

My Lord,

Hon'ble Mr. Justice M. K. Sharma, Chief Justice of Delhi High Court and his Companion Judges

Mr. A. S. Chandiok, President High Court Bar Association

Mr. P. P. Malhotra, Addl. Solicitor General of Govt. of India

Mr. J. R. Midha, Standing Counsel (Civil), NCT Delhi

Ms. Mukta Gupta, Standing Counsel (Criminal), NCT Delhi

Members of Bar Council of Delhi,

Office Bearers of Bar Associations of Delhi Courts,

Senior Member & Members of the Bar.
Judges of Delhi Judiciary,

Chief Justice of India
S. R.

Ladies & Gentlemen,

Mr. R. K. Jain, Senior Advocate of Supreme Court of India was an artist at living and his work of art was his life. He really saw himself as a force for good and an instrument for social improvement, who could use his obvious gift to help others. That vision in his life had meaning it gave him a purpose and fuelled his hopes.

A record six-time President of Supreme Court Bar Association, Mr. Jain began his career at Saharanpur in Uttar Pradesh. In 1971 he shifted to the Supreme Court in Delhi and worked his way up the legal ladder. An expert in Criminal law and human rights, he was also a staunch advocate of speedy and fair trials. He was the first man to demand financial autonomy for the judiciary to make it independent and protect it from the influence of the executive and the legislature. He said,

"It's much awaited. For the freedom of judiciary, the institution must not be made dependent on the legislature-controlled guided executive. Independence of judiciary and rule of law are the basic features of the constitution. It cannot be abrogated even by constitutional amendments. Independence of judiciary in a narrow sense deals with independence and impartiality of individuals judges in relation to the appointment, tenure, payment of salaries and procedures for removal from the office. In a broader sense at second level, the concept is about institutional independence of the judiciary, whereas financial or fiscal autonomy is connected with institutional independence of judiciary."

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His view is supported by Chief Justice of India Mr. Y. K. Sabharwal's. Justice Sabharwal's earnest appeal to Prime Minister Manmohan Singh, at an all judge's function recently for empowering the judiciary with financial autonomy can't be termed as too much of an expectation. The judiciary has to depend upon the executive for necessary planning and finances. In order to uphold the importance of the judiciary and its independence as a separate wing of the democratic set up, it was imperative that the judiciary should be able to plan its own requirements and implement them and this needs enormous finances.

His view was also supported by various judgements that have asked the government and its agencies to shun intra and inter litigations for the sake of saving the precious time of the judiciary. Majority of the litigations are due to the extravagance of either of the government bodies. Mr. Jain was also among the first lawyers to speak up against the death sentence.

He was amongst the rarest lawyers, who knew most of the members of the Bar by name and identified them by face and always helped them socially and professionally. His loss is loss of every one.

Alferd Lord Whitehead once said, "Great dreamers' de\reams are never fulfilled, they are always transcended, which is quite true as far as the life of Mr. R. K. Jain, Senior Advocate, is concerned. Mr. R. K. Jain, Senior Advocate, knew that mind management is the essence of life management.

Mr. R. K. Jain's mind had a magnetic power to attract all that he desired into his life.

You knew that there was nothing noble about being superior to some others. True nobility lies in being superior to your former self. He practiced creative envisioning through out his life.

I on behalf of myself and members of the Bar Council pay our sincerely, deep and heart feel condolence on the said sudden demise of our beloved Mr. R. K. Jain, Senior Advocate and request my-lord, Chief justice of Delhi High Court to convey our condolence to the bereaved family of late Mr. R. K. Jain and to the President of Supreme Court Bar.

In the last copy by Faiz Ahmed Faiz

Jain Hand.

Rajendra Singh