

[1] The Sikkim State Legal Services Authority under the guidance of Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim and Executive Chairperson, Sikkim SLSA organized a Training of Novice Lawyers (below three years of standing at the Bar) and aspirant Law Students of Sikkim on 09<sup>th</sup> & 10<sup>th</sup> June, 2018 at the Auditorium of High Court of Sikkim, Gangtok.

[2] The inaugural session was graced by Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim and Executive Chairperson, Sikkim SLSA while Hon'ble Mr. Justice Bhaskar Raj Pradhan, Judge, High Court of Sikkim was the Guest of Honour and Hon'ble Mr. Justice Pius C. Kuriakose, Lok Ayukta, State of Kerala and former Chief Justice, High Court of Sikkim as one of the Resource Person.

[3] Hon'ble Mr. Justice Pius C. Kuriakose, Lok Ayukta, State of Kerala and former Chief Justice, High Court of Sikkim in his address informed all present that the subjects on which the training is being imparted today is very close his Lordship's heart. His Lordship also informed about the book called S.T.A.R.T. (*Specialized Training in Advocacy for Rookies and Trios*) which his Lordship is about to publish.

His Lordship also informed that the system of administration of justice that has been adopted in India is an adversarial system, wherein, the litigants are represented by lawyers and it is with the assistance of the lawyers that the Ld. Judges decide cases, hence, the quality of the decisions or judgments, authored by the Judges depends to a great extent on the quality of the assistance which the lawyers are giving.

His Lordship clarified that a person can be good lawyer if he is learned but then all learned lawyers need not become successful. Learning that is expected of a lawyer is the learning to give useful assistance to the Judges before who the lawyer is appearing and also giving correct legal advice to the clients. A lawyer should also have honesty and integrity.

[4] During the inaugural session, the message of Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim and Executive Chairperson, Sikkim SLSA was that the legal profession was a very serious and a solemn profession and it is a noble calling and those who belong to it also are Hon'ble members.

The entry in the profession requires only a technical qualification but the honour as a profession has to be maintained by its members by their exemplary

conduct, both in and outside the Court. As a leading member of the intellectuals in the society and as a responsible citizen, the lawyer has to conduct himself as a model for others in profession, public and private life.

Her Ladyship also highlighted an Order of the Hon'ble Supreme Court in *Satish Kumar Vs. Bar Council of Himachal Pradesh* in 2001, 2 SCC, 365, which says that *“The profession of law is called a noble profession. It does not remain noble merely by calling it as such unless there is a continued, corresponding and expected performance of a noble profession. Its nobility has to be preserved, protected and promoted. An institution cannot survive in its name or on its past glory alone. The glory and greatness of an institution depends on its continued and meaningful performance with grace and dignity. The profession of law being noble and honourable one, it has to continue its meaningful, useful and purposeful performance inspired by and keeping in view the high and rich traditions consistent with its grace, dignity, utility and prestige”*.

This is what the profession expects from a lawyer and this is also where etiquette also steps in. It is the behavior of the Counsel and the dignity with which he/she conducts himself or herself in a Court. It is the decency which should be innate in a Counsel, the decorum which he/she follows and the cordiality with which the lawyer conducts himself/herself, duly complying with ethics and the profession.

Her Ladyship also informed the participants that while appearing in a case as a combative lawyer, arguing loudly or being rude in the Court or expecting to pressurize the Court or to coerce the Court or to intimidate the Court, will not make them a successful lawyer. There is a decorum that is expected from a lawyer and it harms no one to be pleasant and well mannered.

Her Ladyship also informed that it is good manners, knowledge of law substance in the submissions and cordiality which holds out in the long run. Dress code is also important, and, the lawyers are expected to be dressed in a proper attire. All these will be taught in this training programme. It was further informed that the constant quest for knowledge should be the hallmark, every effort should be made to keep an open mind and learn as much as they quite can.

[5] A total of 19 Novice Lawyers and 36 aspirant Law Students participated in the said programme.

[6] The programme was divided into 2 sessions, Day – I was covered by Hon'ble Mr. Justice Bhaskar Raj Pradhan, Judge, High Court of Sikkim who spoke

on Dress and turnout necessary in the Courts, Courtroom manner, Courtroom language, general behavior towards judges, the lawyers especially lawyers on the opposite side, Court staff, presentation of cases, short submissions to be made during roll call, submissions during hearing on interlocutory matters and final hearing of cases, while Shri A.K. Upadhyaya, Senior Advocate, High Court of Sikkim and Shri S.S. Hamal, Panel Advocate, Sikkim SLSA spoke on Client relationship, Discussion with Client, Advice to be given to the client regarding chances on going to the Court and on what all is to be done for winning the confidence of the clients including prospective clients, Drafting of pleading, affidavits etc.

[7] Similarly, Day – II, was covered by Shri S.S. Hamal, Panel Advocate, Sikkim SLSA who spoke on Examination of witnesses while Shri Zangpo Sherpa, Panel Advocate, Sikkim SLSA spoke on Things to do for security high rating in the minds of Judges and fellow members of the legal fraternity and officers and staff of the Court.

[8] An academic quiz was also conducted on the same day by Hon'ble Mr. Justice Pius C. Kuriakose, Lok Ayukta, State of Kerala and former Chief Justice, High Court of Sikkim on Code of Civil Procedure, Indian Evidence Act, Code of Criminal Procedure, Indian Penal Code, Transfer of Property Act, Constitution of India and other statutes and well known legal maxims.

[9] Interactive Session between the participants and the Resource Persons was vibrant. The welcome address was delivered by Mr. K.W. Bhutia, Registrar, High Court of Sikkim & Member Secretary, Sikkim SLSA.