

**Address on the Inauguration of
West Bengal State Judicial Academy**
(Delivered on 03.12.2005 at Calcutta)

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For many years, there has been a long-felt need for a state judicial academy in West Bengal. We are here today to celebrate the fulfillment of this need.

Respect for the judicial service

There is no doubt today that entry into the judicial service is one of the most respected and sought after avenues today. It takes great courage and perseverance to become a judge, and even more to become a great judge. The State of West Bengal has had a long and distinguished tradition of producing not just famous lawyers and statesmen, but also judges of great eminence and the highest caliber. The city of Calcutta is well known as a centre of learning and scholarship. It hosts a number of prestigious institutions and we are happy today to add the West Bengal State Judicial Academy to their numbers. I am confident that the inauguration of this academy for providing continuous legal education and training would further augment this tradition and significantly contribute to the already high judicial standards in this state.

Importance of the lower judiciary

I am happy to note that the West Bengal Judicial Academy is going to lay great emphasis on programs and initiatives to impart training to district level judicial officers. The importance of the district level judiciary in

our justice delivery system cannot be overstated. This is for the simple reason that it is the District level at which the vast majority of cases are heard and decided. After all, the District Court is the forum where the litigating public first and foremost interacts with the judicial system. The perception of the judiciary in the eyes of ordinary citizens is shaped by the working of the district judiciary. Therefore an effective, efficient and modern system for justice administration at the district level is the cornerstone of judicial legitimacy and the *sine qua non* for sustaining the people's faith in our legal system.

New pressures that are facing members of the judiciary

The existence of a well-respected judiciary ensures that the public does not resort to extra-legal avenues to resolve disputes. In the last few decades we have seen a significant increase in the number of cases at the district levels. These new numbers, coupled with the heightening complexity in the nature of legal disputes that are coming before the districts courts, means that the workload of judicial officers and the pressure to perform have both gone up a great deal. As India progressively integrates with the world in this era of globalization and privatization and technology which fundamentally transforms our lives and the way our society functions, judges at all levels including Judges at district level will have to be equipped to respond to new legal issues that arise from these dynamic social processes.

We need knowledge and skill to ensure that there are no unwarranted errors or unnecessary delays in the disposal of cases. If such malaises were allowed to creep into the judicial system, in the long run, these problems could erode the legitimacy that the judiciary enjoys in society. We must ensure that the pressures of a heavier and increasingly varied workload do not lead to compromises in judicial standards.

Relevance of continuing legal education

These are some of the new challenges that we in the judiciary face today. Tackling them is a challenge, a learning process in support of which we must utilize all the resources at our disposal, in terms of both infrastructure as well as intellectual input. These learning processes need to be supported by institutional mechanisms that provide vital support and knowledge resources to the members of the judiciary. The Judicial Academy has a vital role to play in this endeavour.

The establishment of institutions such as this academy that provide specialized educational training to members of the judiciary, is a significant step in the creation of a support structure to deal with the challenges of the future. We cannot emphasize too much on continuing legal education. It is a concept importance of which has been recognized around the world in a large number of nations. In the last few years in India, significant strides have been made in providing continuous legal education especially to judicial officers with the establishment of the National Judicial Academy at Bhopal and several state judicial academies. We must ensure that no efforts are spared in providing the best possible facilities, training and resources to the members of the judiciary, not just at the higher levels, but at every level, in a uniform manner. To fulfill this need, it is important that we create institutions such as this judicial academy that can effectively provide continuous legal education to the members of the judiciary.

Coordination with other institutions

While the National Judicial Academy is focusing on strengthening the skills and knowledge of the members of the higher judiciary, the state academies are primarily focusing on imparting training to members of subordinate judicial service. It is important that there is coordination and

collaboration among these institutions so that successful innovations in learning, curriculum and training methods developed in one institution can be replicated in other institutions. Further, sharing of resource amongst these institutions can help them overcome the resource-crunch, that is often encountered in this country. The State academies can also model their functioning and management on the lines of extremely successful National Judicial Academy.

However the judicial training institutions should not confine themselves to cooperating and collaborating only amongst themselves. They must make every effort to enter into active partnerships with other institutions of legal learning such as the Law Universities that have recently been setup in several states, with domestic and international legal research bodies and groups and with similar academies and institutions in other countries. These judicial academies should endeavor to emerge as training centers not only for the members of the Indian judiciary but can also provide continuous legal education to judges from neighboring countries, especially in the SAARC region.

Areas of importance in the domestic legal regime

Apart from the international perspective, there are several areas of law within the domestic scenario where training is required. The State Academy should take a lead role in disseminating knowledge about emerging trends in human rights jurisprudence, environmental law, alternative dispute resolution, consumer protection laws and intellectual property rights, to name a few. In addition to these trends, the judicial officers should be imparted training in the administrative aspects of the justice dispensation system. This would include dealing with arrears and delays and docket management practices.

Areas of importance in the international legal regime

As we progressively enter into the era of globalization, one area where judicial academies can play a significant role is that of transnational law. There is a need to equip judges with the required knowledge and resources to effectively respond to legal disputes that arise as a consequence of the close interaction between the economies and cultures of the world. The unique thing about this area of law is that in its own way, it is localized as well as international. While trade takes place around the world, each country enjoys special relations with certain major trading partners, and has certain services and industries that it specializes in. This differs from country to country, as each nation attempts to leverage its unique features to its advantage. But this can only be actualized if the Courts provide the necessary legal assurances. Judicial academies play a vital role in this regard and should incorporate international legal developments and transnational legal issues as an integral, core component in their program.

Characteristics of a good judge

Judicial training also involves a personal element. It is also essential to give due importance to personality and character building exercises. This is especially relevant for young judicial officers. Appointment to a judicial position in this country entails enormous powers and as is with all powers, judicial power can also be abused. Therefore care must be taken to ensure that judges in general, and those newly appointed to the judiciary in particular, are not swayed by the power and authority that they command. If not, they can commit grave injustice. Judges must recognize that their power is limited to the extent of realizing their judicial role in the greater constitutional scheme of the republic. In this context, it is essential

that the judicial academies conduct regular programs and exercises focusing on judicial ethics.

These programs should be supplemented by introducing sensitization courses for judges that orient them to respond more humanely towards the needs of especially vulnerable groups like juvenile offenders, women, poor and depressed classes. Judges must understand that they have an important constitutional, moral and social obligation to protect the rights of the vulnerable and backward classes of our country.

Provision of research facilities

It is my suggestion that although the state judicial academy is primarily designed for imparting continuous legal education to judges, the academy should also provide research facilities to judges. The need for access to high quality research resources especially electronic resources to facilitate the research endeavors of judges has been acutely felt throughout the country. The lack of good research facilities can be serious impediment in the learning activities of judges especially at the district level. The judicial academy can fill this void by providing quality research resources for judges.

In this context, I would also suggest that the judicial academies should promote such endeavors by judges by publishing periodicals and holding conferences and seminars on various contemporary legal issues. This would not only provide judges with a good platform for sharing their work but would also promote a wider discussion on these issues throughout the state. These institutions can also undertake empirical research on various aspects of judicial training and on issues relating to the dispensation of justice such as access to justice, gender justice and law and poverty.

Remaining evergreen and adaptive

I would also like to take this occasion to urge upon the administration and faculty of this institution the importance of ensuring that the learning methodologies and curriculum of this institution are always kept flexible and evolved in accordance with changing societal concerns. We must always remember that that stagnation and lack of innovation sounds the death knell for any institution.

Concluding note

I would conclude by congratulating the West Bengal judiciary led by Chief Justice and his companion judges, the state government and the people of the state for establishing this judicial academy. I am confident that with their continued support, the West Bengal State Judicial Academy can emerge as a premier institution for continuous legal education in the country and effectively contribute to the improvement of the skills and knowledge of the members of judiciary of this state.

