of Mediation Training*

While inaugurating the Session, Hon'ble Mr. Justice S.K. Mittal, Judge, Punjab and Haryana High Court-cum-Executive Chairman of Haryana State Legal Services Authority stressed that to expedite the disposal of cases, some special enactments have been brought in like the Arbitration & Conciliation Act, 1996; some amendments have been carried out in the existing laws, for instance amendments in the Legal Services Authorities Act, or the insertion of Section 89 in the Code of Civil Procedure, 1908; and some administrative measures have also been taken in this behalf. But one of the main cause for delay in disposal of the cases is the increase in the institution of cases. Though increase in the institution of case is a healthy sign of a vibrant system meant for democracy in as much as more and more people are becoming aware of legal rights of the common man and go to the Courts for enforcement of their rights or for redressal of their grievances - be it against the State, society or an individual, but at the same time we should find out ways and means for resolution of disputes as quick as possible.

His Lordship also stressed that as the alternative dispute resolution is being developed as complementary means to the judicial process, so need of time is to train judicial officers and advocates objectively on the alternative dispute resolution techniques. With this object in view, the HALSA has organized this training programme on the Art of Mediation and Conciliation.

Six Advocates Shri Joginder Pal Singh Rathee, Shri Surender Bhardwaj, Shri Sanjay Kundu, Ms.Seema Saini, Shri Tejbir Singh Deswal and Mrs. Anju Singh of District Panipat and five Advocates Shri Virender Pal Singh Sidhu, Shri Vijay Kumar Chaudhary, Shri Bhanwar Singh, Ms. Amita Kumari and Ms. Abhilasha S. Kohli of District Yamuna Nagar at Jagadhari were imparted 40 hours mediation training in two





*Advocates participating in Mediation Training Programme*

phases by Dr. Sudhir Kumar Jain and Smt. Sangeeta Dhingra Sehgal, Members of Delhi Higher Judicial Service and Trainers of Delhi Mediation Centre deputed by Mediation and Conciliation Project Committee, Supreme Court of India.

On the concluding day of the training session, Hon'ble Mr. Justice M.M. Kumar, Judge,

Punjab and Haryana High Court & Executive Chairman, Punjab Legal Services Authority delivered the valedictory speech. His Lordship said that the concept of mediation and conciliation came from the United States of America which is a modern concept for resolving the disputes between the parties through mediation and conciliation. His Lordship pointed out that a conciliator or mediator should promote the mediation between the parties. His Lordship stressed that the mediators should have a fair knowledge of the current laws, rules and regulations and they should have capacity to resolve the dispute by mediation so that concept of mediation may be adopted properly in the society. Though, as we all know, mediation is a non-binding negotiation process and the role of the mediator is to assist the parties in the referred case to resolve dispute but knowledge of current laws would be helpful in evaluating the issues arising between the parties and in suggesting an equitable settlement.

His Lordship also pointed out that Counselling cannot achieve miracles, as it can only facilitate. It can open up the individual, give her a self-confidence, it can make her feel less lonely and believe she has someone to reach to. It is preliminary and necessary exercise that would reveal deeper issues and give a lead to other types of Counselling and remedial action or legal rights. By itself it is not complete. Its greatest contribution would be preventive-preventive of drastic action like suicide or mental breakdown; of awareness raising and education; of allowing from being taken unawares or cheated.

Certificates regarding completion of 40 hours Mediation Training Course were awarded to the Advocates by Hon'ble Mr. Justice M.M. Kumar, Judge, Punjab and Haryana High Court and Executive Chairman, Punjab State Legal Services Authority on the concluding session held on 22<sup>nd</sup> January, 2012.



*Hon'ble Mr. Justice M.M. Kumar, Judge, Punjab & Haryana High Court awarding certificate to the trainee Advocate*

## **CRIMINAL MISC. PETITION NO.M-1790 OF 2012 IN ACID ATTACK ON GIRL AT ROHTAK**

Haryana State Legal Services Authority through Sh. Preetinder Singh Ahluwalia, Advocate filed a criminal misc. petition u/s 482 Cr.P.C. in acid attack case on girl at Rohtak in Hon'ble Punjab and Haryana High Court and prayed that investigation of FIR No. No.283 dated 18.6.2011 under sections 326, 307, 120-B & 34 IPC be conducted in a fair and impartial manner as there have been serious lapses in the investigation conducted so far. While referring to the facts of the case, Mr. Ahluwalia submitted that on 18.6.2011, certain persons attacked three girls with acid in Rohtak district. One of the victim girl later recorded her statement under section 164 Cr.P.C. and attributed the commission of crime to one Rohan. Said accused approached the High Court by way of petition under section 438 Cr.P.C. bearing CRM M-22811 of 2011 seeking pre-arrest bail. His prayer was, however, rejected on 26.8.2011. On that very day another case i.e. FIR No. 410 was registered at same police station under section 25 of the Arms Act. In said case, one accused namely Jatinder was apprehended by the police who made a disclosure statement regarding the crime committed on 18.6.2011 pertaining to acid attack. Pursuant to same, two other accused namely Naveen and Geeta Khatri were apprehended by the police. However, accused Rohan originally named by victim girl in her statement under section 164 Cr.P.C. was given a clean chit. Ld. Counsel contended further that there has been an effort by the police to exonerate Rohan by resorting to novel method of investigation. He emphasized that there are serious doubts about the manner in which investigation had been conducted. It was, however, pointed out that investigation is no longer pending as charge-sheet has been submitted pursuant to FIR No. 283 dated 18.6.2011 before the competent court of jurisdiction.

After hearing above contentions, Hon'ble Mr. Justice Rajan Gupta, Judge, Punjab and Haryana High Court issued notice of motion for 1.2.2012 to the Central Bureau of Investigation through its Superintendent of Police (Special Crime) Chandigarh on 23.1.2012. In the meantime, proceedings before the trial Court were directed to remain stayed. Now the petition is fixed for 22.2.2012.

## **CONDUCTING MOBILE LOK ADALAT/LEGAL AWARENESS CAMPS THROUGH BELERO VAN.**

Sh. S.K.Garg, Additional District & Sessions Judge, Palwal showing flag with Sh. Parveen Kumar, Chief Judicial Magistrate, Palwal and Legal Aid Counsels, Palwal departure of "Bolero Van" for Legal Awareness Camps on 3.1.2012.



*Sh. S.K. Garg, Additional District & Sessions Judge, Palwal showing flag departure of "Bolero Van" for Legal Awareness Camps on 3.1.2012.*