

PRESS RELEASE

Misinformation being spread in the Public arena on the subject of shifting of the Gauhati High Court from the present location and scandalous aspersions being leveled against the constitutional functionaries attached to the Gauhati High Court by a section of the members of the Gauhati High Court Bar Association, which have the effect of lowering the Public faith in the Institution of Judiciary as a whole and create doubts in the mind of the public as regards the independence of the Judiciary have necessitated the issuance of the present.

MISINFORMATION ON THE ISSUE OF RE-LOCATION/SHIFTING OF THE HIGH COURT

In the year 2022, when steps were taken for setting up of a Judicial Complex for the District Judiciary of Kamrup (Metro) at Boragaon, Guwahati, which is at a distance of 16 Km from the present location a resolution being Resolution No. 3 was adopted by the Gauhati High Court Bar Association in its Extra Ordinary Meeting held on 25.11.2022 whereby a suggestion was mooted to shift all the Courts into one campus. In the meanwhile with the strength of the Judges increasing in the Gauhati High Court; the requirement for proper infrastructure to cater to the need of the ever increasing number of lawyers and litigants; the necessity for adapting to the recent development of technology; the growing needs of managing the Gauhati High Court amongst others have compelled the Gauhati High Court to explore ideas for having a State of Art infrastructure to meet the needs of the changing times. Keeping in mind the Resolution of the Gauhati High Court Bar Association dated 25.11.2022, a decision was taken by the Gauhati High Court which comprises of the Hon'ble Chief Justice and His companion Hon'ble Judges that there should be a State of Art infrastructure at one place so that all the Courts, i.e. the Gauhati High Court along with District Judiciary of Kamrup (Metro) and Tribunals are set up at one place in the form of a Judicial Township. The concept of Judicial Township would not only help the lawyers



who otherwise are required to travel from one place to the other for attending the different Courts but would also aid the litigant to avail legal assistance at one place.

With the above object in mind, the Gauhati High Court requested the Government of Assam to allot a plot of land which would be sufficient for setting up a Judicial Township with State of Art facilities. The Government of Assam under such circumstances issued a Notification dated 02.06.2023 for setting up a Judicial Township. The Government of Assam also with due consultation with the Hon'ble Chief Justice constituted a High Level Committee consisting of two Hon'ble Judges of the Gauhati High Court, the Advocate General, Assam, the Chief Secretary to the Government of Assam, L.R. cum Commissioner and Secretary, Judicial Department; Special Commissioner and Special Secretary, Public Works Department and the Deputy Commissioner, Kamrup (Metro). The constitution of the High Level Committee was notified by a Notification dated 15.06.2023 by the Governor of Assam. The terms of the said High Level Committee was to examine a proper location for the Judicial Township. The Full Court of the Gauhati High Court in its meeting dated 16.06.2023 resolved that the High Level Committee should expedite the process of developing a concept paper for setting up of an integrated Judicial Township for the High Court and all other Courts and Tribunals in Kamrup (Metro) having regard to the long term requirement of modern facilities for all the stake holders.

The High Level Committee was shown various plots of land. However, all other plots of land, except one, were located at far away distance from the present High Court. The nearest of the lands which was shown was at Rangmahal, at North Guwahati. The High Level Committee after exploring the feasibility of the proposals, had felt that with the bridge over the River Brahmaputra, presently under construction and upon completion, the time that would require to cover the distance from the present location would be hardly 12-15 minutes from the present location of the High Court, submitted its report in favour of a plot of land measuring 128 Bighas (approx) situated



at Rangmahal, North Guwahati. This report was placed before the Full Court of the Gauhati High Court in its meeting held on 18.10.2023. The Full Court of the Gauhati High Court accepted the report and on the basis thereof, the Gauhati High Court requested the Government of Assam to expedite the process of allotment of land at Rangmahal, North Guwahati for establishment of the Judicial Township, because unless the land is acquired by completing all required formalities and possession is handed over to the High Court, the question of taking any decision on raising construction of High Court building, much less, shifting of High Court, cannot arise. The High Court has been informed that the process of acquisition of land is still underway.

The sole authority to take a decision in this regard is the Full Court of the High Court and as on date, there is no formal decision of the Full Court as regards any timeline for shifting of the High Court. Notwithstanding the same, some members of the Bar Associations have made deliberate, incorrect and misleading statements before the Media projecting that the Hon'ble Chief Justice and a particular sitting Judge of this Court, by secretly meeting the Hon'ble Chief Minister, have unilaterally taken a decision to shift the High Court without consulting the Bar, which is far from the truth. It is to clarify that any decision for acquiring land for future expansion of the Judiciary lies exclusively within the domain of the High Court in discharge of its administrative functions and no prior consent/consultation with any person or agency or Association, including the Bar Association, is mandated in such matters. The Bar is to be consulted only as regards the facilities to be provided to the members of the Bar Association and the litigants.

The Notifications issued on 02.06.2023 and 15.06.2023 were objected to by certain sections of the Gauhati High Court Bar Association. Under such circumstances, various meetings were held with the Gauhati High Court Bar Association formally as well as informally wherein the requirement of a Judicial Township was explained. No constructive suggestions were received from the Gauhati High Court Bar Association except resistance to the proposal on irrelevant considerations. No concern was shown as regards the



difficulty faced by the lawyers and litigants presently in view of the various Courts being scattered and would face in future if the District Judiciary of Kamrup (Metro) is set up at Boragaon, more particularly, when the same set of lawyers have to attend the Gauhati High Court as well. Even after the decision was taken by the Full Court on 18.10.2023, meetings, both formal and informal, were held with the Gauhati High Court Bar Association but to no avail. It is still not known as to what is the ground for objecting to the Rangmahal land although the same is the nearest and the most suitable plot of land for setting up new and modern judicial infrastructure for the Gauhati High Court, District Judiciary, Kamrup (Metro) and all other Courts.

**MISINFORMATION REGARDING THE MEETING BETWEEN
HON'BLE CHIEF JUSTICE AND HON'BLE CHIEF MINISTER HELD ON
08.03.2025**

The Hon'ble Chief Justice is the Administrative Head of the Gauhati High Court as recognised by the Constitution. For the purpose of administration of Justice, it is to be understood that it is not only confined to Court proceedings but also to ensure proper and adequate infrastructural facilities, creation of posts, sanctioning of funds for the running of the administrative machinery of the Gauhati High Court and the District Judiciary etc. The resources for doing so, however, as per the Constitution, are to be met by the State. Under such circumstances, it is the normal practice that the Hon'ble Chief Justice being the Administrative Head of the Judiciary of the State is required to interact with the Hon'ble Chief Minister who is the Head of the Executive. This practice is being followed by all other States of the country and is mandated in Chief Justices and Chief Ministers National Level Conferences held from time to time.

A meeting was scheduled to be held on 08.03.2025 between the Hon'ble Chief Justice along with the officials of the Registry with the Hon'ble Chief Minister, State of Assam and several officials of the State of Assam at State Guest House No.1 at Koinadhara, Guwahati. The venue was chosen taking into consideration the involvement of large number of officials and the



residence of the Chief Justice being not adequate logistically to hold meeting of such a scale. The Agenda of the Meeting were to discuss on creation of posts of Judicial Officers, funds to be allotted for setting up of paperless Courts in the Gauhati High Court, matters relating to Judicial Academy's infrastructure development, etc. There was no agenda as regards setting up of the Judicial Township, including shifting of the High Court.

The Hon'ble Chief Justice requested Hon'ble Mr. Justice Suman Shyam, who is the Chairman of the Building Committee as well as the Chairman of the Information and Communication Technology Committee amongst others to accompany the Hon'ble Chief Justice as Hon'ble Mr. Justice Suman Shyam was actively involved in the digitalization of the Gauhati High Court. Further to that all the other Hon'ble Judges senior to Hon'ble Mr. Justice Suman Shyam were not present at Guwahati on that day. A request made by the Hon'ble Chief Justice to His Companion Judge is a request made by the High Court under who aegis each of the Hon'ble Judge function and such request are always adhered to. Hon'ble Mr. Justice Suman Shyam accepted the request and accompanied the Hon'ble Chief Justice along with the members of the Registry.

The meeting, as scheduled, took place on 08.03.2025 and the items mentioned in the Agenda were discussed. After the discussion, the officials of the Public Works Department (B), Assam offered to make a Power Point Presentation before the Hon'ble Chief Minister and Hon'ble Chief Justice so as to give a rough idea as to the nature of the State of Art infrastructure that can be set up at Rangmahal, North Guwahati. The said Power Point Presentation was shown. The Hon'ble Chief Justice then responded by saying that the presentation has to be placed before the Full Court of the Gauhati High Court before giving any opinion of that.

The Hon'ble Chief Justice on 13.03.2025 called for a meeting with the three associations of the lawyers having stakes in the proposed Judicial Township, i.e. the Gauhati High Court Bar Association, Gauhati High Court Advocates Association as well as the Assam Lawyers Association to discuss



their opinion/suggestions on the creation of the Judicial Township and what facilities they would require in the Judicial Township. All the Hon'ble Judges present at Guwahati on that day along with the Hon'ble Chief Justice attended the meeting. During the course of the meeting, the Gauhati High Court Bar Association, the Gauhati High Court Advocate Association as well as the Assam Lawyers Association were requested to be a part of a Committee to be constituted for moving forward with the idea of Judicial Township, taking into account that the land is yet to be allotted for setting up of a Judicial Township. The Executives of the Gauhati High Court Bar Association present informed that they would place the matter before its General Body and revert back. The Gauhati High Court Advocate Association expressed that they would go ahead with what the Gauhati High Court decided. The Assam Lawyers Association expressed that they would go with what the Gauhati High Court Bar Association decides.

It was informed subsequently to the Gauhati High Court that the Gauhati High Court Bar Association would not be a part of the Committee proposed. The Gauhati High Court appreciates the decision of the Gauhati High Court Bar Association not to be a part of the Committee but the same cannot be used as a tool to undermine the authority of the High Court to take appropriate decision in such matters.

ATTEMPT TO MALIGN THE IMAGE OF THE JUDICIARY

Most unfortunately with distasteful feelings, without ascertaining the actual facts and in utter disregard to truth, some of the members of the Gauhati High Court Bar Association had also made statements before the media spreading misinformation and making accusations with the sole intention to malign the image of the Hon'ble Chief Justice and His Brother Judge. The said section of members had falsely propagated before the media that the Hon'ble Chief Justice along with His Brother Judge had secretly met the Hon'ble Chief Minister and clandestinely agreed for shifting of the Gauhati High Court from the present location to Rangmahal at North Guwahati. False statements were made that decision to shift to Rangmahal was on account of



vested interest. Personal attacks were made against the Hon'ble Judge accompanying the Hon'ble Chief Justice with objectionable, offensive and obnoxious remarks that too without any basis. These statements so made have the effect of tarnishing the image of the constitutional functionaries connected with the Gauhati High Court. Such statements lower the dignity, majesty and image of the Judiciary in the eyes of the people and raises doubts in the minds of the people as regards the independence and impartiality of the institution.

The Gauhati High Court Bar Association on 26.03.2025 though had issued a notice distancing with the remarks so made by some members of the Association but taking into account the historical cordial relationship maintained between the Gauhati High Court Bar Association and the Judges of the Gauhati High Court, it was expected that the Gauhati High Court Bar Association would have condemned such remarks and taken due action against such members. However, nothing was done.

The Gauhati High Court therefore is compelled for the reasons abovementioned to come out from its usual institutional silence and make it clear that the independence of the Judiciary is non-negotiable.

While strongly deprecating such irresponsible conduct of a section of the Gauhati High Court Bar Association, the Gauhati High Court appeals to all right thinking and *bonafide* stake holders in the Institution, not to get swayed by such misleading projections made by a section of the Bar acting with vested interest and assures all concerned that every details on the issue of Judicial Township will be made available in the public domain at an appropriate time, as and when, the right occasion arises.


31/4/25
Registrar General
Gauhati High Court