

SATISH CHANDRA: A VISIONARY CHIEF JUSTICE



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Justice Satish Chandra was born on September 1, 1924. His father, Justice Chandra Bhan Agarwala, was himself a successful lawyer and later a Judge of the Allahabad High Court who, upon retirement set up practice at the Supreme Court and achieved much success with his hard work and sharp mind. After completing his education at Allahabad, he joined his father's chamber at Allahabad in August, 1947. He set up practice in civil, constitutional, revenue, company and taxation laws. On October 7, 1963, at a young age of 39, he was appointed additional judge of the Allahabad High Court, which was then under the stewardship of Chief Justice MC Desai. On September 4, 1967, he was made a permanent judge and on March 22, 1978 he was appointed Chief Justice of the Allahabad High Court. Later, on November 29, 1983 he was appointed Chief Justice of Calcutta High Court from where he retired on September 1, 1986. In between, he also became the Governor of West Bengal for a brief tenure. Upon

retirement he, like his illustrious father, set up a successful practice at the Supreme Court and earned much success. He left for his heavenly abode on January 24, 2000.

What made him the man he was, is not for me to try and discover here, but there can be no denying that he possessed a very sharp intellect and was a highly energetic individual who practiced and expected strict discipline and honesty in judicial work; he had extraordinary determination to beat adversity, whether it chose to meet him at work or on personal front; a stickler for method and in that sense conventional but who at the same time was constructively devoted to find new solutions to the vexed problems ailing the judicial system as he found it. Definitely, he did not support status quo rather, he was bold and decisive when it came to handing out and enforcing solutions to problems both in his judicial as also administrative capacity; he did not shy away from forthrightly stating and demanding more judges and finances to meet the criticism of judiciary over pendency of cases while at the same time he made the most of available resources by taking path breaking effective steps in case management to curb arrears without 'that' governmental help. He had a keen insight and near activist like commitment to solve



problems of shortage of housing and court rooms and dignity deficit in the subordinate judiciary that came to his notice; his near personal interest and efforts to ensure the well-being of officers manning the subordinate judiciary coupled with his cajoling members of the bar to seek excellence while, at the same time maintaining his highest respect for the profession, together with his advice to universities to better prepare students aspiring to work in courts - both as lawyers and judges, to me, mark him as a visionary who worked relentlessly and devotedly for betterment of the judiciary.

However, that done, he always found enough time to attend to his family, friends and hobbies. An avid gardener, he had interest in growing not only flower plants and vegetables, but he found enough

time to do personal research on a new variety of potatoes named 'Chandramukhi' developed by the Central Potato Research Institute, Shimla. It interested him so much that he procured its seeds to sow in his own garden and also those of his close friends whom he encouraged not only to grow that variety of potato but also regularly visited their gardens to monitor the growth and care of the crop. Not stopping at this, he would organise for storage of the harvested potatoes in a proper cold storage. His interest in ornamental and flowering plants along with fruit trees was no less. Such deep interest in gardening earned him the tag of a green thumb amongst his friends. When young, he had earned a flying license which he put to good use along with his dear friend (late) Tej Narain Sapru (also a licensed civil pilot). They were able to fly over the Sangam area to pay their personal homage to the memory of Mahatma Gandhi by dispersing floral petals when ashes of the mortal remains of the Mahatma were taken to Sangam for immersion. Later, he developed a passion for snooker/billiards while in his younger days he also enjoyed playing cricket for which his residence served both as a change room and also the venue for after-match parties for his close friends. He also found enough time and energy to organise picnics, attend a social club, and play bridge with friends besides remaining devoted to his family. From his early forties, he manfully battled illnesses and ailments that were a regular part of his life thereafter, but which could never bog him down or distract him from that which he perhaps identified as the purpose of his life – the judiciary.

His study and clinical analysis of the malice of long pendency of cases before various courts was scientific, incisive and yet practical. In 1978, he had noticed and voiced concern at the rapid growth of new litigation, criminal and civil, arising from a spate of social reform legislation in the post-independence era without adequate increase in number of judges. He noted the exponential growth of litigation in sessions and magisterial work during the period 1950 to 1975. He found the increase in number of judicial officers during that period from 400 to 800, wholly inadequate resulting in civil work getting ignored at the cost of criminal work. Therefore, he suggested to the legislature to prepare an 'Impact Statement' of new legislations to project the likely consequence of new legislation/s on the day to day work of courts. Had that suggestion been fully worked at and acted upon, then amongst others, the judge to litigation ratio could have been maintained better by allowing for credible and fair analysis/criticism of the working of different courts, with empirical certainty; better trained and equipped courts and officers could have been provided to handle new situations emerging from new legislations and justice dispensation could have been that much more efficient and exact without the pain of delay and sometimes hurry on part of some courts facing pressure of nearly insurmountable arrears.

As early as in 1978, he proposed universities to restructure the curriculum of their law courses to include therein 'a semester of practical training'. Today, it is a

standard feature of law courses all over the country - in the shape of internships necessary to be completed for successful completion of law course. His other proposals, yet to be acted upon were: - to include study of psychology of witnesses; special courses in study of criminal sentencing; art of clear thinking and; a test of nerve resistance and to impart that skill to budding lawyers at education stage itself. Passage of time and experience gained through painful and avoidable plethora of contempt proceedings involving lawyers, has not only established the relevance but the imperative need and urgency to act on this last suggestion made more than three decades ago.

The High Court, Chief Justice Satish Chandra noted, had expended 4016 hours during the period 1967 to 1978 to decide election petitions and at the same time also handled the extra work of 10,000 writ petitions arising from land ceiling legislation, all at the cost of regular work. While he exhorted the executive to strengthen the judiciary by appointing more judges he did not wait for that event to happen to bring the change. He took his practical yet scientific approach to contain the ill of long pendency. He categorised the wide variety of cases pending before his court into identifiable and manageable lots, according to the issue/s involved in each case and thus created different 'bunches' of cases. This having been done, he proceeded to place each 'bunch' for hearing before such bench of judge/s that would be best equipped to ensure an efficient and just decision, based on the knowledge, expertise and experience of the concerned judge/s. This simple yet scientific approach did not require more man power, yet it yielded desired results. For the first time, arrears of the court took a beating and their numbers dipped significantly. Simultaneously, he impressed on all judges to observe punctuality, describing it as 'a special brand of honesty to be practiced in the daily routine of court work'.

His methods for increasing the living and work conditions of the subordinate judiciary were equally admirable. He impressed upon the executive and through his highly persuasive skills got allocated more funds and land to build and renovate courts and residence for all his judicial officers. Amongst others, he got approved and implemented the new building plan for the Allahabad District Court, as well as in the majority of the District Courts in UP. Today, all new buildings of the subordinate judiciary are built on foundation stones laid by him. Simultaneously, he ensured creation of a sub-pool of residential accommodation in districts for preferential allotment to judicial officers who, otherwise were generally dependent on and in some cases, at the mercy of the executive officer / Rent Control and Eviction Officer for allotment of a residential accommodation upon every transfer owing to mandatory requirements of the rent control law in force in the state of UP. This step went a long way in freeing the junior judicial officers from possible executive influence in exercise of their judicial powers in difficult cases and it also added to their dignity and status vis-à-vis executive officers.

Again that effort having been made, Chief Justice Satish Chandra had also trained his eyes inwards and circulated a complete dossier on 'Manners and Etiquette' addressed to all his judicial officers on the 'Do's and Dont's' of social behavior.

For the High Court, he was instrumental in obtaining allocation of much needed funds by the executive to build new court rooms and much needed residential accommodation for judges including the present Chief Justice's residence. His interest was to build what was required by the High Court in its institutional interests and at the least cost, to the best effect. His dear friend Chief Justice Hriday Nath Seth fondly recalls his friend having got involved in the intricate details of design and cost with the engineers and architects who had been entrusted with the job. The present judges' club building was also renovated during his tenure as chief justice and that work again invited his keen interest and involvement and for which he also organised special cutlery. A man of fine taste, he could not bear to see the loss of several beautiful chandeliers made of Belgian glass go down with the Tehri court as it got submerged. He acted quickly to ensure their safe removal and re-installation at Allahabad – one in the marble hall of the High Court, another in the judges' library and yet another in the judges' club.

All this he could achieve while remaining punctual in court and throughout remaining focused on judicial work goes to prove the brilliance of each facet of his multi-faceted personality. Judgements, he wanted to offer 'just solutions to the suffering of the parties' and not be 'literary masterpiece' for the reader - a rule he appears to have practiced himself. While his judgements are exact and measured, they appear to decide only that which he felt was enough to decide the dispute between the parties, completely and effectively. While those who knew Chief Justice Satish Chandra or the lawyers who appeared before him recall him as a judge who was very sure of his views and who could make up his mind very quickly, yet, from his judgements one cannot conclude that the author must have made up his mind early. His method appears to have been to back his conclusions or findings or interpretations on reason - the heart and soul of justice dispensation.

His sense of duty and appreciation of the same was not confined to judicial office. At least twice during his tenure he communicated his written appreciation for the sense of duty shown by the men in uniform. Once, a sentry standing duty at his official residence stopped for checking, the car in which Chief Justice Satish Chandra was travelling from entering his residence, at a late hour, as it was an unidentified vehicle for him. On another occasion he appreciated the traffic constable for not allowing his official vehicle to drive in the wrong direction in a one-way lane at Lucknow - owing to ignorance of his driver. It would not have been much had Chief Justice Satish Chandra not taken care to write to the superior officers of those men,

commending them for the sense of duty shown.

For the profession of law, he owed everything by way of inheritance as also his own accomplishments and achievements. From lawyers he would have expected a lot both in court and also outside. I remember my father, then a senior Standing Counsel for the State, would by way of abundant caution, revise his preparation each morning before court, though he would have always done the preparation on the previous evening. That was the kind of respect the first bench of this court had earned for itself under Chief Justice Satish Chandra. He did not appreciate, at all, incorrect statements from the bar or of whispering inside or talking outside court rooms.

Truly he was a visionary who wanted to brace the judicial institutions and prepare men and women who would work for those institutions and to ready them for the future as also to take the institution and the men and women working therein to greater heights while living life to the fullest. He appears to have been a Chief Justice who was not only a visionary but who went on to do things to help realise his dreams for the institution so as to make it better in every sense, for generations to come and experience and appreciate.

Last, I must mention, being entrusted to do a pen portrait of Justice Satish Chandra, evoked in some part, self-doubt owing to my own limitations at writing as also my lack of personal interaction with him. I have been helped generously in this effort by his great friend Chief Justice (Retd.) Hriday Nath Seth, his dear friend (late) Tej Narain Sapru's daughter Justice Bharati Sapru, his son Justice Tarun Agarwala, without whose help even this feeble effort on my part would not have been possible. Also, the installation speech delivered by Justice Satish Chandra on his appointment as the Chief Justice of the Allahabad High Court in 1978, published in 1978 ALR (Journal) page 14, the dossier on 'Manners and Etiquettes' got circulated by him for members of the subordinate judiciary, while he was the Chief Justice of this Court and the article 'Role of Executive in Judicial Functioning' published after his retirement have also helped me in my attempt to understand his persona. I regret for having not found more time and for not making more effort in making my research, which if done, would undoubtedly have made this attempt more worthy of the man it seeks to describe.

Author was enrolled as an Advocate on November 25, 1992 and was designated as Senior Advocate on August 4, 2013. He has a very lucrative practice especially on the tax side in the High Court of Allahabad. He has represented major corporate houses of this country and number of multi-national companies.