



# THE HIGH COURT OF MEGHALAYA



*Newsletter 2020*

VOLUME - 5 | ISSUE - 1







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**L-R : Hon'ble Mr. Justice H.S. Thangkhiew,  
the Hon'ble, the Chief Justice Biswanath Somadder,  
Hon'ble Mr. Justice Ranjit V. More,  
Hon'ble Mr. Justice Wanlura Diengdoh.**



**The Hon'ble, the Chief Justice, Shri Biswanath Somadder  
High Court of Meghalaya**



**Biswanath Somadder**  
Chief Justice  
HIGH COURT OF MEGHALAYA



26.12.2020

I have been informed that our High Court is about to publish its Newsletter for the year, 2020. This year, as we all know, has passed through unprecedented crisis for mankind, which we are yet to overcome. Amidst the global pandemic, a group of thoroughly dedicated officers have collated data and prepared this Newsletter, which covers activities not only of the High Court of Meghalaya but also the entire judicial footprint within our State.

I congratulate the editorial team for having prepared such a comprehensive Newsletter in these extremely trying times and urge the readers to go through it and share your feedback with us.

Best wishes,



**Hon'ble Mr. Justice Ranjit V. More, Judge,  
High Court of Meghalaya**

**RANJIT MORE**  
Judge

High Court of Meghalaya  
M.G. Road, Shillong - 793001  
Meghalaya  
Phone : 0364-2505944 (O)



## Message

I am very glad to know that the High Court of Meghalaya is publishing the Fifth Edition of its Annual Newsletter under the able guidance of Hon'ble the Chief Justice. This Newsletter serves various purposes and in particular makes its readers aware of the progress made by the High Court of Meghalaya on different fronts. It will also serve the purpose to develop better communication with all Stakeholders of the Judiciary like Lawyers, Litigants, Judicial Officers and Public at large.

The COVID 19 pandemic and the nationwide lockdown impacted all sectors without sparing Judiciary. During this time the High Court of Meghalaya quickly rose to the occasion by adapting latest technology to ensure its support to the litigants, lawyers and most importantly, the justice delivery system. Regular conduct of virtual hearing, webinars and notification of 'High Court of Meghalaya (Video Conferencing) Rules, 2020' on 30<sup>th</sup> September 2020 are noteworthy in this regard.

In spite of pandemic and lockdown, Hon'ble Chief Justice led Meghalaya Judiciary in achieving some remarkable milestones such as the separation of the Judiciary from the Executive in East Jaiñtia Hills on 12<sup>th</sup> August 2020, in North Garo Hills on 2<sup>nd</sup> September 2020 and in South Garo Hills on 17<sup>th</sup> December 2020 and laying of Foundation Stones for the permanent buildings for the Sub-Divisional Court at Dadenggre, Alternative Dispute Resolution Centre at Dakopgre and Observation Home for Boys and Girls at Tebronggre, West Garo Hills.

It is very heartening to note that Meghalaya State Legal Services Authority and District Legal Services Authorities, in view of the on-going COVID 19 pandemic and nationwide lockdown, immediately took initiatives to mitigate the pain of migrant labourers and affected general public by facilitating relief materials and running programmes in the fight against the spread of the Corona Virus. They have also continued providing legal services through various online awareness programmes, online training programmes and webinars. I congratulate Meghalaya State Judicial Academy for the induction of new judicial officers to the Meghalaya Judicial Service who had completed the one year training at the Academy.

While congratulating the Editorial Committee in bringing out this well-structured Newsletter, I sincerely hope that it will fulfill the purposes for which it is being published.

(Justice Ranjit More)





**Hon'ble Mr. Justice H.S. Thangkhiew, Judge,  
High Court of Meghalaya**

**H.S. THANGKHIEW**  
**Judge**

**High Court of Meghalaya**  
**M.G. Road, Shillong - 793001**  
**Meghalaya**  
**Phone : 0364-2226672 (O)**



## Message

It gives me immense pleasure that the High Court of Meghalaya is publishing the Fifth Edition of the Newsletter which serves to document the achievements, activities and the functioning of the institution and other related branches such as, the Meghalaya State Judicial Academy and the Meghalaya State Legal Services Authority and the Subordinate Judiciary.

This Newsletter is all the more special, because the same is being brought out when the nation and the world has been blighted by the Corona Pandemic, and normal activities have been severely curtailed. Though normal Court functioning has been adversely affected, the increased use of technology by way of virtual courts has mitigated the situation to a certain extent and its continued use even after the pandemic is assured, and in fact, will assist and expedite the judicial process.

We have also witnessed during this period apart from the regular conduct of training programmes and webinars by the Meghalaya State Judicial Academy, the induction of new recruits to the Meghalaya Judicial Service who had completed the one year training at the Academy, and also the commendable work undertaken by the Meghalaya State Legal Services Authority in assisting the general public by facilitating relief materials and running programmes in the fight against the spread of the Corona Virus.

The outstanding achievements are however, without doubt that, under the able stewardship of the Hon'ble Chief Justice, inspite of the Covid situation, the separation of the Judiciary from the Executive was effected in East Jaintia Hills on 12<sup>th</sup> August 2020 and North Garo Hills on 2<sup>nd</sup> September 2020 which had been pending for a long period. Added to these landmark events was also the laying of Foundation Stones for the permanent buildings for the Sub-Divisional Court at Dadenggre, Alternative Dispute Resolution Centre at Dakopgre and Observation Home for Boys and Girls at Tebronggre, West Garo Hills.

The High Court of Meghalaya though, still a very new High Court is however, quickly establishing itself as an institution which caters to the needs of the citizens in their access to justice and other related areas, and has already made an impact which is highly positive. This Newsletter which will provide information on all these aspects, therefore, will be of great use to the readers who will be enlightened as to the achievements and progress of this institution.

I cannot overlook the tremendous efforts and hard work of the Editorial Board in bringing up this Newsletter, which is appreciated, and I congratulate the Hon'ble Chief Justice in publishing this Fifth Edition of the Newsletter which will serve as record and also be of use to the general public.

(Justice Hamarsan Singh Thangkiew)





**Hon'ble Mr. Justice Wanlura Diengdoh, Judge,  
High Court of Meghalaya**



**WANLURA DIENGDOH**  
**Judge**

**High Court of Meghalaya**  
**M.G. Road, Shillong - 793001**  
**Meghalaya**  
**Phone : 0364-2226672**



## Message

The annual chronicle of the High Court of Meghalaya is slated to be projected in the Fifth Edition of its Newsletter.

This institution of which I am part of has come a long way from the stage of its infancy since the year 2013, though relatively young, we are not lacking behind in many respects as compared to the other High Courts of the country.

I am made to understand that amidst the pandemonium caused by the Corona Virus situation, this esteemed institution has stood out as a stark example of excellence in the midst of adversity, in as much as, in the course of this year, we have successfully completed the establishment of a separate District Judiciary at Khliehriat, East Jaintia Hills District on 12th August, 2020 as well as at Resubelpara, North Garo Hills District on 2nd September 2020.

Contrary to all expectations, the High Court has successfully functioned on its judicial side, to the extent that as on 30th November 2020, 255 Civil cases and 72 Criminal Cases has been disposed of respectively.

The District Judiciary in the State has equally showed its mettle by systematically functioning in the midst of the pandemic.

We have also witnessed the induction of eight new Judicial Officers as Magistrates and Presiding Officers of Courts in the Subordinate Judiciary when after the successful completion of their training, they assumed office on 15th July 2020.

Being equal to the task and also not lacking behind are the Meghalaya State Legal Services Authority, Shillong and the Meghalaya State Judicial Academy with their annual calendar of activities full, keeping in strike with the achievements of the High Court during this year. These are, but a few salient features of the progress made by this High Court.

I would be doing great injustice if I failed to acknowledge the contribution and leadership of our Hon'ble Chief Justice as well as that of my esteemed brothers, Justice Ranjit More and Justice. H.S. Thangkhiew who have led this Institution by their astute leadership quality.

My heartiest congratulations also go to the Editorial team, the Registrar General and the Registry and all concerned who have made it possible to bring out this Newsletter.

Shillong  
11th December 2020



(Justice Wanlura Diengdoh)

## From the Editorial Committee

This newsletter is a glimpse of the important events and activities of the High Court of Meghalaya and its subordinate courts.

The year began with all the hustle bustle of life, which came to a sudden halt with the imposition of lockdown due to the novel Covid19 Coronavirus. It affected mankind in ways one had never anticipated. Judiciary was not left untouched. However, undeniable, the High Court of Meghalaya, under the leadership of His Lordship, Hon'ble Mr. Biswanath Somadder, the Hon'ble, the Chief Justice, witnessed major developments, some of which are the separation of the judiciary from the executive in East Jaintia Hills District, Khliehriat, North Garo Hills District, Resubelpara and South Garo Hills District, Baghmara laying of foundation stone of ADR Center at Tura and also, laying of foundation stone of the permanent court building at Dadenggre.

His Lordship has inspired us to work towards providing access to justice to the common man. This newsletter will reflect the various activities of the District Legal Services Authorities under the aegis of the Meghalaya State Legal Services Authority, going the extra mile in reaching out to those in need while gearing ourselves to fight against the Covid19 Coronavirus.

The imposition of lockdown was daunting on the litigants, as regular proceedings in the courtroom trials were put on halt. However, this marked a shift in the justice delivery system, a shift to the virtual court,

which was a light at the end of the dark tunnel, a hope for the litigants, that we can overcome the uncertain. This newsletter will reflect the shift of court proceedings, awareness programmes by the legal services authorities and meetings from physical mode to virtual mode.

The publication of this newsletter is also a reflection of the efforts and contribution of the judicial officers of the District Courts and the officers and staffs of the Registry. Our sincere gratitude to the Registrar General, judicial officers of the District Courts, Member Secretary, Meghalaya State Legal Services Authority and the Director, Meghalaya State Judicial Academy, Shillong for their valuable inputs to the newsletter. Our sincere appreciation and gratitude to the officers and staffs of the Registry for lending constant support in collecting the materials for shaping this newsletter. Special thanks to Shri. Freddie Susngi for the design and layout.



**(L-R) Kum. Sandra Lanong (Coordinator)**  
**Smti. Cordelia Dkhar (Chief Editor)**  
**Kum. Daphira Sohtun (Editor)**



**SWEARING-IN CEREMONY OF  
THE HON'BLE JUSTICE BISWANATH SOMADDER,  
THE CHIEF JUSTICE, HIGH COURT OF MEGHALAYA**



In pursuance to Notification No K-13034/01/2020-US.I dated 23rd April 2020, issued by the Ministry of Law and Justice (Department of Justice), Government of India, Hon'ble Mr. Justice Biswanath Somadder, Judge of the Allahabad High Court was sworn in as the Chief Justice of the High Court of Meghalaya on Monday, April 27, 2020 by Shri. Tathagata Roy, Governor of Meghalaya.





## SWEARING-IN CEREMONY OF HON'BLE MR. JUSTICE RANJIT VASANTRAO MORE JUDGE, HIGH COURT OF MEGHALAYA



**Hon'ble Chief Justice of Meghalaya, Shri. Mohammad Rafiq, administering the Oath of Office to Hon'ble Mr. Justice Ranjit Vasantryao More as Judge, High Court of Meghalaya in the Chief Justice's Court, High Court of Meghalaya, Shillong on 09.03.2020**

In pursuance to Notification No K-13014/02/2020-US.I dated 26th February 2020, issued by Ministry of Law and Justice (Department of Justice), Government of India, Hon'ble Mr. Justice Ranjit Vasantryao More, Judge of the Bombay High Court was sworn in as Judge of the High Court of Meghalaya on Monday, March 9, 2020 by Hon'ble the Chief Justice, High Court of Meghalaya, Hon'ble Mr Justice Mohammad Rafiq.







**Hon'ble Judges, Officers of the Registry and Staffs**



**Hon'ble the Chief Justice, Puisne Judges with Judicial Officers**



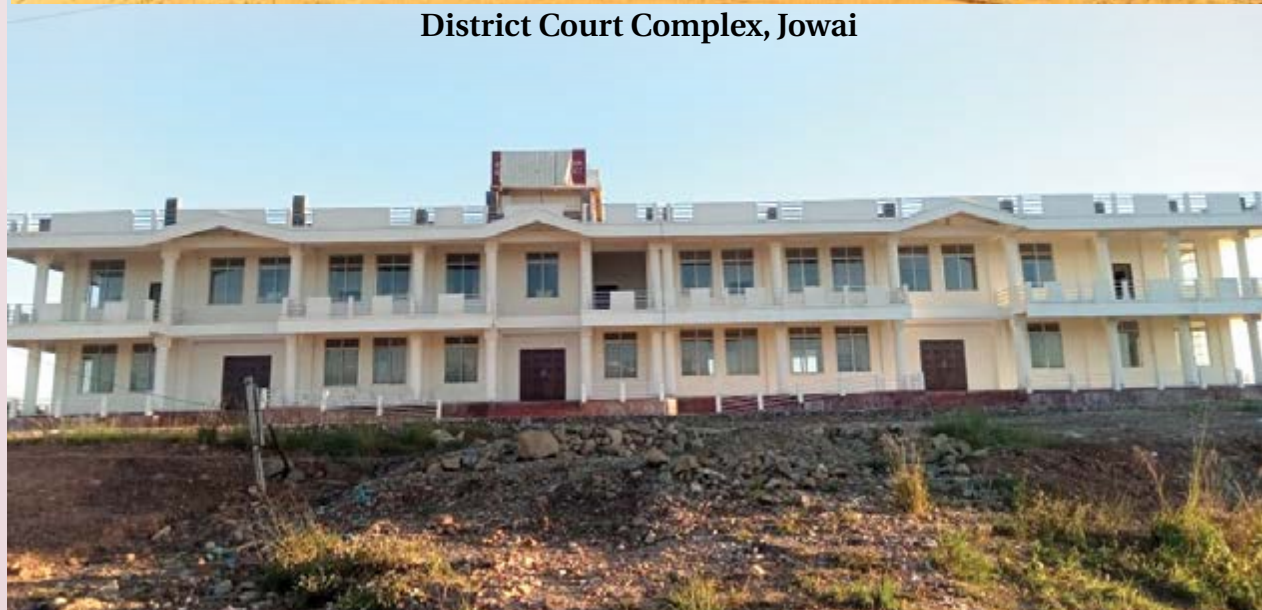
## INFRASTRUCTURE DEVELOPMENT UNDER THE HIGH COURT OF MEGHALAYA

### Infrastructure Development of the Courts at Jowai and Amlarem

The Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr. Justice Biswanath Somadder, visited Jowai and Amlarem, West Jaintia Hills District on the 7th July 2020 and took stock of the progress on the infrastructure development of the District Courts. Despite the disruption caused due to the lockdown during the pandemic, the construction of the permanent court building of the District and Sessions Court, West Jaintia Hills District at Jowai is going on at a good pace and the construction is 40% completed as on September 2020. Also, the construction of court building at Amlarem Sub-Division is 95% completed as on September 2020.



District Court Complex, Jowai



Sub-Divisional Court Complex, Amlarem



## Infrastructure Development of the Court of Judicial Magistrate First Class, Sohra Sub-Division.



His Lordship, the Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr Justice Biswanath Somadder inspected the construction of court complex of the court of the Judicial Magistrate First Class, Sohra Sub-Division at Sohra. The construction of the court complex is under progress. The court complex is a two storied building in an area of approximately 40,000 sq. ft.



## Infrastructure Development of the Sub-Divisional Court, Mairang



The Court of the Judicial Magistrate First Class, Mairang Sub-Division, under the aegis of the District and Sessions Court, West Khasi Hills was carved out on 3rd June 2014 and since then had been functioning from the office of the Sub-Divisional Officer (Civil), Mairang till 29th July 2019, when the Sub-Divisional Court was permanently shifted to its Pyndengumiong-Mawsawa campus.

The imposing Court building decked with pillars stands out in all its whiteness amidst other surrounding buildings comprising of the judicial officers' quarters and staff quarters which are complete. The construction of the main court building with the approach road is nearing completion.



**SINGLE BENCH:  
JUSTICE MOHAMMAD RAFIQ, CHIEF JUSTICE**

**Smti. Priyanka Vs. The Director, Institute of Banking Personnel Selection (IBPS) & Ors.**

**WP(C) No. 11 of 2019**

**DECIDED ON 27.02.2020**

***Service Law – Prayer*** - That the respondent be directed to appoint the petitioner in the vacant posts of Office Assistant in the Meghalaya Rural Bank by operating the reserve list – whereby only nine out of twenty-one candidates, who were selected to the said post, joined the post – therefore, vacancies remained unfilled - In the result declared by the respondent, the petitioner was shown in the reserved list – It was held that the Court need not go into other aspects of the matter to decide this matter because the Supreme Court in ***Rajbir Surajbhan Singh Vs. The Chairman, Institute of Banking Personnel Selection, Mumbai*** has authoritatively held that the IBPS is not a State under Article 12 of the Constitution of India, therefore, the writ petition under Article 226 of the Constitution of India would not be maintainable - the respondent-IBPS holds the recruitment for large number of Banks throughout the country, therefore, it has to be one-time exercise - When the candidates are selected on merit to different Banks, even if some of the candidates do not join, it is difficult to undertake another exercise for operating the reserve list, which is possible, only if the recruitment is held by a single recruitment agency for one employer or the employer itself.

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## SINGLE BENCH: JUSTICE RANJIT MORE, JUDGE

## All Meghalaya Primary School Vs. State of Meghalaya & 11 Ors. Teachers Association & 254 Ors.

**WP(C). No. 195 of 2020**

**DECIDED ON - 22.09.2020**

**Right to Information Act, 2005** - Public Information Officer in the Directorate of Elementary & Mass Education, Meghalaya, vide letter dated 01-02-2010 supplied the information to the writ petitioners based on which the writ petitioners had alleged widespread manipulation, favoritism and illegality - FIR lodged against the officers/officials responsible for illegal alteration, addition and overwriting the score sheets and for the irregular allocation of marks to the favourite candidates having political backing -

## DEVELOPMENT OF LAW : A FEW CATCHNOTES

CBI was directed to enquire into the allegations and submit the report within a period of three months from the date of receipt of the copy of the judgment dated 21-10-2011 - CBI carried the inquiry and file report to the Chief Secretary where 260 teachers were found to be tainted. Thereafter, their services were terminated in terms of the judgment of the Division Bench – Held that the petitioners are at liberty to file representation before the Committee headed by the Chief Secretary/Additional Chief Secretary, Government of Meghalaya. Such representation shall be filed within 30 days from today for considering them as untainted teachers – Further, if the Committee accepts the representation and treat the candidates as untainted, the respondents shall revoke the termination of those teachers and they shall continue in their services as Assistant Teachers.

\*\*\*\*\*

**Pranay Prabha and Ors. Vs. State of Meghalaya and Ors.**

**WP(C). No. 193 of 2020**

**Decided on : 05.10.2020**

Section 23 of the Right to Education Act, 2009 -- Order I Rule 9 of the Code of Civil Procedure, 1908 - Challenging the Meghalaya Teachers Eligibility Test (for short 'MTET') - on the ground that large scale leakage of question papers and same was circulated amongst the candidates through social media like whatsapp – to quash and set aside the MTET examination - Held – that the petitioners participated in the MTET examination which was held in January, 2019 but could not clear the same - It is by now settled principle of law that the persons who have participated in the examination or selection process cannot turn around and challenge the same - seeking regularisation - that the petitioners cannot rely upon the doctrine of legitimate expectation to seek regularization of employment – They, from the very beginning of their contract, were fully aware of the temporary nature of employment and that it would expire within stipulated period unless extended by the Government.

ॐ नमो भगवते वासुदेवाय ॐ नमो भगवते वासुदेवाय ॐ नमो भगवते वासुदेवाय



**SINGLE BENCH: JUSTICE H. S. THANGKHIEW,  
JUDGE**

**Smti. Karmit Sari Vs. State of Meghalaya & Ors.**

**WP(C) No. 392 of 2017**

**Decided on : 31.01.2020**

**Provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013** - the land of the petitioner has been occupied by way of encroachment without payment of any compensation - The learned GA for the respondent submitted that the petitioner in the absence of any cogent proof or document to establish her claim that her land had been encroached upon by the respondents, cannot be favoured with any relief, inasmuch as, the relief sought is not based on any concrete right that the petitioner alleges to possess - The Hon'ble Court held that the very fact as to whether any part of the petitioner land had been illegally occupied by the respondents also could not be conclusively established by the petitioner as she has failed to produce any materials before the court to support this contention - The petitioner instead has been seeking to get a survey conducted by the Jaintia Hills District Council to somehow maintain her claim before this court and not render it useless - In her inability to provide any cogent proof or a reliable document, the petitioner instead has sought other reliefs and directions as to direct the Respondent No. 4, not to cause obstruction to a survey when in fact this Court had never ordered for any survey or re survey of the plot and the same was initiated by the petitioner herself - Apart from these aspects, the very nature of the claim of the petitioner being based on disputed questions of facts which hit at the very foundation of her case, the same cannot be gone into in a writ proceeding - The petition deserves no further consideration and accordingly stands dismissed.

\*\*\*\*\*

**Smti Anjalee Bhattacharjee Vs. Smti Sunanda Deb & Anr.**

**CRP No. 11 of 2020**

**Decided on : 20.07.2020**

**Article 227 of the Constitution of India** - The issue is that rejection of the prayer for exparte ad-interim injunction by the learned trial court vide order dated 29.05.2020 and an appeal filed thereon before the Lower Appellate Court, which did not yield any result - The main grievance in the instant revision application, is the non-consideration of the Lower Appellate Court of the prayer of the petitioner for grant of ad-interim injunction and failing to recognize and acknowledge the position of law that issuance of notice

under Order 39 Rule 3 would amount to a rejection of the prayer for ad-interim ex parte injunction, and hence appealable under Order 43 Rule 1(r) of the CPC – **Held** - that power is vested in a competent court under Order 39 Rule 1 & 2. Order 39 and Rule 3 is only a procedural safeguard, so that ad-interim ex parte injunctions are considered and granted in only exceptional cases which the concerned Court is to consider, as ordinarily, courts should pass appropriate orders only after hearing both parties - In the instant case, after the refusal of ad-interim ex parte injunction, a bipartite hearing on the injunction application is yet to be conducted, as it has been mired in a multiplicity of proceedings, which may have rendered the stated ground of urgency or exceptional circumstances redundant - no sufficient grounds have been made out, calling for any interference by this Court in exercise of powers under Article 227 of the Constitution of India.

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## SINGLE BENCH: JUSTICE W. DIENGDOH, JUDGE

**Smti Ibemcha Sharma & 2 Ors. Vs. State of Meghalaya.**

**BA No. 7 of 2020**

**Decided on : 31.08.2020**

**Bail Application - Section 148/506/427 of the Indian Penal Code-** Whereby a prima facie case was found well established against the accused persons. Section 148 and 427 IPC are bailable sections and Section 506 IPC is also a bailable Section, however, it has been submitted that in the State of Meghalaya, Section 506 IPC is made non-bailable. The Hon'ble court allowed the applications of the petitioners for grant of bail to the accused persons provided the following conditions are abided: -

- i. That the accused persons shall not abscond or tamper with the evidence and witnesses.
- ii. That they shall diligently appear in Court as and when required.
- iii. That they shall not leave the jurisdiction of India without prior permission from the Court concerned.

The application was hereby disposed of as allowed with no cost.

\*\*\*\*\*



## REPUBLIC DAY CELEBRATION JANUARY 26, 2020

The Republic Day was celebrated on the 26th January 2020 in the High Court of Meghalaya. The Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr. Justice Mohammad Rafiq, hoisted the National Flag. The programme was attended by Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya and Hon'ble Mr. Justice W. Diengdoh, Judge, High Court of Meghalaya.

The programme was attended by judicial officers, officers and staffs of the registry and members of the bar.



# INDEPENDENCE DAY CELEBRATION

## AUGUST 15, 2020

The Independence Day was celebrated in the most befitting manner on the 15th August 2020 in the High Court of Meghalaya following all COVID-19 protocols. The Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr. Justice Biswanath Somadder, hoisted the National Flag. It was followed by a parade of police forces saluting the Hon'ble, the Chief Justice, High Court of Meghalaya. The programme was attended by Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya and Hon'ble Mr. Justice W. Diengdoh, Judge, High Court of Meghalaya.

The programme was attended by judicial officers, officers and staffs of the registry and members of the bar.





## Independence Day Celebration

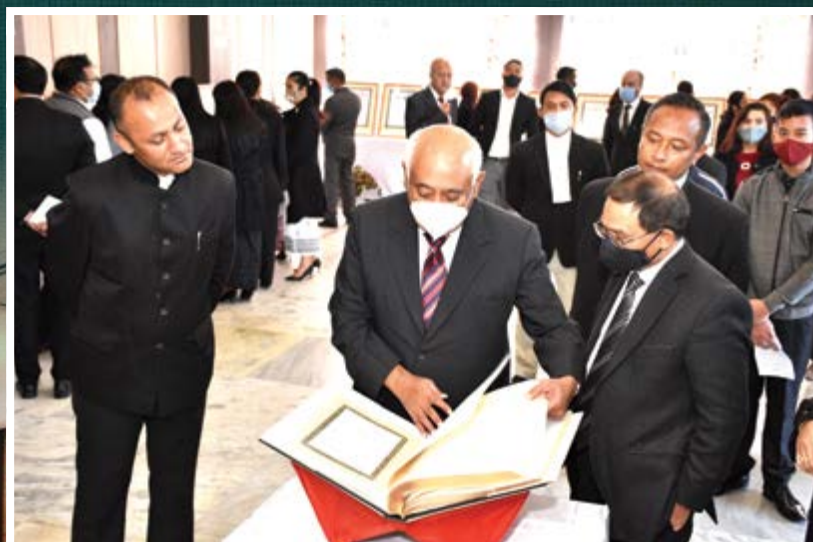




## CONSTITUTION DAY NOVEMBER 26, 2020



On the 26th November 2020, Constitution day was celebrated in the High Court of Meghalaya. Hon'ble Justice Biswanath Somnath, the Hon'ble, the Chief Justice, High Court of Meghalaya read the preamble to the Constitution of India and addressed the gathering reminding the essence of the Preamble to the Constitution. A photo exhibition was held in the Conference Hall, High Court of Meghalaya depicting the drafting and adoption of the Constitution of India.





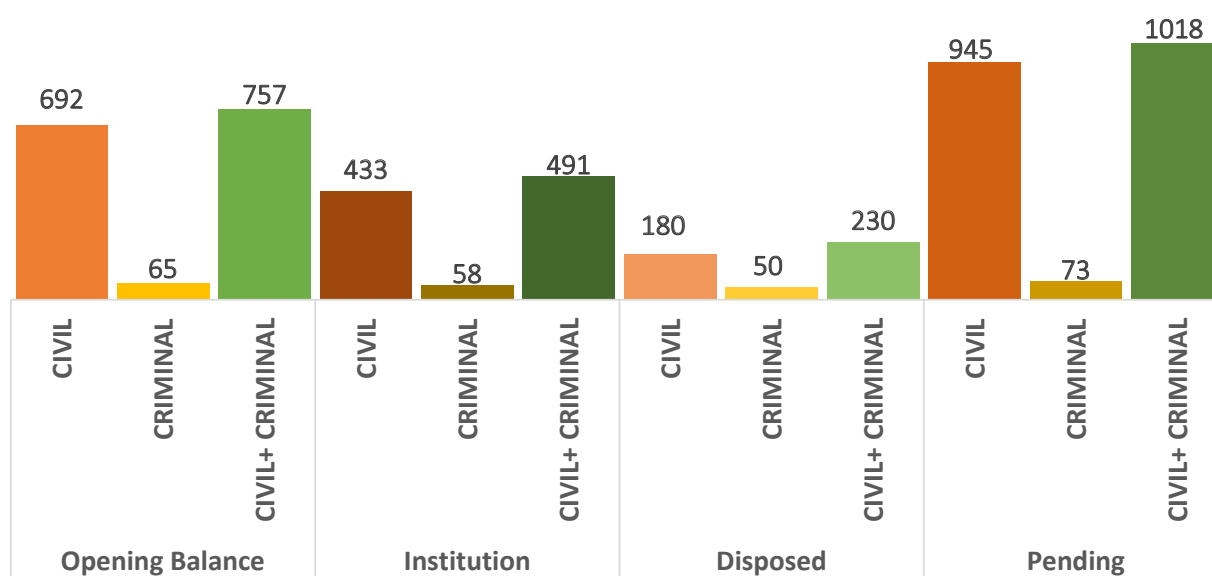
## HIGH COURT OF MEGHALAYA

### REPORT OF RECRUITMENT CELL - 2020

Sl No.	Name of the Post	Number of the Post	Advertisement No. & Date	Date of the Written examination	Date of Interview	Remarks
1	Grade-II MJS	7	Advertisement No.HCM. II/109/2015/1819 dated 30 <sup>th</sup> June, 2015	16 <sup>th</sup> & 17 January, 2020	13.02.2020	Result declared
2	System Officer	1	Advertisement No. HCM. II/98/2015-Estt/5516 dated 1 <sup>st</sup> November, 2018	-	-	Under process
3	Library Assistant	2		29.02.2020	07.08.2020	Result declared
4	Typist	2		08.02.2020 Typing Test	12.03.2020	Result declared
5	Stenographer Grade - I	3	Advertisement No. HCM. II/98/2015-Estt/82 dated 19 <sup>th</sup> February, 2020	-	-	Under Process
6	Cook	1		-	-	Under Process

### DISPOSAL AND PENDENCY OF CASES

**HON'BLE HIGH COURT OF MEGHALAYA**  
January to September 2020



## E-COURTS PROJECT : ACHIEVEMENTS

e-Seva Kendra has been set up as pilot project in the High Court of Meghalaya and District Court, Shillong on the 15<sup>th</sup> May 2020. e-Seva Kendra will function as a one stop centre for accessing all e-Courts related services and utilities for the benefit of the litigants and members of the Bar.



**e-Seva Kendra, High Court of Meghalaya**



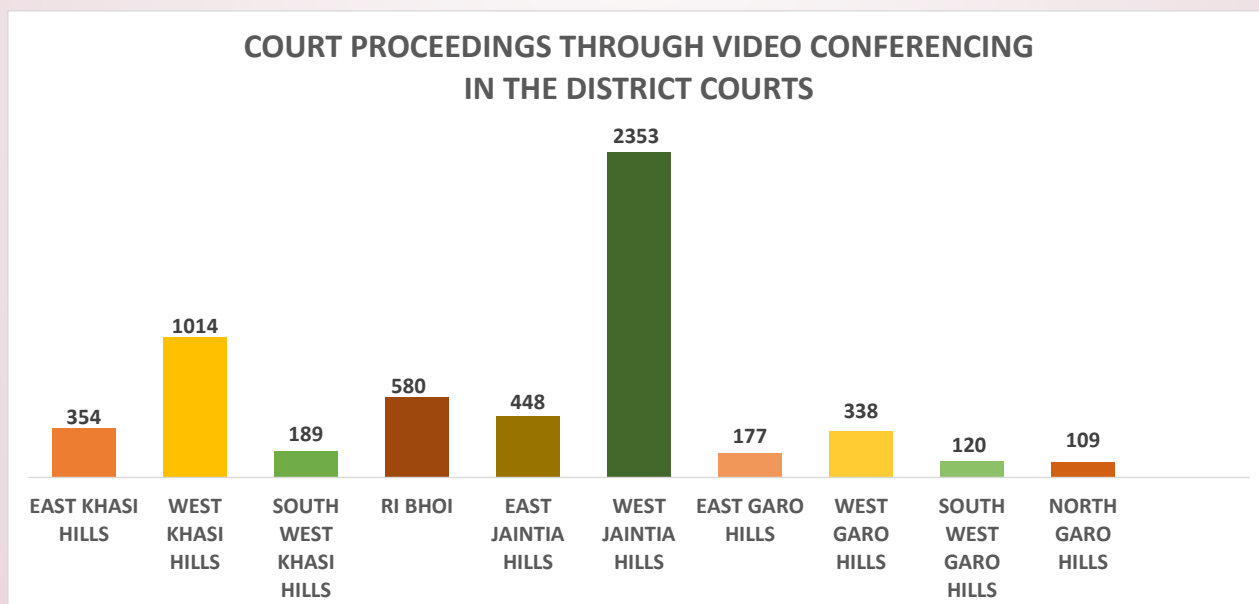
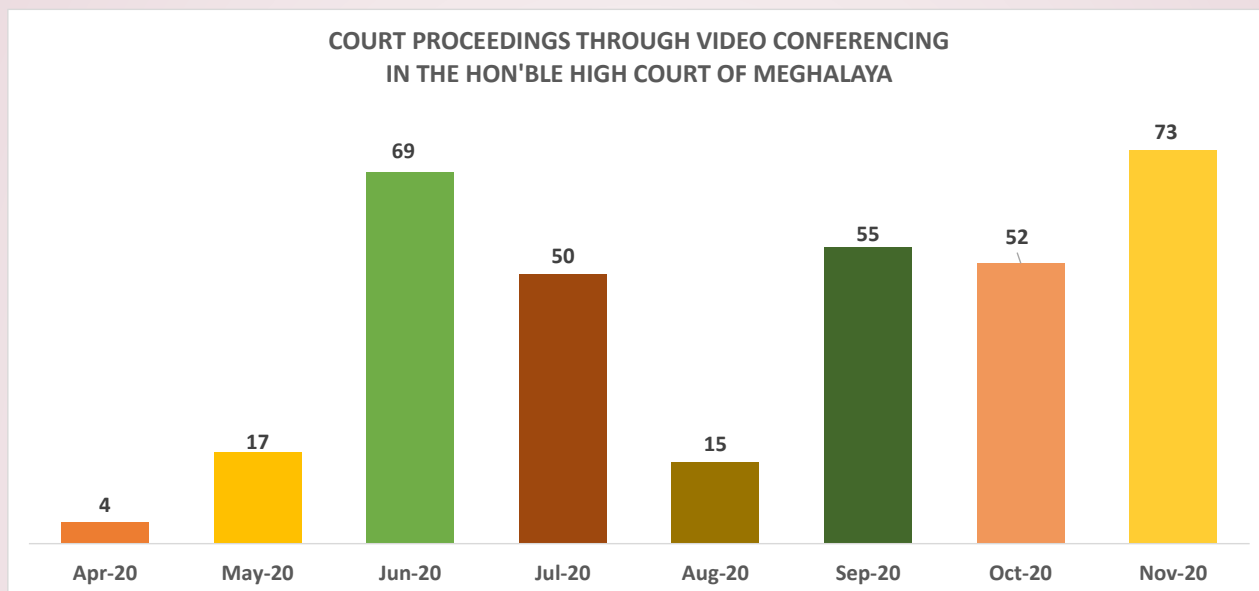
**e-Seva Kendra, District Court, Shillong**

For the implementation of the various e-Courts projects, several training programmes have been imparted which are as follows:

ECT 004-2020	TOT Programme for Master Trainers	20 <sup>th</sup> June 2020
ECT 007-2020	Awareness Programme for Advocates at District level	25 <sup>th</sup> July 2020
ECT 011-2020	Workshop on S3WaaS Website - Content Management & Website Maintenance	30 <sup>th</sup> September 2020
ECT-012-2020	3rd phase of the online training programme for the nominated court staffs by the TOT DSA (District System Administrator) on the topic “eCourts services and CIS 3.2”	26 <sup>th</sup> to 29 <sup>th</sup> October 2020
ECT-015-2020	2nd Workshop on S3WaaS Website - Translation Upload & Content Management	4 <sup>th</sup> November 2020
ECT-013-2020	4th phase of the online training programme for the nominated court staffs by the TOT DSA (District System Administrator) on the topic “e-Courts services and CIS 3.2”	23 <sup>rd</sup> November 2020
ECT-014-2020	5th Phase of the Online Training programme for the nominated court staffs by the TOT DSA (District System Administrator) on the topic “e-Courts Services and CIS 3.2”	12 <sup>th</sup> December 2020



## Court proceedings taken up through Video Conferencing in the Hon'ble High Court of Meghalaya and its Subordinate Courts with effect from 26<sup>th</sup> March 2020 to 30<sup>th</sup> November 2020



## DISTRICT AND SESSIONS COURT, EAST JAINTIA HILLS DISTRICT, KHLIEHRIAT

### Separation of Judiciary from the Executive, East Jaintia Hills District, Khliehriat

Wednesday, the 12th August, 2020 marked as a red-letter day in the history of East Jaintia Hills District. The Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr. Justice Biswanath Somadder, unveiled the plaque to mark the separation of the Judiciary from the Executive in East Jaintia Hills District, Khliehriat. The function was held in the august presence of Shri. James P. K. Sangma, Hon'ble Minister of Law, Government of Meghalaya, Hon'ble Mr. Justice H. S. Thangkhiew, Judge, High Court of Meghalaya, Hon'ble Mr. Justice W. Diengdoh, Judge, High Court of Meghalaya, Shri. Kyrmen Shylla, Minister Social Welfare, Shri. W. Khylllep, Commissioner and Secretary, Law Department, Smti. G. Rani, District and Sessions Judge, East Jaintia Hills District, Shri. F M Doph,





Deputy Commissioner, East Jaintia Hills District, Judicial Officers, Shri. Deepak Kumar Paleche, Superintendent of Police, East Jaintia Hills District, District Heads, Member of District Bar Association, Headmen and Daloi.

On this occasion, the Hon'ble, the Chief Justice, Hon'ble Justice Biswanath Somadder, addressed the august gathering and highlighted that the judiciary is separated from the executive in order to make justice more accessible to the people, while also stating that the judiciary is an institution which steps in whenever there is a dispute particularly concerning interpretation of the law laid down by either the Parliament or the

state legislature. The Hon'ble, the Chief Justice, also spoke of the relationship between the Executive, Legislature and the Judiciary, the importance and need for the separation of these three institutions. He also informed that the District Legal Services Authority will now step in and reach out to the block level to provide easy access to justice for people in rural areas and more importantly, access to quality justice and also called upon the headmen and the people of the district to render full cooperation to the State Legal Services Authority and the District Legal Services Authority whose task is to ensure that each person residing within the district gets access to justice.

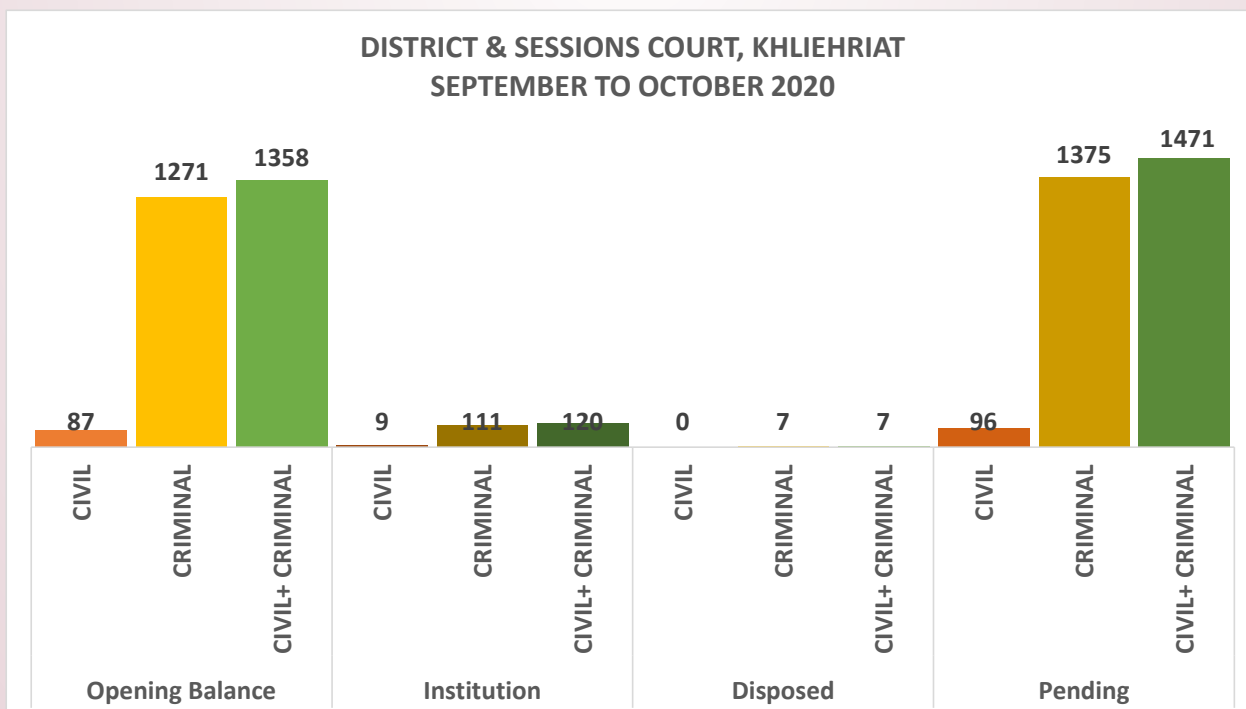


The Hon'ble the Chief Justice, High Court of Meghalaya, Hon'ble Mr. Justice Biswanath Somadder, with the Judicial Officers posted in the District and Sessions Court, East Jaintia Hills District, Khliehriat. (Standing L-R:- Shri Temsu T.M. Sangma, Secretary, DLSA, East Jaintia Hills District, Smti Basukshisha Kharbithai, Judicial Magistrate First Class, East Jaintia Hills District, Smti Gasalyne Rani, District and Sessions Judge, East Jaintia Hills District, Shri Daniel S. Marbaniang, Chief Judicial Magistrate, East Jaintia Hills District, Shri Balkim M. Sangma, Judicial Magistrate First Class, East Jaintia Hills District)



The Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr Justice Biswanath Somadder, with the members of the Bar Association, East Jaintia Hills District, Khliehriat.

## DISPOSAL AND PENDENCY OF CASES





## DISTRICT AND SESSIONS COURT NORTH GARO HILLS DISTRICT, RESUBELPARA

### Visit of Hon'ble Mr. Justice Biswanath Somadder, the Chief Justice, High Court of Meghalaya to North Garo Hills District.

Hon'ble Mr. Justice Biswanath Somadder, the Hon'ble, the Chief Justice, High Court of Meghalaya visited the construction site of court building and residential quarters of judicial officers at Domeanti, Mendipathar on 8th June, 2020. His Lordship was accompanied by Shri. W. Khylllep, Commissioner & Secretary, Law Department, Govt. of Meghalaya and Smt. B. Mawrie, Registrar General, High Court of Meghalaya. The Executive Engineer, PWD (Building) was instructed to expedite the construction work.



Welcome Parade

After inspecting the ongoing works of court building, His Lordship visited the temporary court arrangement in the premises of the office of the Deputy Commissioner at Resubelpara.

His Lordship visited North Garo Hills District for the second time on 2nd September, 2020 to grace the occasion of separation of judiciary from executive.



Tree Plantation at Court Complex



## SEPARATION OF THE JUDICIARY FROM THE EXECUTIVE IN NORTH GARO HILLS DISTRICT, RESUBELPARA

The 2nd September, 2020 marked as a day to be reckoned in the history of North Garo Hills District and in the history of Meghalaya Judiciary. On this auspicious day, under the leadership of His Lordship, the Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr Justice Biswanath Somadder, judiciary was separated from the executive in North Garo Hills District. The inaugural function was also graced by Shri James P.K. Sangma, Hon'ble Law Minister of Meghalaya, Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya and Hon'ble Mr. Justice W. Diengdoh, Judge, High Court of Meghalaya,

Shri. W Khylllep, Commissioner and Secretary, Law Department, Government of Meghalaya, Officers of the Registry, Shri S Chakravarty, Deputy Commissioner, North Garo Hills District and a host of dignitaries including the local representatives, judicial officers from other districts, district officials, students and the inhabitants of Resubelpara.

On this auspicious day, the temporary court building of the District & Sessions Court which is situated in the complex of the office of the Deputy Commissioner was formally inaugurated by the Hon'ble, the Chief Justice, High Court of Meghalaya.





Addressing the gathering on the occasion, Hon'ble Mr. Justice Biswanath Somadder, the Chief Justice, High Court of Meghalaya highlighted the importance of separating the judiciary from the executive so as to ensure the independence of the judiciary in the district which can in turn ensure justice delivery in a transparent manner. His Lordship also stressed on the importance of legal services activities in the district so as to ensure that no person is denied of his right to free access to justice.

Article 50 of the Constitution of India puts an obligation on the State to separate the judiciary from the executive. The objective is to ensure the independence of the judiciary which can guarantee fair and independent judicial system without interference or influence by the executive and legislative branches of the government. In pursuance of this, the State Government under the orders of the Governor issued the Notification No. LJ(A) 79/2000/Pt.VII7 dated 31st August, 2020 which provides for the separation of the judiciary from the executive in the North Garo Hills District thereby appointing the District & Sessions Judge as the Additional Deputy

Commissioner, North Garo Hills District for the trial of all offences punishable with death, imprisonment for life or imprisonment for a term of not less than five years under the Indian Penal Code or under any other Law for the time being applicable to the District and also to hear all Civil and Criminal revisions, appeals etc. from the decisions of the Assistants to the Deputy Commissioner within the said District. The said Notification also provides that the District & Sessions Judge as Additional Deputy Commissioner shall, for the purpose aforesaid, exercise all the Judicial powers of the Deputy Commissioner within the said District with effect from 2nd September, 2020

Shri Marba Skhemlon, MHJS, was appointed as the first I/c District & Session Judge, North Garo Hills District, Resubelpara. Shri Kerbor J. Lyngdoh, MJS, was appointed as the first Chief Judicial Magistrate, North Garo Hills District, Resubelpara and Miss Bandarisha Kharlukhi, MJS, was appointed as the first Judicial Magistrate First Class, North Garo Hills District, Resubelpara.



(L-R) : Shri Kerbor J. Lyngdoh, Chief Judicial Magistrate, North Garo Hills District, Resubelpara, Shri Marba Skhemlon, District & Session Judge, North Garo Hills District, Resubelpara & Miss Bandarisha Kharlukhi, Judicial Magistrate First Class, North Garo Hills District, Resubelpara.

## Activities of the District Legal Services Authority, North Garo Hills, Resubelpara



National Lok Adalat held at Deputy Commissioner Office,  
North Garo Hills District, Resubelpara



National Lok Adalat held on 8th February, 2020 at Deputy Commissioner Office,  
North Garo Hills District, Resubelpara



Senior Citizens Day held on 1st October, 2019 at Borjhora village in collaboration with District Social  
Welfare Office, North Garo Hills

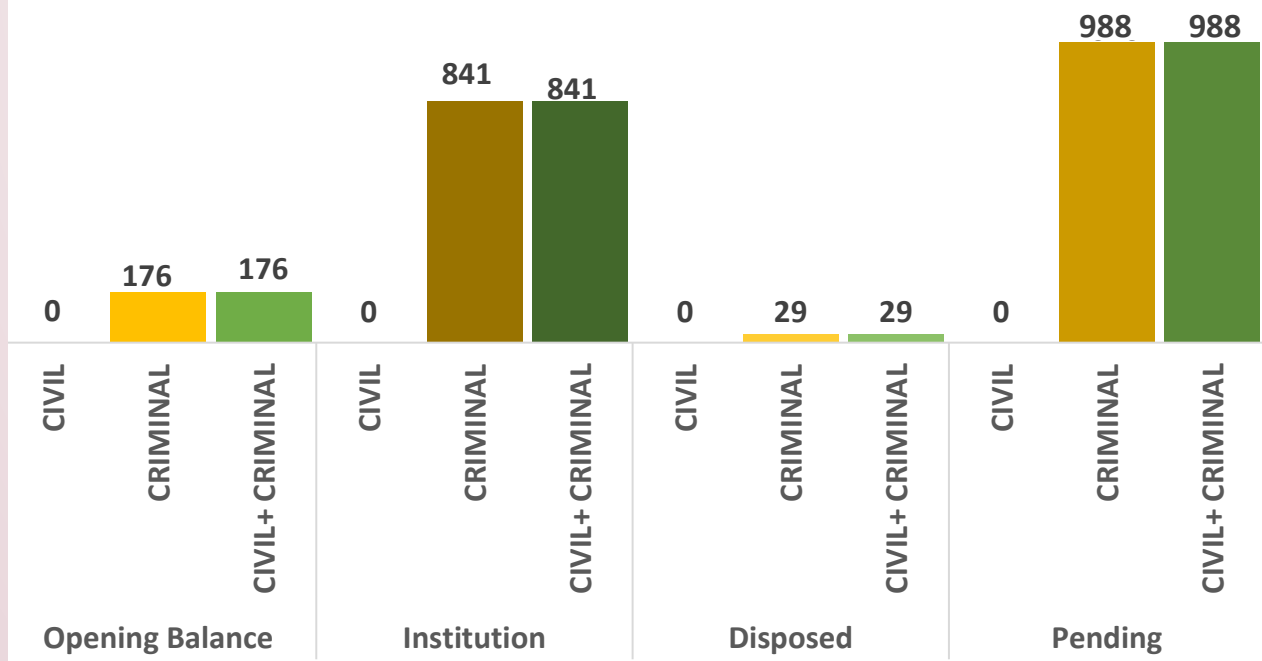




World Mental Health Day held on 10th October, 2019 at Paschal Secondary School in collaboration with District Mental Health Programme, District Health Society, North Garo Hills District, Resubelpara.

## DISPOSAL AND PENDENCY OF CASES

### DISTRICT & SESSIONS COURT, RESUBELPARA January to October 2020



## DISTRICT AND SESSIONS COURT SOUTH GARO HILLS DISTRICT, BAGHMARA

### Separation of Judiciary from the Executive, South Garo Hills District, Baghmara

Thursday, the 17th December 2020, marked as a momentous day in the history of Meghalaya. Meghalaya witnessed the complete separation of judiciary from the executive. On this day, His Lordship, Hon'ble Mr. Justice Biswanath Somadder, the Chief Justice, High Court of Meghalaya, unveiled the plaque to mark the separation of judiciary from the executive in South Garo Hills District, Baghmara. The function commenced in the august presence of Shri James P.K. Sangma, Hon'ble Law Minister, Meghalaya, Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya, Shri. Rakkam A. Sangma, Hon'ble Member Legislative Assembly, Meghalaya, Shri W. Khylllep, Commissioner & Secretary, Law Department, Government of Meghalaya, Shri. E. Kharumnuid, Registrar General, High Court of Meghalaya, Shri. H. B. Marak, Deputy Commissioner, South





Garo Hills District, Smt. M. T. Sangma, Additional Deputy Commissioner, South Garo Hills District, Shri Priyanshu Pandey, Superintendent of Police, South Garo Hills District, judicial officers from other districts, local representatives, district heads and inhabitants of Resubelpara.

The temporary court building (government owned) of the District & Sessions Court, was formally inaugurated by the Hon'ble, the Chief Justice, High Court of Meghalaya.

His Lordship, the Hon'ble, the Chief Justice, lauded the efforts of the government in taking big strides to separate the judiciary from the executive and in

fulfilling the aspirations of the people to have access to justice and speedy delivery of justice. His Lordship informed that the legal service authority will reach out and take steps to ensure access to justice for the people within the district.

Shri. Isormon Rymbui was appointed as the first in-charge District & Sessions Judge, South Garo Hills District. Shri. Temsu Trevor M. Sangma was appointed as the first Chief Judicial Magistrate cum Secretary, DLSA, South Garo Hills District. Ms. Rikchame Dachi K. Sangma was appointed as the first Judicial Magistrate First Class, South Garo Hills District.





## DISTRICT AND SESSIONS COURT WEST GARO HILLS DISTRICT, TURA

### Laying of Foundation Stone for the Permanent Building of 'Alternative Dispute Resolution Centre' at Dakopgre, Tura on 16th October 2020



The Hon'ble, the Chief Justice, High Court of Meghalaya, Shri Biswanath Somadder, laid the foundation stone for the permanent building of Alternative Dispute Resolution Centre at Dakopgre, Tura on 16th October 2020.

The Hon'ble, the Chief Justice, in his address mentioned that the Code of Civil Procedure (CPC) was given shape in 1908 when the number of litigation in our country was quite manageable. However, over a period of time the number of litigation increased and there came a time when the judicial officers and judges could not handle the docket explosion. A litigation has to be over within a certain period of time otherwise the concept of 'justice delayed and justice denied' is the one which would affect a justice delivery system which is why the legislature in its wisdom decided to amend the Code of Civil Procedure and introduced the concept of alternate

dispute resolution mechanism which came in four segments. The four segments are Lok Adalat, Arbitration, Mediation and Conciliation. Now, the ADR mechanism is one of the most effective ways to end long drawn protractive litigation and the step forward is to give the local people, the ADR Centre. His Lordship's endeavour as the Chief Justice, High Court of Meghalaya would be to see that the ADR centre comes within a reasonable time so that the locals can take complete benefit of ADR concept.



Laying of foundation stone for the Permanent Building of the Alternative Dispute Resolution Centre laid by the Hon'ble, The Chief Justice, Shri Biswanath Somadder on the 16th October 2020 at Dakopgre, Tura, West Garo Hills District



## Laying of Foundation Stone for the Permanent Building of the Observation Home (Boys and Girls) on the 4th November 2020 at Tebronggre, West Garo Hills District



The Hon'ble, the Chief Justice, High Court of Meghalaya, Shri Biswanath Somadder, in the august presence of Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya and Shri. James P.K. Sangma, Minister of Law, Government of Meghalaya, laid the Foundation Stone for the Permanent Building of Observation Home (Boys and Girls) on the 4th November 2020 at Tebronggre, West Garo Hills District.



**Shri Biswanath Somadder, the Hon'ble,  
the Chief Justice, High Court of Meghalaya.**



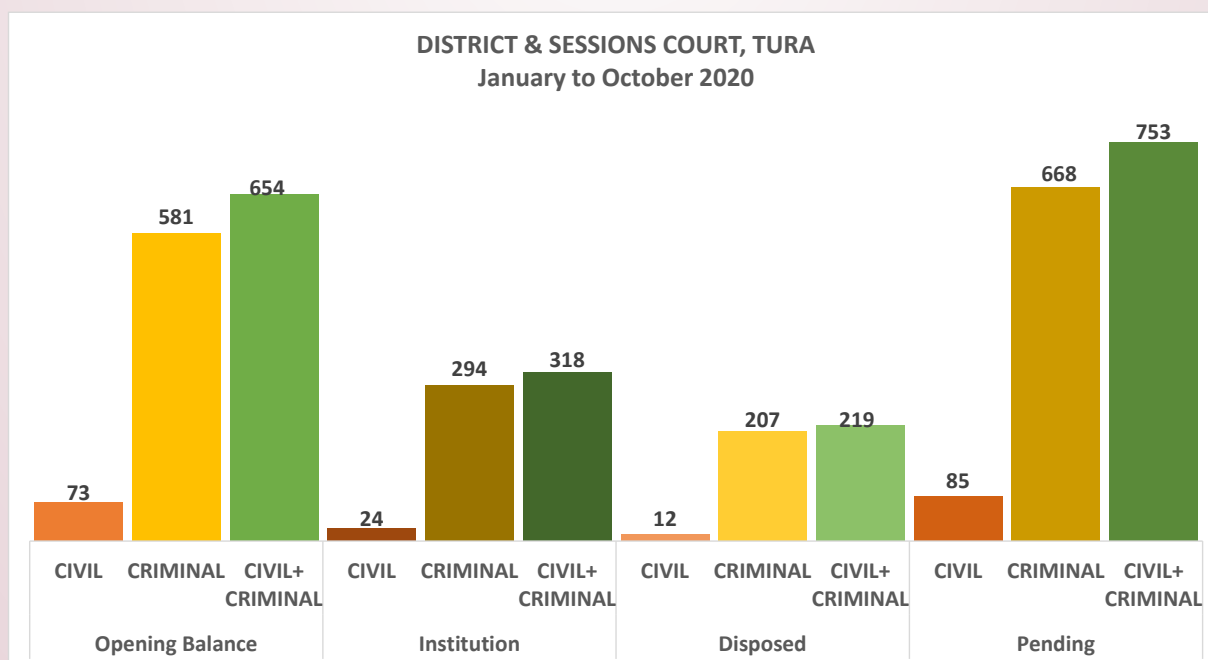
**Hon'ble Mr. Justice H.S. Thangkhiew,  
Judge, High Court of Meghalaya.**



Sitting (L-R) : Smt. Anjeline M. Pariat, Chief Judicial Magistrate cum Secretary, DLSA, West Garo Hills District, Smt. Dashalene Kharbteng, I/c District and Sessions Judge, West Garo Hills District, Shri Mithilesh Kumar, Addl. District & Sessions Judge-cum- Special Judge POCSO, West Garo Hills District.

Standing (L-R) : Smti Rikchame Dachi K. Sangma, Judicial Magistrate First Class, West Garo Hills, Smti Darry Gretta Kharshiing, Judicial Magistrate First Class, West Garo Hills.

## DISPOSAL AND PENDENCY OF CASES





## COURT OF JUDICIAL MAGISTRATE FIRST CLASS DADENGGRE SUB-DIVISION

**Laying of Foundation Stone for the Permanent Building of the Court of the Judicial Magsitrate First Class, Dadenggre Sub-Division at Dadenggre on 16th October 2020.**



The Hon'ble, the Chief Justice, High Court of Meghalaya, Shri Biswanath Somadder, laid foundation stone for the permanent building of the Sub-Divisional Court at Dadenggre on 16th October 2020 in the august presence of Shri James P. K. Sangma, Hon'ble Law Minister, Government of Meghalaya.

While welcoming the Hon'ble, the Chief Justice, the Hon'ble Law Minister mentioned that His Lordship is the first Chief Justice to have visited Dadenggre Sub-Division and expressed his gratefulness to His Lordship for taking out time to lay the foundation stone for the permanent court building at Dadenggre. The Hon'ble Law Minister also mentioned that a permanent building is symbolic to the fact that the justice delivery system has taken concrete shape. He hoped that the permanent building will lead to greater comfort not only to the judges, the lawyers but also for the litigants who seek justice.

The Hon'ble, the Chief Justice, High Court of Meghalaya, mentioned that this

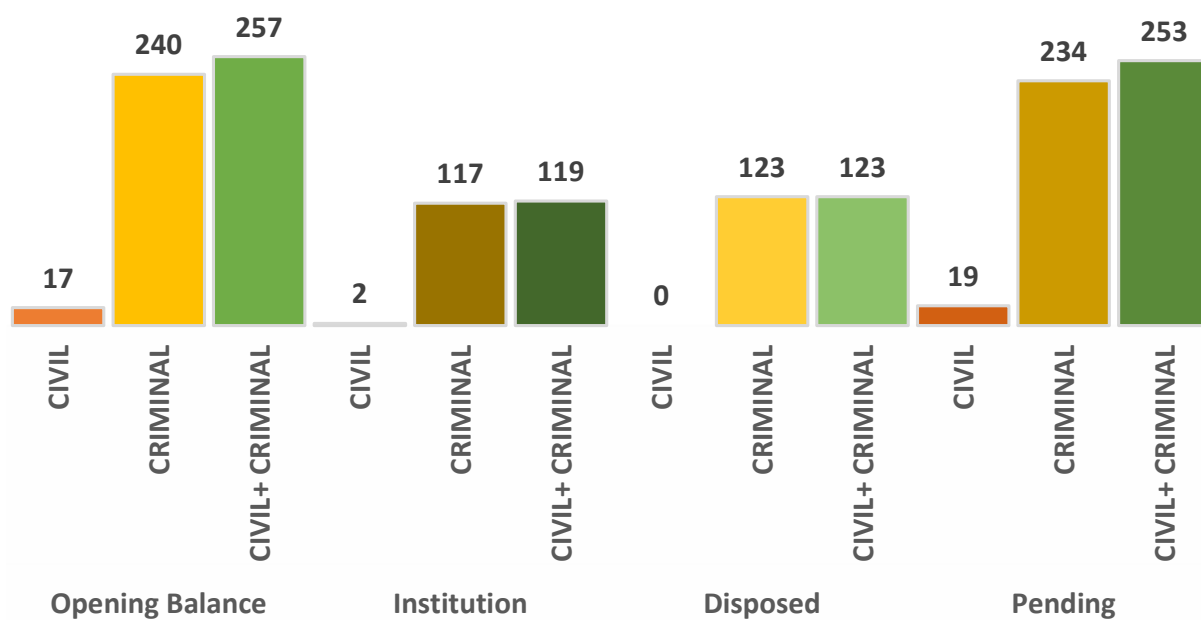
was a special day for the simple reason that justice should not always be done but also seen to be done. Justice has no meaning unless we give access to justice. Access to justice is possible only with the will of the people which is executed through the three pillars of democracy. Our endeavour is to work side by side yet keep checks and balances and the ultimate beneficiary will be the common man. Common man is the reason for our existence. Common man is the reason for what our democratic principles shall stand for. It is the common man for whom the pride of democracy is focused. It is for the common man that whatever we are doing is targeted for. His Lordship reiterated the fact that judiciary is just the service provider. A service provider to provide quality justice, accessible to everyone- to the common man and not only to the rich and famous because they are a miniscule. Bulk of our society is not privileged. It is for them that the sub-divisional courts and the legal services authority comes to the forefront.



Shri. Flavian R. Marak, Judicial Magistrate First Class,  
Dadenggre Sub-Division, Dadenggre.

## DISPOSAL AND PENDENCY OF CASES

### COURT OF JUDICIAL MAGISTRATE FIRST CLASS, DADENGGRE JANUARY TO OCTOBER 2020





## Activities of the District Legal Services Authority West Garo Hills District, Tura



Legal Awareness Programme at Aminda Rangsa



National Lok Adalat



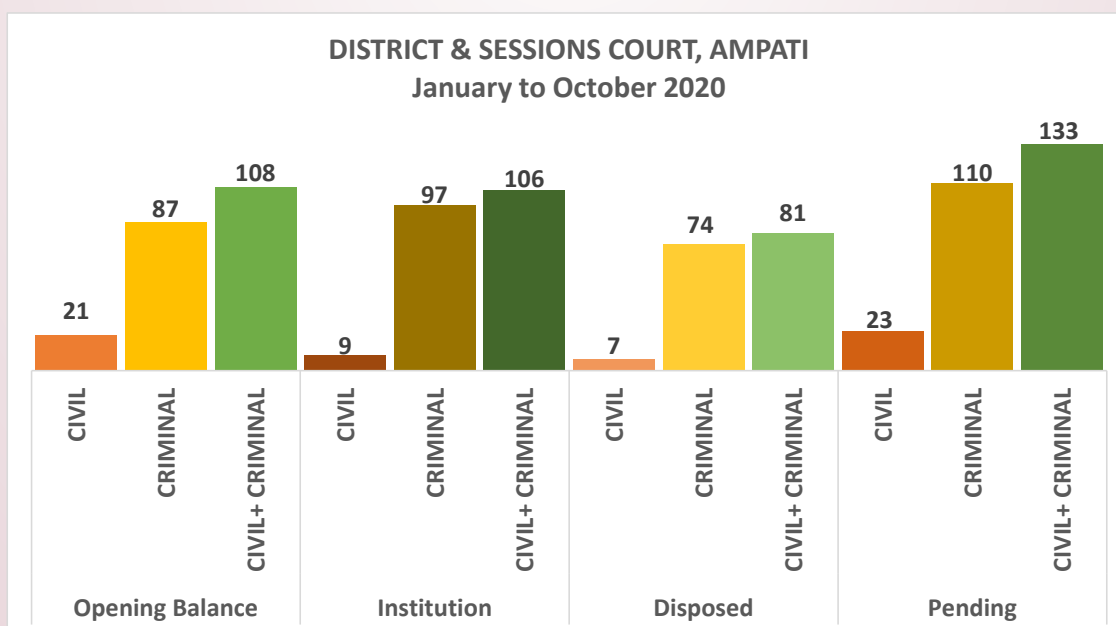
One Day Training Programme for panel lawyers

## DISTRICT AND SESSIONS COURT SOUTH WEST GARO HILLS DISTRICT, AMPATI



(L-R) : Shri Febroneous Silkam Sangma, Chief Judicial Magistrate-cum-Secretary, District Legal Services, South West Garo Hills District, Smt. Dashalene Kharbteng, I/c District and Sessions Judge, South West Garo Hills District, Shri Mithilesh Kumar, Addl. District & Sessions Judge-cum- Special Judge POCSO, South West Garo Hills District, Smti. Vanessa N Sangma, Judicial Magistrate First Class, South West Garo Hills District.

### DISPOSAL AND PENDENCY OF CASES





## Activities of the District Legal Services Authority South West Garo Hills District, Ampati



**Induction Training Programme for Para Legal Volunteers of South West Garo Hills District, Ampati & West Garo Hills District, Tura**



**Legal Awareness Programme**



## AGE DETERMINATION OF VICTIM

Offences related to sexual assault are very serious and if the victim is a minor, her consent is statutorily and judicially declared as of no value. However, there are some instances where sexual assault against minor casts reverse onus of proof on the person who is accused of such offences. In such circumstances age determination of victim assumes significance.

The Juvenile Justice Act deals primarily with a minor person who is found to be in conflict with law and provides the method to determine his age. In the earlier act of 2000, the method of age determination was provided through Rules whereas in the new Act of 2015, the method is provided in the statute itself.

It was however the Supreme Court which opined that there is nothing which should come in the way of applying the same methodology for determining the age of victim. The Hon'ble Supreme Court in India in Jarnail Singh vs State of Haryana (2013) 7 SCC 263 has held ;

*"On the issue of determination of age of a minor, one only needs to make a reference to Rule 12 of the Juvenile Justice (Care and Protection of Children) Rules, 2007 (hereinafter referred to as the 2007 Rules)..... Even though Rule 12 is strictly applicable only to determine the age of a child in conflict with law, we are of the view that the aforesaid statutory provision should be the basis for determining age, even for a child who is a victim of crime. For, in our view, there is hardly any difference in so far as the issue of minority is concerned, between a child in conflict with law, and a child who is a victim of crime".*

Rule-54(18)(iv) of the Juvenile Justice Rules 2016 provides:

*"For the age determination of the victim, in relation to offences against children under the Act, the same procedures mandated for the Board and the Committee under section 94 of the Act to be followed".*

Section-94 of Juvenile Justice (Care & Protection of Children) Act 2015 provides for the manner in which the age is to be determined.

*"Presumption and determination of age.-*

- (1) Where, it is obvious to the Committee or the Board, based on the appearance of the person brought before it under any of the provisions of this Act (other than for the purpose of giving evidence) that the said person is a child, the Committee or the Board shall record such observation stating the age of the child as nearly as may be and proceed with the inquiry under section 14 or section 36, as the case may be, without waiting for further confirmation of the age.*
- 2) In case, the Committee or the Board has reasonable grounds for doubt regarding whether the person brought before it is a child or not, the Committee or the Board, as the case may be, shall undertake the process of age determination, by seeking evidence by obtaining-*
  - (i) the date of birth certificate from the school, or the matriculation or equivalent certificate from the concerned examination Board, if available; and in the absence thereof;*
  - (ii) the birth certificate given by a corporation or a municipal authority or a panchayat;*
  - (iii) and only in the absence of (i) and (ii) above, age shall be determined by an ossification test or any other*



*latest medical age determination test conducted on the orders of the Committee or the Board:*

*Provided such age determination test conducted on the order of the Committee or the Board shall be completed within fifteen days from the date of such order.*

*(3) The age recorded by the Committee or the Board to be the age of person so brought before it shall, for the purpose of this Act, be deemed to be the true age of that person”.*

The aforesaid provision clearly suggests that in determining the age of the victim the court has to first look into the date of birth in the certificate from the school, or the matriculation or equivalent certificate from the concerned examination Board, and in the absence thereof; the birth certificate given by a corporation or a municipal authority or a panchayat. Thus, even if there appears contradiction in the ages of the victim as mentioned in the school certificate and the birth certificate issued by a corporation or a municipality authority or a panchayat, the Court cannot consider the birth certificate issued by a corporation or a municipality authority or a panchayat. In such circumstances, the Court has no option but to rely on date of birth as recorded by the school or board. Only in the absence of the date of birth as recorded in the school or board, then the Court can look into the birth certificate issued by a corporation or a municipality authority or a panchayat.

However, in the absence of a certificate as mentioned in Section-94 (2) (i) and (ii), then the age shall be determined by an ossification test or any other latest medical age determination test conducted on the orders of the Committee or the Board as provided in Section 94 (2) (iii) of the

Juvenile Justice (Care and Protection of Children) Act 2015.

Age determination methodology related to medical examination like the ossification test does not give the exact age. The margin of error in age determined by radiological examination is two years on either side.

The Hon'ble Supreme Court of India in *Rajak Mohammad vs The State Of Himachal Pradesh*, in Criminal Appeal No(S).1395/2015 in its order dated 23rd August 2018 has observed “*While it is correct that the age determined on the basis of a radiological examination may not an accurate determination and sufficient margin either way has to be allowed, yet the totality of the facts stated above read with the report of the radiological examination leaves room for ample doubt with regard to the correct age of the prosecutrix. The benefit of the aforesaid doubt, naturally, must go in favour of the accused*”.

What is clear from the above is that in determining the age of the victim the Court must first rely on date of birth as recorded by the school or board. In the absence of the date of birth as recorded in the school or board, then the Court can look into the birth certificate issued by a corporation or a municipality authority or a panchayat. However, in the absence of a certificate as mentioned in Section-94 (2) (i) and (ii), then the age shall be determined by an ossification test or any other latest medical age determination test conducted on the orders of the Committee or the Board as provided in Section 94 (2) (iii) of the Juvenile Justice (Care and Protection of Children) Act 2015.

**Smti Dashalene Kharbteng, MHJS**  
District and Sessions Judge  
West Garo Hills District, Tura.



## DISTRICT AND SESSIONS COURT EAST GARO HILLS DISTRICT, WILLIAMNAGAR

### Visit of the Hon'ble Mr. Justice Biswanath Somadder, the Chief Justice, High Court of Meghalaya

His Lordship, Hon'ble Mr. Justice Biswanath Somadder, the Hon'ble, the Chief Justice, High Court of Meghalaya, visited the District & Sessions Court, East Garo Hills District, Williamnagar on 10th June, 2020.

His Lordship planted a tree sapling in the campus of the District & Sessions Court. His Lordship stressed on the effective functioning of the District Legal Services Authority which would help in the access of justice to the common man. His Lordship graced as the Chief Guest in a programme organised by the DLSA, East Garo Hills District for "Handing Over of the Computers & Other Implements under the Legal Literacy Club Scheme, 2012".

#### Infrastructure Development:

His Lordship, on 10th June, 2020, visited the newly acquired plot which has been earmarked for the construction of Judicial Officer's Quarters and other related amenities in Williamnagar.



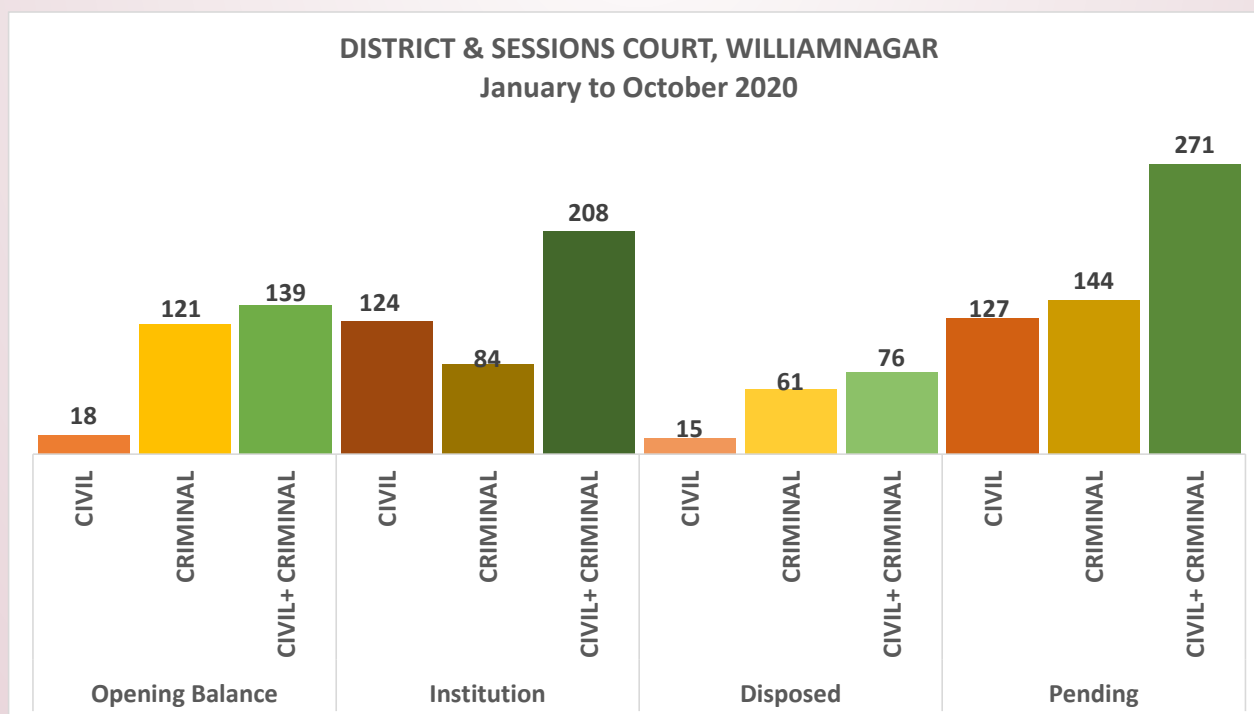
Hon'ble Mr. Justice Biswanath Somadder, the Hon'ble, the Chief Justice, High Court of Meghalaya, address during the programme organised by DLSA Williamnagar.





(L-R) : Kum. Rikchame Dachi K. Sangma, MJS, Principal Magistrate, Juvenile Justice Board, East Garo Hills District, Williamnagar, Smt. Evelyn Shabong, Chief Judicial Magistrate cum Secretary, District Legal Services Authority, East Garo Hills District, Williamnagar, Shri Marba Skhemlon, District & Sessions Judge, East Garo Hills District, Williamnagar, Shri Don Kitbor K. Mihsill, Judicial Magistrate First Class, East Garo Hills District, Williamnagar

## DISPOSAL AND PENDENCY OF CASES



## Activities Of District Legal Services Authority East Garo Hills District, Williamnagar



Senior Citizens Day



World Mental Health Day



Children's Day



Jail Counselling Program



Legal Services Day



International Literacy Day





Republic Day Celebration



Training for Para Legal Volunteers



Training Program for Police



Training for Panel Lawyers



Legal Awareness Programme



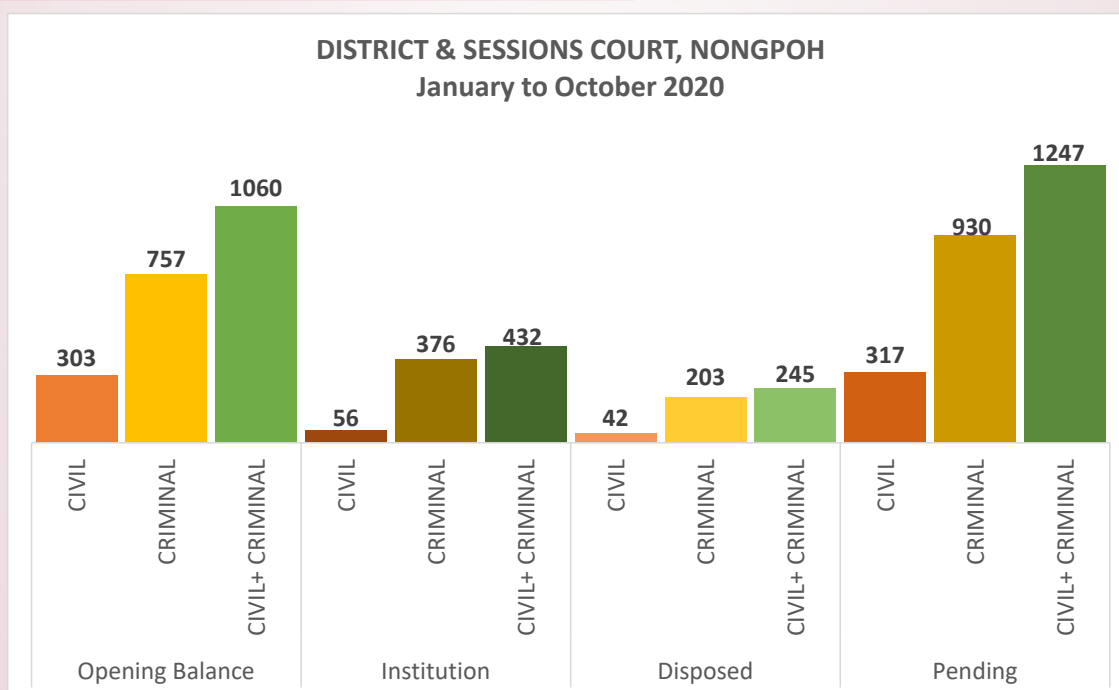
Cleaning Drive

## DISTRICT AND SESSIONS COURT RI BHOI DISTRICT, NONGPOH



(L-R) :- Smti Nataline Ione Dkhar, Secretary, District Legal Services Authority, Ri-Bhoi District, Smti Monica K Lyngdoh, Chief Judicial Magistrate, Ri Bhoi District, Shri Balram Joshi, District and Sessions Judge, Ri-Bhoi District, Shri Isormon Rymbui, Special Judge (POCSO), Ri-Bhoi District, Kum. Gabriella S.D.Sangma, Judicial Magistrate First Class, Ri-Bhoi District Nongpoh

### DISPOSAL AND PENDENCY OF CASES





## Activities of District Legal Services Authority Ri Bhoi District, Nongpoh

The District Legal Services Authority, Ri Bhoi District, Nongpoh has conducted legal awareness programme, lok adalats and assisted people in need during the Covid19 coronavirus pandemic lockdown.



Children's Day Celebration



Constitutional Campaign at Umling Village



Legal Services Day



National Lok Adalat





World Aids Day



World Disability Day



World Senior Citizen Day



World Mental Health Day





## DISTRICT AND SESSIONS COURT EAST KHASI HILLS DISTRICT, SHILLONG



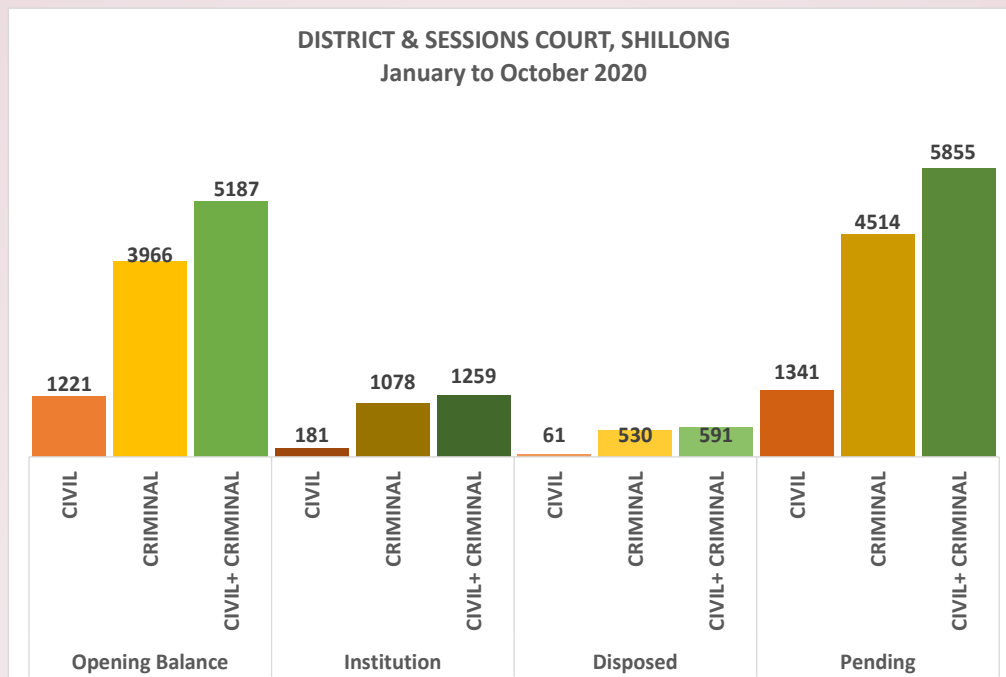
ROW - 1 (L-R) : Kum. Daphira Sohtun, Secretary, DLSA, Smti. Rithelda Rymbai, CJM, Mr. Noor Ain Khan, District & Sessions Judge, Kum. Persara Syngkon, Additional District & Sessions Judge, Kum. Ishana R. Marak, JMFC.

ROW - 2 (L-R) : Smti. Desiree M.K.S. Shadap, JMFC, Mr. Jeremy A. Marak, JMFC, Kum. Benietta Majaw, JMFC.



Smti. Steffi Michelle Wanniang, JMFC, Sohra Sub-Division, Sohra

## DISPOSAL AND PENDENCY OF CASES



### Activities of District Legal Services Authority, East Khasi Hills District, Shillong

The District Legal Services Authority, East Khasi Hills District, Shillong has conducted several programmes to commemorate special days, create awareness on various social issues and legal aspects. Also, DLSA held Lok Adalats, camps, etc. During the lockdown the District Legal Services Authority, East Khasi Hills District under the leadership of Shri E. Kharumnuid, Chairperson (Former), District Legal Services Authority, assisted the migrant labourers who were kept in the relief camp.



National Lok Adalat



World Literacy Day

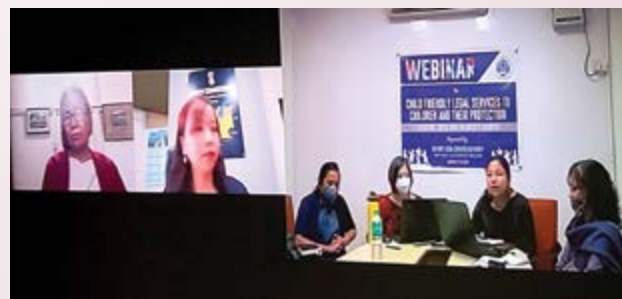




**Webinar on NALSA (Legal Services to the Victims of Drug Abuse and Eradication of Drug Menace) Scheme**



**Activities during the Covid-19 Coronavirus Pandemic Lockdown**



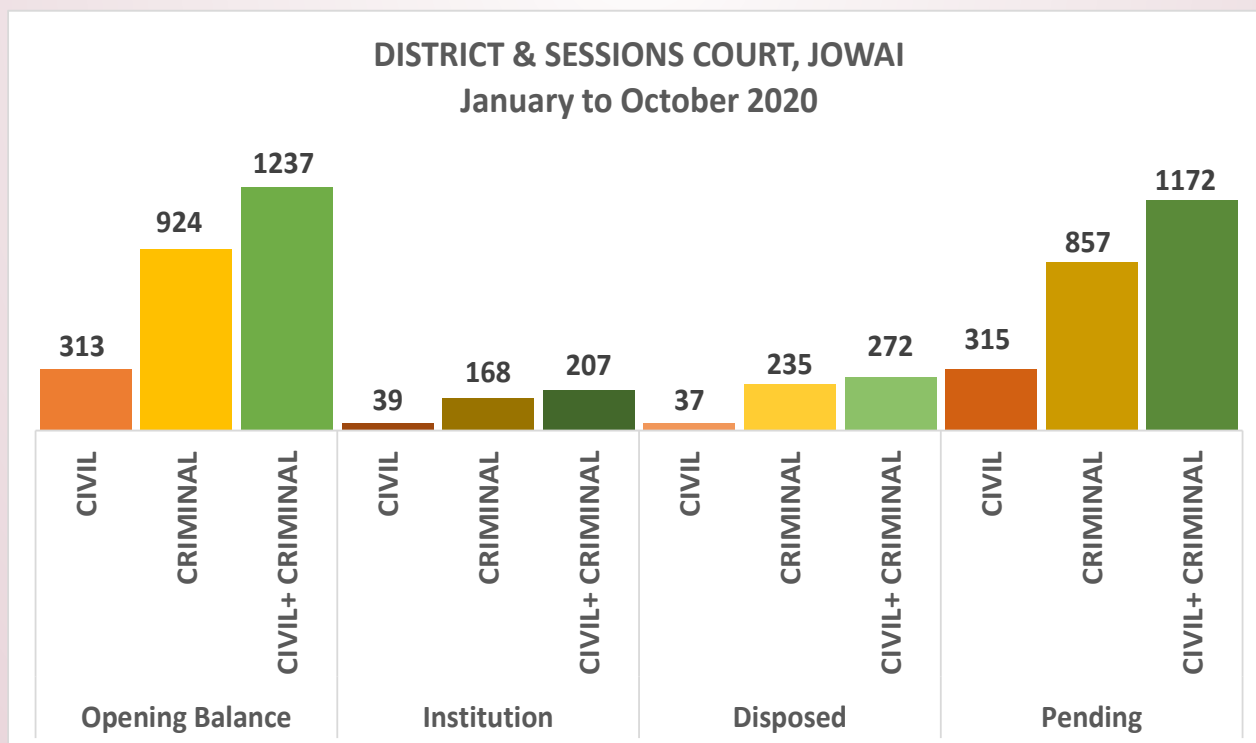
**Webinar on Child Friendly Legal Service to Children and their Protection**

## DISTRICT AND SESSIONS COURT WEST JAINTIA HILLS DISTRICT, JOWAI



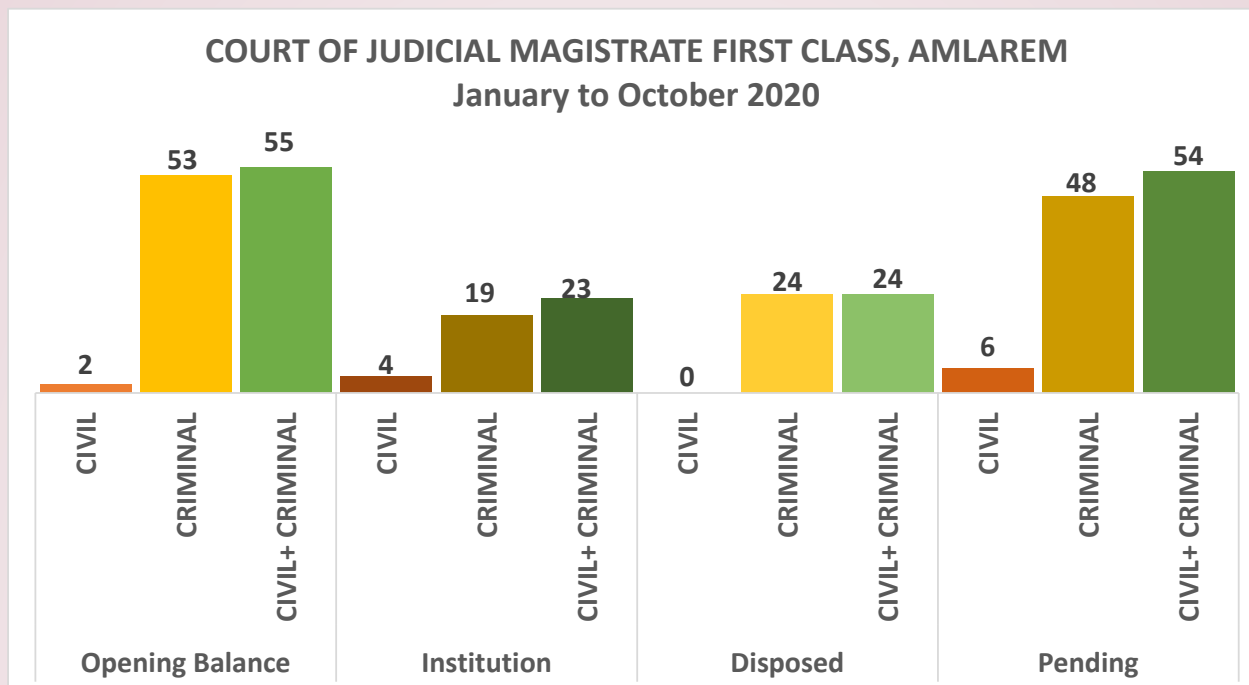
(L-R) : Smti. Nausica M. Sangma, Secretary DLSA, West Jaintia Hills District, Smti. Sneha Pangkime D Sangma, Judicial Magistrate First Class, West Jaintia Hills District, Smti. Belma Mawrie, District and Sessions Judge, West Jaintia Hills District, Smti. Rani Kharsyntiew, Chief Judicial Magistrate, West Jaintia Hills District, Smti. K. Evangeline Rymbai, Judicial Magistrate First Class, Amlarem Sub-Division, Smti. Indakerri M. Mairom, Judicial Magistrate First Class, West Jaintia Hills District.

### DISPOSAL AND PENDENCY OF CASES





## DISPOSAL AND PENDENCY OF CASES



### Activities of District Legal Services Authority, West Jaintia Hills District, Jowai

District Legal Services Authority, West Jaintia Hills District, Jowai has been vibrant in conducting various legal awareness programmes, holding Lok Adalats and camps. The District Legal Services Authority, West Jaintia Hills District, Jowai has conducted various activities during the COVID-19 pandemic viz., creating awareness, assisting the migrant labourers, holding mobile legal aid clinic with the assistance of the Office of the Superintendent of Police and also providing ration to the poor and needy.





Training of Panel Lawyers and Para Legal Volunteers



Women's Day

Drawing and Painting Competition  
on Climate Change



Constitution Day Campaign

Awareness on Traffic Rules & Regulations





Awareness Programme



Awareness programme by the Mobile Legal Aid Clinic during the Covid-19 lockdown



Students Legal Literacy Class



Awareness Programme of POCSO Act

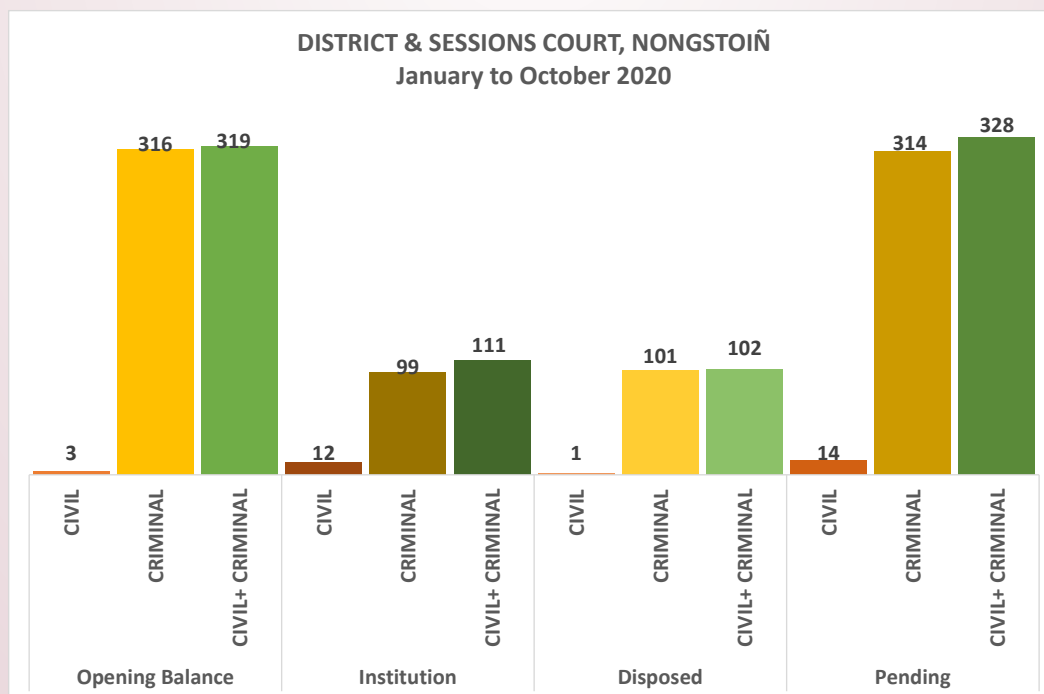


## DISTRICT AND SESSIONS COURT WEST KHASI HILLS DISTRICT, NONGSTOIN



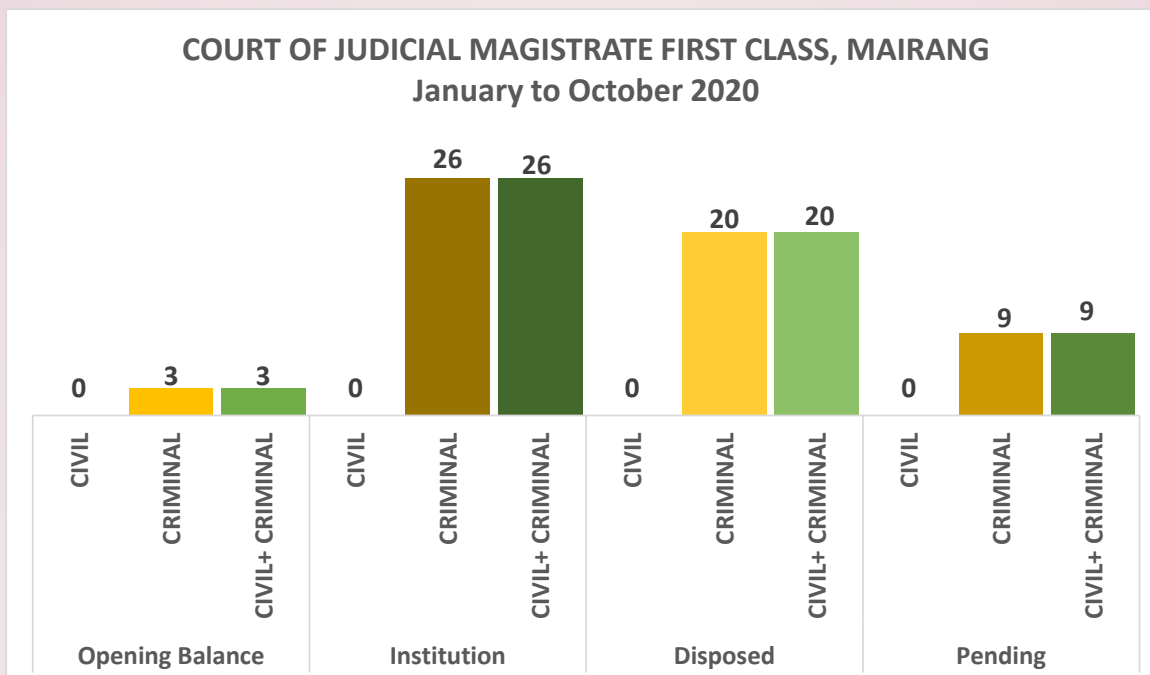
(L-R) :Shri. C.G. Momin, Chief Judicial Magistrate, West Khasi Hills District, Smt. Barisuk Khriam, In-Charge District & Sessions Judge, West Khasi Hills District, Mr. L. Mac Mewa Ammiel Rymbai, Judicial Magistrate First Class, West Khasi Hills District, Nongstoin/Mairang Sub-Division.

### DISPOSAL AND PENDENCY OF CASES





## DISPOSAL AND PENDENCY OF CASES



### Activities of District Legal Services Authority, West Khasi Hills District, Nongstoin

The District Legal Services Authority, West Khasi Hills District in its efforts to assist the beneficiaries and to reach out to the people has organised legal awareness programmes, observe special days and conducted Lok Adalats.

District Legal Services Authority with 4 (four) Legal Aid Counsels are providing free legal aid to the prisoners, litigants and other beneficiaries who are not in a position to appoint a legal counsel.

The activities of DLSA is depicted as follows:



National Lok Adalat held on 14-12-2019 and 8-02-2020 at District Court Nongstoin



**Observation of World Human Rights Day on 10.12.2019 at JNV, Nongstoin**



**Awareness Programme on Child Related Issue on 05-11-2019 at Umsaw Village**



**Constitution Day Campaign (Reading of Preamble) on 26.11.2019**



**One Day Training for Para Legal Volunteers held on 18.02.2020**



**Training Programme for Panel Lawyers on 19.02.2020**





Observation of International Women Day held on 11-03-2020 at Khartein L.P. School



Awareness Programmes



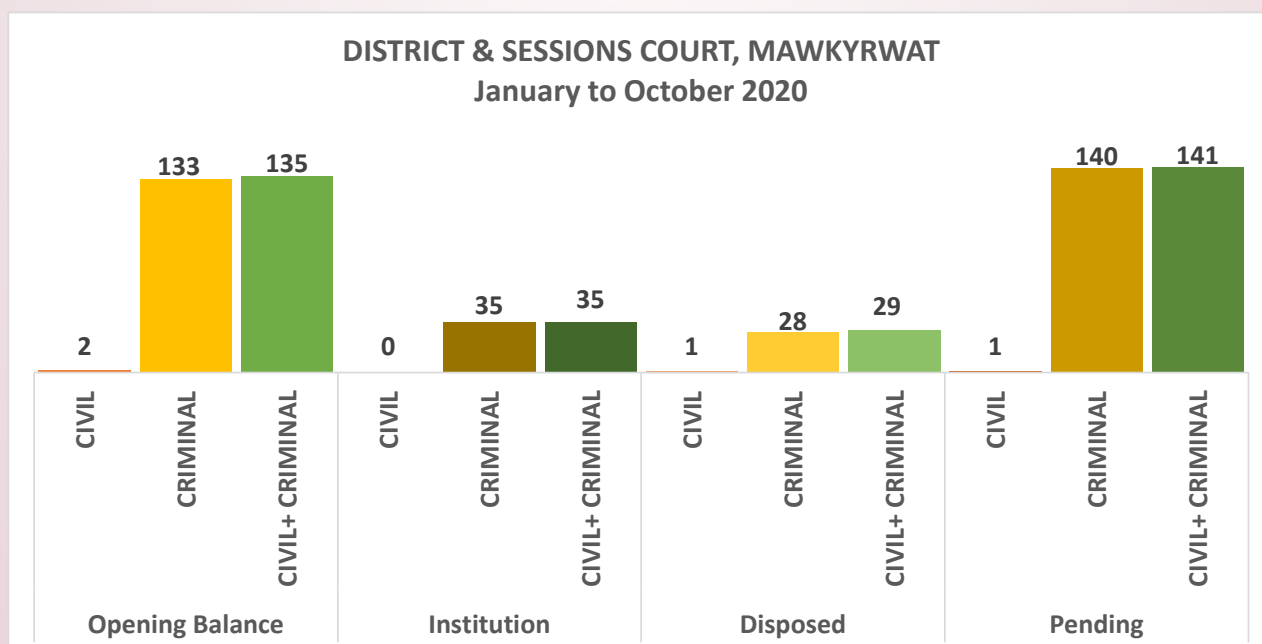
Observation of World Aids Day held on 1.12.2019 at Nongstoin College, Nongstoin

## DISTRICT AND SESSIONS COURT SOUTH WEST KHASI HILLS DISTRICT, MAWKYRWAT



(L-R) : Smti B. Khriam, District & Sessions Judge, South West Khasi Hills District, Kum I. Lyngkhoi, Judicial Magistrate First Class, South West Khasi Hills District.

### DISPOSAL AND PENDENCY OF CASES





## Activities of District Legal Services Authority, South West Khasi Hills District, Mawkyrwat

The District Legal Services Authority, South West Khasi Hills District, Mawkyrwat, in its efforts to assist the beneficiaries and to reach out to the people has organised legal awareness programmes, observe special days and conducted Lok Adalats.

District Legal Services Authority are providing free legal aid to the prisoners, litigants and other beneficiaries who are not in a position to appoint a legal counsel.

DLSA has observed special days by organising programmes on the occasions of World Senior Citizen Day, World Mental Health Day, Legal Services Day, World Day for Protection of Child and Sexual Abuse, Constitutional Day Campaign, World Aids Day, International Day for Person with Disabilities, World Human Rights Day and International Day for Woman.

DLSA has organised awareness programmes in District Jails, market places and villages, to raise awareness on free legal service, rights of children, fundamental duties, POCSO Act and various NALSA schemes.



# FUNCTIONING OF JUDICIARY AMIDST COVID-19 PANDEMIC

Recollect how we all welcomed this year 2020 with great enthusiasm, happiness and expectation but all this changed with COVID-19 pandemic sweeping through the globe leaving behind a trail of destruction. Due to this pandemic, many countries including ours are implementing different versions of lockdown which led to the path of self-quarantine and isolations at home. At the same time, it also has affected the world at large and also posed many challenges on the ability of the government, businesses, hospital services, education, transportation and other services, including the functioning of judiciary. In short Covid-19 has brought almost the entire world to a near-standstill.

Courts are an essential service for civil society and the judicial system have felt the immense pressure and courts, including the Supreme Court, High Courts and District Courts, have been operating in a highly restricted manner. Without doubt, this pandemic is changing many aspect of our lives and forcing us to innovate and embrace the changes so as to balance public health concerns with access to justice. When the various arms of the Government and civil society are finding ways in dealing with the pandemic, the judiciary has also come up with different mechanisms to ensure its support to the litigants, lawyers and most importantly the justice delivery system. Keeping into consideration the requirement of social distancing, the courts have gone into taking up only urgent matters addressing them by the online method with video conference,



electronic fillings, emails, etc. Perhaps this will remain the ‘new normal’ for some more time to come.

A bench consisting Honb’le the Chief Justice of India, Hon’ble Mr. Justice S.A. Bobde and Honb’le Justices D.Y. Chandrachud and L. Nageswara Rao of the Supreme Court of India issued directions on 6<sup>th</sup> April, 2020 in “In Re: Guidelines for Court Functioning Through Video Conferencing During COVID-19 Pandemic” regarding measures to be taken by courts to reduce the physical presence of all litigants within court premises by adapting the social distancing guidelines. These guidelines were issued by invoking Article 142 of the Constitution of India as an extra-ordinary jurisdiction. In the aforementioned order, the District Courts were directed to adopt virtual court hearing through modes prescribed by the concerned High Courts and to provide video conferencing facilities for litigants who lack resources. They also said that the congregation of lawyers and litigants must be suspended to maintain social distancing amid coronavirus pandemic.



It was evident that to retain access for most litigants when quarantine, self-isolation and social distancing are in place with the aim to avoid contracting the deadly virus, is by using technology. The judicial system shifted from its old school approach to a new technological approach with virtual courts and e-filings, ensuring that the wheel of justice delivery system is not kept stagnant. Some of the courts in India have already adopted e-filing as an addition to physical filing of cases. This decision of embracing technology not only reduced the footfall in court premises, which eventually saved a large number of people getting affected by the Covid-19 but also balanced out the loss of judicial time as far as possible. But the unfamiliarity with the medium of technology is a major issue, not to mention the familiar problems of patchy connectivity (inadequate bandwidth or unstable) and accessibility of technology. It is also observed that behavioural change of all stakeholders is a crucial element in moving towards a more tech-based solutions.

Computerization was introduced in the Indian judiciary in 1990 but it was the “National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary-2005” which has outlined the need for bringing technology in the working of the judiciary. Subsequently the e-Courts mission mode project led by the Supreme Court Committee is now working towards this objective through the setting up of infrastructure at the district level. The following are its broad objectives:

To provide efficient & time-bound citizen-centric service delivery;

1. To develop, install & implement decision support systems in courts;

2. To automate the processes to provide transparency of Information access to its stakeholders;
3. To enhance judicial productivity both qualitatively & quantitatively, to make the justice delivery system affordable, accessible, cost-effective & transparent.

It is a fact that the e-Court’s mission project is the largest undertaking to make courts digitized in order to increase the efficiency and efficacy of the judiciary. This Mission is divided into three phases and currently, we are in phase II. In Phase III of the e-Courts Project, there will be consolidation and growth using technological advancements including migration to the cloud, big data mining, processing through blockchain technology, video conferencing, and artificial intelligence.

During this transition, it will be important to examine the current procedures to eliminate redundancies, so that inefficient processes on paper are not replicated in digital form. As with any technology, a ‘next-generation’ justice platform will not be without its challenges. There is a need for awareness and training for the litigants, advocates and other stakeholders for adoption of the future of digital litigation. Restructuring and re-innovation of digital tools so as to ensure quick and effective delivery of justice to the aggrieved without any much delay is the need of the hour. We, as one of the stakeholders in the judicial process, will have to be ‘adoption-ready’ to ride the bandwagon of this inevitable technological change.

Submitted by:

(Smt. B . Khriam)

I/c, District & Sessions Judge,  
West Khasi Hills District, Nongstoin.

## MEGHALAYA STATE JUDICIAL ACADEMY

Eight newly appointed judicial officers Grade III (Batch 2019) joined the Meghalaya Judicial Services on the 15th July 2019 where they were inducted to the one year induction training programme. On completion of the one year induction training programme, the eight judicial officers were administered oath on the 15th July 2020 by Shri Biswanath Somadder, the Hon'ble, the Chief Justice, High Court of Meghalaya, in the august presence of Hon'ble Mr. Justice R V More, Judge High Court of Meghalaya, Hon'ble Mr. Justice H. S. Thangkhiew, Judge-in-Charge, Meghalaya State Judicial Academy, and Hon'ble Mr. Justice W. Diengdoh. The oath taking ceremony was attended by the judicial officers, officers of the Registry and the family members of the newly appointed judicial officer.

The training was coordinated by Smti M.B. Challam, (MHJS (Retd), Director (Former), MSJA, Smti Kerpa M L Nongbri, Director, MSJA and Smti Rithelda Rymbai, Assistant Director, MSJA.



(Sitting L-R) : Hon'ble Mr. Justice Ranjit V. More, Judge, High Court of Meghalaya, Hon'ble Mr. Justice Biswanath Somadder, the Hon'ble, the Chief Justice, High Court of Meghalaya, Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya, Hon'ble Mr. Wanlura Diengdoh, Judge, High Court of Meghalaya.

(Standing L-R) : Shri Don Kitbor Koshy Mihsill, Shri Flavian R. Marak, Smti Gabriella Simre D. Sangma, Smti Steffi Michelle Wanniang, Smti Evangeline Rymbai, Smti Vanessa Nengminza Sangma, Smti Indakerri M. Mairom, Shri L. Mac Mewan Ammiel Rymbai



## ONE YEAR INDUCTION TRAINING PROGRAMME IN THE MEGHALAYA STATE JUDICIAL ACADEMY : MY EXPERIENCE

### EXCERPT:

“The moment we stepped foot inside the premises of the Academy was a moment which will forever remain in my mind. The few minutes of delay in arriving to the Academy was a lesson for us to be always punctual as we were subjected to the first lesson of being a judicial officer by our former Director, Meghalaya State Judicial Academy, Smti M B Challan (Retd MHJS). Our Director stressed and emphasised on how a judicial officer should always be punctual.”

**Shri Flavian R Marak**  
MJS, JMFC, Dadenggre.

“Certainly, I have had to face challenges but they have made me a new person with a new mindset. My confidence grew and so did the faith in myself. I am who I am today because of this past year’s experiences and it would be near impossible to describe the days that I spent at the academy. However, I must try to speak my heart out, I would say that it was a humbling experience. I learned about things that go beyond profession. I discovered my tenacious spirit and the drive to serve for the cause of justice.”

**Smti K Evangeline Rymbai**  
MJS, JMFC, Amlarem.

“The next scene cuts to the first class; the purposeful gaze of the Director of the Academy, each trainee, in turn, introducing themselves, some with more detail than the others, but all with a coiled, nervous energy. Then the proverbial penny drops. The first classroom instruction session and the recognition of the yawning gap to be traversed from theory to practice, from unknowing to knowledge, reconciling text to imperatives, law to action, question to decision, from fear to victory.

This cycle between acquisition of knowledge, assessing situations and using skills, on reflection, is the lasting impression from our training period. It is necessary formula a habit-drummed into use; a secret woven into our judicial temperament; a gift left in our nature that will, looking forward and star gazing, enable us to continue to evolve and grow in our work.”

**Shri Don Kitbor Koshy Mihsill**  
MJS, JMFC Williamnagar



**Smti. C. Dkhar**  
Director, Meghalaya State Judicial Academy, Shillong

# MEGHALAYA STATE LEGAL SERVICES AUTHORITY SHILLONG



(1st row from left) : Smt. N.M. Momin, MJS, Officer on Special Duty, MSLSA, Shri. N.A. Khan, MHJS, Member Secretary, MSLSA, Shri. S. Lyngdoh, Assistant Secretary, MSLSA.

(2nd row from left) : Smt. B. Marwein, Smt. E.D. Synrem, Smt. N. Wansai, Smt. S.M. Sangma, Smt. P. Langstang, Smt. A. Pde, Smt. R.M. Wahlang, Smt. W.W. Wann, Smt. A. Nongrum, Smt. M. Bortiew, Smt. T. Kharkongor

(3rd row from left) : Shri. K. Ryntathiang, Shri. M. Lyngdoh, Shri. P. Rapthap, Shri. G.F.B. Syngkon, Shri. P. Marwein, Shri A. Lyngdoh

(4th row from left) : Shri. A. Mawkhiew, Shri. B. Syiemlieh, Shri. S. Ranee, Shri. K.S. Thabah, Shri. D. Kharsati, Shri. J.L. Mawphlang.



Hon'ble Mr. Justice R.V. More, Judge, High Court of Meghalaya and Executive Chairman, Meghalaya State Legal Services Authority accompanied by Shri. N. A. Khan, Member Secretary, Meghalaya State Legal Services Authority having a look at the plans and drawings of complex for the Alternative Dispute Resolution (ADR) Centre at Mawkasiang presented by the Chief Engineer, PWD (B)





Hon'ble Mr. Justice H.S. Thangkhiew, Executive Chairman, Meghalaya State Legal Services Authority along with Hon'ble Mr. Justice W. Diengdoh, Chairman, High Court Legal Services Committee, members and guest invitees during the High Powered Committee at the premises of High Court of Meghalaya on the 31-3-2020 in pursuant to the order dated 23-03-2020 passed by the Hon'ble Supreme Court of India, in Suo-Motu Writ Petition(C) No.1/2020: *In Recontagion of Covid-19 Virus in Prisons*.



Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya & Executive Chairman, MSLSA interacts before the distribution of PPEs to the health workers in the presence of Member Secretary, MSLSA and Secretary Ramakrishna Mission, Sohra, at the High Court complex on the 22nd April, 2020





Review meeting, through video conferencing, on the 22nd July, 2020, with all the Officials of the District Jails and the Secretaries of DLSA in connection with Suo-Motu Writ Petition(C) No.1/2020: In Recontagion of Covid-19 Virus in Prisons.



Awareness Programme under POCSSO ACT



Secretaries of the District Legal Service Authorities interacting during the sensitization programme on "Meghalaya Victim Compensation Scheme" through the video conference held on the 10th July, 2020



Sensitization Programme on Covid 19



## PHOTO GALLERY







# **HIGH COURT OF MEGHALAYA**

Shillong - 793001

<https://meghalayahighcourt.nic.in>