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Judiciary

Witness protection to table tennis reform: Gita Mittal is the retired judge for all reasons

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Former chief justice of the Jammu & Kashmir High Court Gita Mittal | Jindal Global Law School Youtube page

New Delhi: From chairing a committee to create a safer environment for 'vulnerable witnesses' to record their depositions in courts, to helming a panel that has taken over operations of the now-suspended Table Tennis Federation of India (TTFI) — Gita Mittal, former chief justice of the Jammu & Kashmir High Court, has kept busy since she retired in December 2020.

Born on 9 December, 1958, Justice Mittal is an alumnus of Delhi's Lady Irwin School and Lady Shri Ram College for Women. She completed her LL.B from the Faculty of Law, Delhi

University, and enrolled as an advocate in 1981. She was appointed as an additional judge of the Delhi High Court in July 2004, and confirmed as a permanent judge less than two years later, in February 2006. She was appointed acting Chief Justice of the Delhi High Court on 14 April, 2017.

After spending 12 years in the Delhi High Court (HC), she became the first woman Chief Justice of the Jammu & Kashmir HC in August 2018.

In the 17 months that have passed since she retired on 9 December, 2020, Justice Mittal has been appointed chairperson of the Broadcasting Content Complaints Council (BCCC) — an independent, self-regulatory body for non-news general entertainment channels set up by the Indian Broadcasting Foundation (IBF). She has also been called on by the Supreme Court in at least two matters — one, for creating vulnerable witness deposition centres throughout the country, and second, a dispute over repair works in a housing society formed among members of the Supreme Court Bar Association.

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Protecting 'vulnerable witnesses'

As a Delhi HC judge, Justice Mittal spearheaded the 'Vulnerable Witness Court Project' for trial courts in Delhi, leading to the first such courtroom of India being inaugurated in Delhi in September 2012, and the second in September 2013.

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She, therefore, seemed like the best choice for the Supreme Court when it constituted a committee in January this year for engaging with all high courts for the creation of deposition centres. The panel is also required to prepare a module for periodic training programmes to manage Vulnerable Witness Deposition Centres.

The apex court also appointed Justice Mittal as chairperson of this committee, and reiterated the importance of setting up facilities to ensure a safe and barrier-free environment for recording evidence provided by vulnerable witnesses. Moreover, it issued guidelines expanding the definition of a "vulnerable witness", to make it both age- and gender-neutral.

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In the same order, the court had stated that Justice Mittal's tenure would initially be for a period of two years. The court also directed the Union Ministry of Women and Child Development as well as the women and child development departments of states to coordinate with and extend all logistical support to Justice Mittal.

"The high courts shall, in consultation with the chairperson of the committee, enlist experts in the field to facilitate proper training and development of all stakeholders," it further said.

Last month, the Supreme Court expanded the definition of a 'vulnerable witness' to include — for the first time — those who record evidence in civil cases, such as family matters, and those heard by Juvenile Justice Boards (JJBs), involving runaway and delinquent juveniles. This was on the basis of Justice Mittal's latest report before the Supreme Court as chairperson of the committee.

From volleyball star in college, to TT post retirement

At her alma mater Lady Shri Ram College for Women, Justice Mittal had a keen interest in sports, and was sports president of the college. She was also captain of the Delhi Juniors team in volleyball.

In February this year, in what seemed like a return to sports for Justice Mittal, but in a different capacity, the Delhi HC appointed her as chairperson of the Committee of Administrators (CoA) to manage the affairs of the TTFI, the governing body for table tennis in the country, which was suspended in February. The committee also includes senior advocate Chetan Mittal and former athlete SD Mudgil.

The TTFI was suspended after an inquiry on a petition filed by table tennis player Manika Batra, who moved the Delhi HC last year when she was not selected for the Asian Table Tennis Championships because she absented herself from a national camp in Sonepat. Batra had alleged that the national coach, Soumyadeep "throw away" an Olympic qualifier match in favour of or 2025

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Last month, the CoA headed by Justice Mittal, in a plea commercial agreement signed between a private entity and the TFFI was riddled with "legal anomalies", diluting the TFFI's authority and causing pecuniary losses to the sports federation.

BCCC to the 'Supreme Towers'

Less than two months after she retired, Justice Mittal was appointed chairperson of the BCCC in January 2021. She succeeded former Supreme Court judge Vikramajit Sen, to become the body's first woman chairperson.

In July last year, when a dispute arose with regard to repair work and restoration of apartments located in Noida's Sector 99, for a cooperative housing society formed among members of the Supreme Court Bar Association, the apex court turned to Justice Mittal to intervene and chair a meeting between members of the Supreme Towers Apartment Owners Association (STAOA). Justice Mittal submitted a report before the court in August.

Last month, when the court was told that its orders with regard to the agreement for repair works still remains to be executed, the court turned to Justice Mittal again to take charge and convene a meeting between the parties to finalise the agreement.

Awards, before & after retirement

During her tenure, Justice Mittal was recognised on many occasions for her contribution to the legal system.

In 2018, she was awarded the Nari Shakti Puraskar by the central government while she was acting Chief Justice of the Delhi High Court. However, she faced backlash for her decision to accept the award as a sitting judge.

In 2019, she was also conferred the Justice PN Bhagwati Award at the Capital Foundation National Awards by Governor of Andhra Pradesh BB Harichandan and former Supreme Court judge AK Patnaik. This was in recognition of her judicial work towards "access to justice" and judicial innovation for designing "vulnerable witness deposition complex".

This streak has continued post-retirement as well. Last year, she became the first Indian judge to receive the Arline Pacht Global Vision Award for 2021 The communication of Women Judge to receive the International Association of Women Judge award in 2016.

(Edited by Gitanjali Das)

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