

# NATIONAL JUDICIAL ACADEMY



**TRAINING COURSE FOR PROSECUTORS OF CBI  
ALONGWITH UBNDER SECRETARIES,  
DY.SECRETARIES, DIRECTORS, DIRECTORS OF  
DOPT**

**(SPECIAL EVENT 8)**

26<sup>th</sup>-30<sup>th</sup> March, 2016

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## **Minutes of Training course for prosecutors of CBI along with under Secretaries, Dy.Secretaries, directors of DoPT**

A five day special event 8 was organized Training course for prosecutors of CBI along with under Secretaries, Dy.Secretaries, directors of DoPT by The National Judicial Academy, Bhopal.

### **Training Agenda:-**

- Enhancing the understanding on the basic knowledge about the investigation and its defects during the course of trial along with its scope and dimensions.
- Disseminating the various constitutional principles in order to provide a cutting edge to the participants in order to develop as a better professional in this dynamic legal world.

### **Key Points:-**

- The seminar started with the registration of participants.
- Address of welcome by Dr. Geeta Oberoi, Director, and National Judicial Academy, India.
- Further Addressed by Ms. Pragya Aishwarya Law Associate, National Judicial Academy, and India.
- The conference was attended by the prosecutors of CBI and the directors of DoPT

### **Day 1**

- The program started with a introduction of the participants.
- After basic lectures all of them focused on the practical and conceptual part of sections of criminal law in order to give the better understanding to the criminal Justice System.
- Every participant was requested to participate in various practical activities and discussions during the session.
- After the end of every theoretical session of the day participants were requested to use the library for further reading and thereafter imparting them with the Computer Skills Training.

### **Day 2**

- The program started with a series of theoretical lectures by Justice R. Basant , Justice Dharnidhar Jha and Justice Alok Verma
- Every participants were requested to gather for a group photograph.
- After the end of every theoretical session of the day participants were requested to use the library for further reading and thereafter imparting them with the Computer Skills Training and for local visits.

### **Day 3**

- The program started with a series of theoretical lectures by Justice K Hema, Garry Singh Sagarika Chakraborty and Prof S.P Srivastava .After basic lectures all of them focused on the practical and conceptual part of the subject in order to give the better understanding to the constitution.
- After the end of every theoretical session of the day participants were requested to give their valuable feedback and share their experiences.
- After the end of every theoretical session of the day participants were requested to use the library for further reading and thereafter imparting them with the Computer Skills Training and for local visits

#### **Day 4**

- The program started with a series of theoretical lectures by Justice Roshan Dalvi, Dr. Vijay Vancheshwar, Dr. Srikala Bharath, Parul
- .After basic lectures all of them focused on the practical and conceptual part of the subject in order to give the better understanding to the constitution.
- After the end of every theoretical session of the day participants were requested to use the library for further reading and thereafter imparting them with the Computer Skills Training and for local visits

#### **Day 5**

- The program started with a series of theoretical lectures by Sampath Iyengar,
- After the successful completion of the conference everybody has been greeted with the warm departure.

#### **Conclusion**

The conference was concluded by imbibing the basic principle of investigation in criminal Justice system with its scope and dimensions within the participants effectively and efficiently through various theoretical, conceptual as well as practical sessions over the time period of 5 days. This conference definitely helped all the participants to emerge as a better legal professional having a cutting edge of all the constitutional knowledge imbibed within them precisely.

## **DAY 1: 10:00 AM – 11:00 AM: SESSION 1**

### **Leveraging Global Legislations in conducting effective trials**

**Professor Geeta Oberoi** welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training. She later requested Mr. Kunal Gupta, Partner, Amarchand Mangal Das, and New Delhi to start the session.

This session basically aims at imbibing the concept of Leveraging global legislations in conducting effective trials.

He started this session by explaining the various legislations to deal with Anti-Corruptions along with Foreign Corrupted Cases Acts in USA and UK. Along with it He questioned the participants, what is leveraging? And explains it the concepts by citing the precedents such as the cases of Wal-Mart and Cadbury where the Prosecutions are made Public.

Later he talked about some of the Global legislations along with their advantages and +disadvantages. He also stated following Agenda in his presentation.

- Why should One care about Global Anti-corruption Legislations
- What are the key global anti-corruption legislations that I should be concerned with?
- How can I leverage knowledge from these legislations?
- What are the next steps?

He said that Companies have an incentive to do through internal investigation. He talked about the case of Siemens in 2008 where the penalty was 1.2 Billion Dollars accept the other costs to be borne by the company.

He further discussed the leading case laws such as Cadbury and Walmart whose documents were made public. He also explained the UK Bribery Act 2010 which is termed as the Strictest Act in the world in terms of corruption. Types of bribery such as Active Bribery and passive Bribery were also dealt with.

The session concluded with the following questions by the participants:

- How does the Anti Trust laws in America works
- How does prosecution system works in USA.

Participants then dispersed for tea.

## **DAY 1: 11:30 AM – 12:30 PM: SESSION 2**

### **Psychology behind Crimes**

Ms. Pragya Aishwarya Coordinator & Law Associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the Tea Break. She later requested Dr. Jayasankara Reddy to start the session.

The session basically narrated the true concept of Psychology behind Crimes and how it reflects individual personalities thinking capacity. He started the discussion by asking what you mean by Psychology in lay man sense.

He talked about Neurobiology Crime, Neurochemicals, Personality and Crime, Intelligence in Crime, Learning in Crime. He also talked about Forensic Psychology along with it he told the reasons treatment and prevention of the same.

He said that reasons behind criminal behavior can vary a lot in each particular cases based on their genetics and environmental factors.

He also stated Neuroanatomy of crime which can be stated as under.

- Frontal lobes
- Social cognition
- New brain
- Last developing brain
- Adolescents
- Control system
- Frontal lobe seizure
- Frontal lobe etomy

He also derived the difference between nature and nurture. In his presentation he talked about personality and crime. He defines personality as characteristics of an individual that pre-disposes one to act in certain ways in the environment.

He also said that there are 3 kinds of personality

1. Superego
2. Ego
3. ID

He further stated that Freud believed that behavior is influenced by unresolved conflicts in livelihood. He demonstrated with the help of an example. He said that crime would occur if there is a weak ego and malfunctioning of ego.

He later showed the presentation on intelligence and crime how they co-relate. He further introduced the term ADHD which means Attention Deficit Hyperactivity disorder along with the impulsivity and aggression.

Lastly he concluded by showing the table on Distribution of Intelligence:

IQ Range	Label	Gen. Prop	Prisoners
130+	Very Superior	2.5%	0
120-129	Superior	6.5%	1.2%
110-119	High average	14.9%	2.6%
90-109	Average	50%	42%
80-89	Low average	14.9%	26.7%
70-79	Borderline	6.5%	15%
Below 70	MR	2.5%	11.9%

The participants dispersed for tea break.

## **DAY 1: 1:00 PM – 02:00 PM: SESSION 3**

### **Establishing Chain to link circumstances in Court of Law**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the Tea Break. She later requested Justice S. Vimala to start the session.

This session basically aims at achieving various root point of establishing chain to link circumstances in court of law.

She started the discussion by saying that Circumstantial evidences are more important than direct evidences. In order to prove the circumstantial evidence the chain should be complete.

She also said that the circumstantial evidence is not very wide and it is based on the prosecuting officers and also said that the circumstantial evidences are more of personal appreciation and direct evidence should be supplementary to the circumstantial evidences in order to prove the guilt.

Later she explains the meaning of Evidence with the help of definitions given by Sir Blackstone and Sir Taylor.

- Where According to *Sir Blackstone*, 'Evidence' signifies that which demonstrates, makes clear or ascertain the truth of the facts or points in issue either on one side or the other.
- And According to *Sir Taylor*, Law of Evidence means through argument to prove or disprove any matter of fact. The truth of which is submitted to judicial investigation.

Along with it she explains the meaning of direct evidence, Circumstantial evidence and talked about crime scene investigation, documentation, reconstruction and stated that submission of the relevant evidence and preservation of evidence is critically important in all crime scenes investigation.

Later she also explains that weight of circumstantial evidence are less than direct evidence and the laws draws no distinction between Circumstantial Evidence and Direct Evidence in terms of weight or importance.

Moreover circumstantial evidence often has an advantage over direct evidence because it is more difficult to suppress or fabricate circumstantial evidences.

Finally she concluded Man may tell Lies, But Circumstances do not and discussed the Arushi murder case with the help of which she tells the concept of proof beyond the reasonable doubt.

The participants dispersed for lunch Break.



**DAY 1: 03:00 PM – 04:00 PM: SESSION 4**

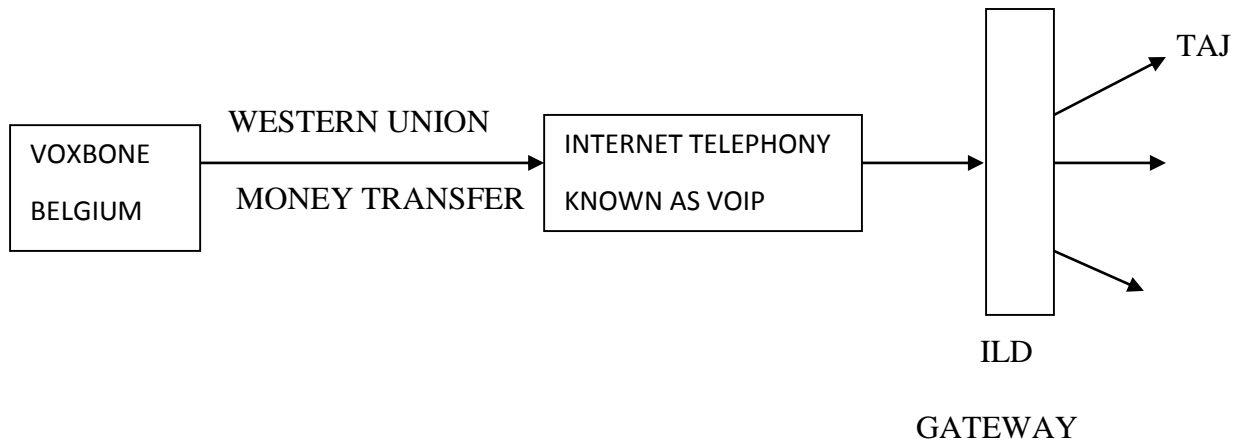
**Online Investigation**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the Lunch Break. She later requested Mr. Ravindranath Patil to start the session.

This session basically aims at imbibing the true sense of online investigation techniques carried out by investigating agencies within the participants by making them understand the latest developments in the technologies and their importance in solving the crimes committed with the help of technologies.

He started the discussion by stating 2 case studies one of which is investigated by USA in the case of David Coleman Headley. He said that the primary focus of any investigation is must be to prove the evidences beyond the reasonable doubt.

He explains how the investigation agencies traced the terrorists of Mumbai Terror Attack with the help of following diagram-



He further explains the case of Ajamal kasab and explains the challenges faced by the investigation agencies. Some of the major challenges are as follows-

- **Location of VOIP calls not found**
- **FBI intervention**
- **Cost of foreign visit**
- **Compatibility with 65B**
- **Voice matching**

Finally he concluded by explaining the term online investigation along with it explain the term internet, visible web and invisible web. Along with it he explains the objective of online investigation as follows:

- Surveillance on Anti-social elements
- Management of law and order
- Riot control
- Gathering intelligence.

Lastly he explains the concept of social engineering attack cycle. Participants then dispersed for tea.

**DAY 1: 04:00 PM – 05:00 PM: SESSION 5**

**Neutrality of Prosecutor**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the tea Break. She later requested Justice U.C Dhyani and Justice S Vimala to start the session.

This session basically aims at imbibing the true sense of neutrality of prosecutors in dealing with the criminal cases in their respective jurisdictions.

He started the discussion by asking what the participants what they understand about “**Neutrality?** He narrated the characteristics of neutrality possessed by individuals in every organization by explaining how neutrality is important in one’s own organization.

Later he asked the participants what is the triple supremacy law of land?

Further he explained what the three articles are which makes the triple Supremacy law of land. Articles 20, 21, 22 which deals with Right to life and no double jeopardy is allowed.

Later he discussed sections 24 and 25 of the Code of Criminal Procedure, 1973 which talks about the Public prosecutors and Assistant Public Prosecutors along with the appointment of such officers.

He further stated that when one person is born he should know the genesis.

Later he questioned the participants that according to them what is the better section for neutrality of prosecution?

He further discussed the various case laws in which the neutrality of prosecutors were challenged?

He also discussed the withdrawal from prosecutions. He also discussed some sections of Indian Evidence Act, 1882.

Finally he concluded by saying if the society wants a neutral judge neutral prosecution are also required.

Participants then dispersed for tea.

## **DAY 2: 10:00 AM – 11:00 AM: SESSION 6**

### **Independent Role of Prosecutors In criminal justice System: Accountability and Responsibility**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training for the respective sessions. She later introduced Justice R. Basant and Justice Dharnidhar Jha to the participants and requested them to start the session.

This session basically aims at achieving the independent role of prosecutors in criminal justice system along with their accountability and responsibility while the prosecutors prosecutes the accused.

He initially started discussing and explaining who is the Independent and accountable prosecutors in the criminal justice system. He emphasized how you differentiate between accountable and non-accountable prosecutors.

He said that every professional should remember the articles such as Article 51-A of the constitution to endeavor and gain excellence in order to discharge the Fundamental Duties.

He further differentiated Professional Excellence and Ethical Excellence. He further narrated a short story based on whether the individuals are aware or have an idea of what are they doing?

He asked the participants among them how many are having an idea of what are they doing? Are they doing for the sake of moral duty or with the aim of achieving certain tasks in their lives?

He stated that in order to be independent and accountable prosecutor's transfer of mindset is the main objective. There are two reason such as external aggression and internal disturbances which need to be prevented and it should ensure harmony in the society.

He also stated that in order to ensure speedy justice criminal justice system should reform the criminals and also save the innocent and punish the guilty to make the society crime free society.

He further stated that Article 21 of the constitution Right to life does not mean a mere right to existence but a dignified living free from crime and freedom from fear of crime.

Later the 3C's of ethical Qualities Were discussed such -

- Character for Functioning
- Commitment to what?
- Competence

Finally the session concluded by saying Judges were termed as umpire and judges and lawyers have to cross the ocean of the truth to reach the truth. Participants then dispersed for tea.

## **DAY 2: 11:30 AM – 12:30 PM: SESSION 7**

### **Biases of Prosecutor**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the tea break. She later introduced Justice R. Basant and Justice Dharnidhar Jha to the participants and requested them to start the session.

He initially emphasized on the meaning of Biases of prosecutors along with that discussed the sections 24 and 25 of the Code of Criminal Procedure, 1973 which deals with appointment of public prosecutors.

He further talked about the law commission Report which review the proceedings of prosecution.

He stated that Prosecution are the independent authorities and the officers of court.

He encouraged the participants who are the officers of the court by saying that they assist the court in reaching the fair trial.

He also sated certain leading case laws such as Vijay Kumar Baldeo Mist V State of Maharashtra which deals with the sections 26, 27, 28 of CrPC.

He emphasized on the character which is an inbuilt capsule everyone knows about themselves. He told the participants not to make a grievance of being honest and integrity. Being honest is the decision chosen by themselves only and should never regret on such decisions.

The session concluded with the discussion on Plea Bargaining. Participants then dispersed for tea.

## **DAY 2: 01:30 PM – 03:30 PM: SESSION 8**

### **Learning by problem solving**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the Lunch Break. She later introduced Justice Alok Verma to start the discussion.

This session basically aims at achieving the methods and ways of solving problem by the prosecutors in dealing with the cases in day to day life.

The Justice requested the participants to make 3 groups of 5 members in order to conduct the exercises for the learning of problem solving.

He had prepared 3 case laws and requested the participants to read and understand the cases.

Among the 3 groups the Justice requested the each group to become prosecutors, Defense Counsel and respective Judges to carry out the exercises.

Each group read and understand the case and argued on the following points they found to be important.

The case laws were on the sections 306,302,376 of Indian Penal Code, 1860 and 32(1) of the Evidence Act, 1882.

Followings questions were discussed:

- Whether you can rely upon the eye witness or not?
- Whether the suicide note amounts to dying declaration under section 32 of Indian Evidence Act, 1882

The session concluded with the question and answers between the resource person and the participants. Participants then dispersed for lunch break.



**. DAY 3: 10:00 AM – 11:00 AM: SESSION 9**

**Scientific Investigations**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training for the respective sessions. She later introduced Justice K Hema to start the discussion.

She initially emphasized on the concept of Scientific Investigations, proof and burden of proof where she talked about sec-101 & 106 of Indian Evidence Act which states that Whoever desires any Court to give judgment as to any legal right or liability dependent on the existence of facts which he asserts, must prove that those facts exist.

Further she talked about the concept of Burden of proof where she said that when a person is bound to prove the existence of any fact, it is said that the burden of proof lies on that person. She also stated that Burden of proving fact especially within knowledge.—When any fact is especially within the knowledge of any person, the burden of proving that fact is upon him.

Finally she concluded her presentation by saying that scientific investigation in today's scenario is very important in order to prove the burden of proof on the accused.

### **DAY 3: 11:30 AM – 12:30 PM: SESSION 10**

#### **Cyber Forensics**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the tea break. She later introduced Chair Justice K Hema and Ms. Garry Singh to start the discussion.

This session basically aims at achieving the meaning of cyber forensics which also mean by Digital Forensics. She started the discussion by asking the participants what you mean by Cyber Forensics and its role in the criminal justice system.

He further explained what digital forensics are in real terms **preservation, collection, validation, identification, analysis, interpretation, documentation** and **presentation** of after-the-fact **digital information** derived from **digital sources**.

She also stated that the practice of collecting, analyzing and reporting on digital information in a way that is legally admissible. It can be used in the detection and prevention of crime and in any dispute where evidence is stored digitally.

She further showed the slide on the global cybercrime prevailing in different countries at different percentages.

Later discussed that why forensics are needed in dealing with criminal cases:

- Identify the perpetrator
- Identify the method/vulnerability of the network that allowed the perpetrator to gain access into the system
- Conduct a damage assessment of the victimized network
- Preserve the Evidence for Judicial action

Further she discussed the rules required for forensics to set up:

- Indian Penal Code
- Information Technology Act
- Indian Evidence Act
- International laws
- Rules of software/tools
- Company rules

She also stated the tools for the Digital Forensics such as commercial and open source.

She also discussed about the process of digital forensics such as:

1. Identification
2. Preservation
3. Collection
4. Examination
5. Analysis
6. Presentation

She emphasized on the saying of Samuel “**Life is the art of drawing sufficient conclusions from insufficient premises.**”

She also discussed the power of internet in the leading cases like Arushi murder Case. Along with the discussion on the top location of evidences.

The session concluded with the discussions on the machines and power of internet along with the case laws and different approaches by the participants in their working ambit related to the digital forensics. Participants then dispersed for tea.

## **DAY 3: 01:00 AM – 2:00 PM: SESSION 11**

### **Limits of Forensics and Cyber Investigations**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the tea break. She later introduced Chair Justice K Hema and Ms. Sagarika Chakraborty to start the discussion.

This session basically aims at achieving the meaning of cyber forensics and their limits in the investigations carried out during the trials. She discussed the areas what types of web crime prevails such as –Data Theft, Terrorism, Stalking, Money laundering, Defamation, Piracy, Sex crimes, Murder.

She further explained the limitations on the basis of **geographic based differences:**

- Differences in technological expertise
- Difference in legal position
- Difference in Judiciary position

She also explained the **technological Expertise :**

- Efficiency
- Data Recovery
- Counter measure tackling
- Expertise
- Timely action

She also explained the ways to handle smartphones mobiles, laptops, and data tampering, beyond ISP's. She also asked the following questions relating to the evidence management.

- Can the information in the "chain of custody" form prove the "continuity of evidence"?
- Is the information present in the "chain of custody" form known and acceptable by all parties present?
- Can the process of evidence management help determine the following:
  1. Being able to determine which evidence came from which piece of hardware,
  2. Where that piece of hardware was retrieved from,
  3. Documenting all persons handling the evidence,
  4. Ensuring secure storage of the evidence with limited accessibility,
  5. Documenting all processes used to extract the information,
  6. Ensuring that those processes used are reproducible, and would produce the same result.

She concluded the session by discussing the legal jurisdiction challenges faced by India and also said that understand the position of digital / cyber forensics in India, a combined reading of the **Indian Evidence Act, 1872** is required along with the **Informational Technology Act, 2000** and **Indian Penal Code, 1860**.

However, despite the same there remains a few challenges that are unresolved and delay and hamper the smooth functioning of the judiciary while dealing with such cases. The issues faced mainly are lack of expert's jurisdiction issues admissibility of evidence.

She also discussed the ways to handle such issues by educate, empower, engage, engineer. Then break for Lunch.

## **DAY 3: 03:00 AM – 4:00 PM: SESSION 12**

### **Defects in Investigations**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the Lunch Break. She later introduced Chair Justice K Hema and Prof. S.P. Srivastava to start the discussion.

This session basically aims at achieving the reasons of defects in investigations conducted during the trial. The session started with the discussion of section 145 of the Indian evidence Act. She also discussed the section 60 of the Indian evidence Act which deals with opinion to prove by the Direct Evidences and which grounds are relevant.

She asked the question that whether on the basis of the opinion the court may rely and pass the judgement? She explained what is fact and statement of facts. Section 3 of the Indian Evidence Act was also discussed. She asked is facts sufficient to prove for the guilt or statement of facts is important?

She asked the participants when a fact can be said to be proved. She further discussed section 61, 62, 63 and 64 of the Indian Evidence Act which talks about the Documents proved by primary and secondary evidences.

According to the provisions fact is something which is seen perceived by senses and words.

Later on she showed a slide having a crushed paper written something on it. She asked the participants whether such paper is a document or not?

The major drawback lies in the investigation procedure is manipulation of facts and documents.so manipulated facts and evidences should not be used to prove the guilt of an accused.

Then the speaker started explaining the term Investigation as ` defined in Section 2(h) of the Code to include all the proceedings under the Code for collection of evidence conducted by a police officer or by any person (other than a Magistrate) who is authorized by a Magistrate in this behalf.

Some major case laws were also discussed passed by the Supreme Court

- **Amit Bhai Anilchandra Shah v. CBI, (2013) 6 SCC 348**

In this case an investigator is a kingpin of a criminal justice system

- **Nirmal Singh Kahlon V State of Punjab and Ors (2009) 1 SCC 441**

In this case an accused is entitled to a Fair Investigation. Fair investigation and fair trial are concomitant to preservation of fundamental right of an accused under Article 21 of the Constitution of India. A victim of a crime, is equally entitled to a fair investigation.

The speaker concluded the session by the causes and effective defective investigation Defective investigation per se cannot be a ground to declare the innocence of an accused.

Participants then dispersed for tea.

## **DAY 4: 10:00 AM – 11:00 PM: SESSION 13**

### **Sensitization of CBI and Prosecutors in Gender sensitive Trials**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training for the respective session. She later introduced Justice Roshan Dalvi to start the discussion.

This session basically aims at achieving sensitization of CBI and prosecutors in gender Sensitive trials conducted during the trial. The session started with the discussion by asking why there is a need for gender equality in our system.

Articles such as 14, 15, and 16 of the constitution talks about the equality conferred on the citizens in our constitution. She further said that Gender equality is necessary not only because of the Constitutional provisions but also to unleash the energy and productive capabilities of women.

She stated that In spite of the increasing violence against women in the country and the grossly inadequate response of the police personnel, particularly at the cutting edge level, in dealing with crimes against women, no systematic and sustained efforts have so far been made by state police organizations to sensitize the police personnel with regard to various gender issues.

She also emphasized on some of the exceptions also by stating an example the Delhi Police has been making efforts to impart gender sensitization training to Inspectors/ Sub-Inspectors with the help of Gender Training Institute, New Delhi. The credit for organizing the training courses should go to Dr. Kiran Bedi, Joint Commissioner (Trg.), Delhi.

She asked the participants about their views and experiences in dealing with such cases. She also stated that the National Commission for women has widened its area of functioning by arranging visits and programs ranging from legal awareness camps to public hearings to Parivarik Mahila Lok Adalats (PMLA) in the farthest nooks and corners of the country. Participants then dispersed for tea.



## **DAY 4: 11:30 AM – 12:30 PM: SESSION 14**

### **Communication at work place**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the tea break. She later introduced Dr. Vijay Vancheshwar and requested to start the discussion.

This session basically aims at achieving the best way of communication between the colleagues and individuals in an organization in order to have hassle free working environment.

He started the discussion by showing slides on communication skills one has to follow in day to day life. He further explained about the reflective listening and mechanical listening. Reflective listening tells every individual to maintain an eye contact, don't interrupt and paraphrase which means you understand and convey that you understand.

He also showed a video clip on reflecting listening where a conversation between husband and wife was with eye contact and not by interrupting each other.

He said that Ethical framework for Interpersonal communication was stated by Martin Buber who was a German philosopher stresses the importance of our attitude in setting the moral tone of our conversation.

He further emphasized on two kinds of human attitudes self-centered and who appreciates others. He also explained about the 6 thinking hats concept by Edward Debono. He also stated inter and intra communication.

He also talked about the persuasion which deliberates attempt to make other person or group to adopt a certain idea.

He also emphasized on the Triad principle which follows the KISS principle .he also said that perception is indeed a reality for each one of us. Smart and Conscious communication is all about making others receptive to our point of view.

He also stated the Principle of Success given by none other Albert Einstein.

He further talked about the 8 folded managing self:

- Set an example
- Love what you do
- Discover the self esteem
- Care for the people
- Sanctity of work
- Make people feel they are understood
- Personal management
- Silent prayer.

He further concluded the session by explaining the HAIL concept which shows 4 positive for good public speaking that is Honesty, Authenticity , Integrity, Love along with it he said put U instead of I , Listen reflectively, be more interested than interesting. Participants then dispersed for tea.

## **DAY 4: 01:00 PM – 02:00 PM: SESSION 15**

### **Work Pressure, Stress and mental Health**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the tea break. She later introduced Dr. Srikala Bharath and requested to start the discussion.

This session basically aims at achieving the best way of communication between the colleagues and individuals in an organization in order to have hassle free working environment.

This session basically aims at achieving various root point or root causes from where the stress can emerge and how to deal it or cope with it in an effective manner without hampering one's own health and daily routine.

She initially started discussing and explaining the meaning of the term "Stress Management". She emphasized on how do stress occur? Its prime causes and control along with it he told all the various conditions in which stress can be accounted by the people. She describes stress as constructive and destructive which is further divided into "Eustress" and "Distress". Such stress basically increases the capability of performance and decreases the health status of a human being.

She further discussed the points such as root for happiness and asked the participants to share their views. She differentiated between happy people and unhappy people based on example of marriage and love, work and personality etc. She further discussed by comparing the various surveys that married people are happier as compared to the unmarried people.

Different participants discussed their areas of stress and asked for the methods or solution to deal or cope with it. Dr. Srikala Bharath helped the participants to correct and curb their difficulties and also explained that how stress can be curbed or managed effectively.

Dr. Srikala Bharath said that stress is the main cause for various diseases occurring in the human being and if we can't curb the stress effectively it will harm our health which in turn leads towards a failure in our life therefore one must focus towards the stress management and try to find out the

root cause of the stress in whatever profession we are then only we can give our best to that profession.

Finally Dr. Srikala Bharath concluded the session by saying that stress is present in every profession but we must try to find out the cause of it then only we can find the solution to cope with it because nobody in this world is there who do not have any stress everybody has to face certain stress in their life but there are various ways to cope up with it unless one has identified the main cause of his/her stress.

Participants break for Lunch.

## **DAY 4: 02:00 PM – 03:00 PM: SESSION 16**

### **Ethics at workplace**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the lunch break. She later introduced Ms. Parul Rishi and requested to start the discussion.

This session basically aims at achieving good ethics and morals imbibed in individuals during the course of working. She started the discussion by asking the participants about Ethics what they feel ethics are. She also elaborated on 4 questions mainly –

- What is Ethical behavior?
- From where these ethics come?
- Who tells you to be ethical?
- Why you accept or deny their advice?

She also explained that every individual have a Dev and a Danav in them which means a good side and a bad side but both are helpful for one's development.

She also stated TRIO which tells about Kaam, Artha, Dharma i.e. Beauty, Resources, and conscience. She also explained the difference between Ethics, Morals and Values and asked the participants to tell their views regarding the same.

She further explained ethics are socially accepted virtues socialization process of morals and culture. She also tell that ethical behavior is era of transparency, confirming to policies, rules, regulations.

She further showed a slide having nine dots which need to be joined with each other without lifting the hand. She also discussed about Super ego and ID.

Ms. Parul Rishi explained 8 basic problems faced by the people in an organization due internal and external force. The categories included Ego, Sabotage, and attitude, mismanagement, followed by interpersonal skills and miscommunication in order of failure to good ethics.

She said that maintaining good relationship with people in an organization and try to find out the root cause of the various problems faced in whatever profession we are then only we can give our best to that profession.

Finally she concluded the session by saying that having good ethics and morals.

The session was concluded with the open question answer round followed by some suggestions for the participants by Ms.Parul.

The participants dispersed for library and computer skills. Participants then dispersed for tea.

## **DAY 5: 10:00 AM – 11:00 AM: SESSION 17**

### **Leadership Skills**

Ms. Pragma Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training for the respective sessions. She later introduced Mr. Sampath Iyengar and requested to start the discussion.

This session basically aims at imbibing the true sense of leadership within the participants by making them understand the true meaning of the term leadership and helping their personality to evolve as a good leader in their professional life.

He started the discussion by asking; what comes in our mind at first when we listen to the word leader; He gave some examples of a good leader like Dr. APJ Abdul Kalam, Gandhi Ji, Narendra Modi, Barack Obama etc., along with it he explained the meaning of the term “Leadership”. He describes Leader as constructive and destructive. Along with it he describes the two separate concepts of “Situational Leadership” & “Transactional Leadership” where the former one involves or occurs when there is follower’s readiness is present and there is importance given to followers whereas the later one involves the personal humility and the intense professional will.

He then makes a difference between a Leader & a Manager by explaining that all leaders can be a Manager but all Managers can’t be a Leader. While adding to this differentiation he said that a leader is one who have followers with them but the managers have the people who work for them. He then classified the Leaders into two different categories i.e. Proactive Leader & Reactive leader and emphasized on some basic characteristics of a leaders such as Ambition & Energy, Desire to lead, Honesty, Behavioral Approach etc.

He further talked about different levels of leadership numbering them into 5 levels as Level 1 Leaders, Level 2 Leaders and so on up to Level 5 Leaders.

He added that Level 5 leaders are those individuals who possess personal humility and professional will at a same time, they are basically known as outlier among there groups and it is considered as highest degree of leadership in its hierarchy.

He also showed a video of a mother and a child posing different age groups of a child from infant to the adulthood. The session was indeed a very sensitive and heartwarming because he explained that in this world no other than a mother can be a leader in one's life.

Finally he concluded the session by saying that in order to become a good leader one must possess the quality of a leader as well as manager on the same time

Because a successful person needs to be both a strong leader as well as a good manager to get their team on board to follow them towards their vision of success. Participants then dispersed for tea.



## **DAY 5: 11:30 AM – 12:30 AM: SESSION 18**

### **Team Building**

Ms. Pragya Aishwarya Programme Coordinator & Law associate, National Judicial Academy welcomed the gathering of Prosecutors of CBI, along with Under Secretaries Deputy Secretaries and Directors of Department of Personnel and Training after the tea break. She later introduced Sampath Iyengar and requested to start the discussion..

This session basically aims at imbibing the true sense of team building within the participants by making them understand the true meaning of the term team and helping their personality to evolve as an able professional to work within the team in their professional life.

He started this session by saying that this will be somehow the conceptual session in which we talk about various aspects relating to the formation of team. He explained various reasons why people are not working within the organizations in which she stated the following main causes:-

Lack of capacity  Lack of opportunity  Lack of willingness

Along with the above factors he explained the concept of “Maslow” in the workplace where she describes the needs of a human being and its relationship with their performance with the help of the following flowchart starting from downwards to upwards.

- BIOLOGICAL & PHYSIOLOGICAL NEEDS
- ESTEEM NEEDS
- BELONGINGNESS & LOVE NEEDS
- SAFETY NEEDS
- SELF ACTUALIZATION

He explained that at the very beginning all human beings wants to satisfy their Biological & Physiological needs and when it is satisfied they move to the next level i.e. of security needs and then they move forward towards fulfillment of Belongingness & love needs after which they want to get satisfy their esteem needs and finally the Self Actualization needs on the final stage.

He further narrates the story of a Crow, Rabbit & a Fox which tells about the importance and responsibilities of a person sitting at the top of the organization. Some of its importance and responsibilities which we can derive from the story are as follows:-

- One always have a big picture of an organization.
- He/ She must be able to asses risk and save the employees from the same
- He /She must communicate well with the employees.
- He /She must treat everyone as per their potential.
- He /She must take the right decision.

And if any person have the following points imbibed in it then he/she can be a good team leader and make others capable enough to work in a team with a team spirit.

Then he requested all the participants to join for a short practical activity where all 15 members are divided into 3 groups of 5 members each and they have to work in a team and work on the situation given on to them “Desert”.

He said that the basic motive behind such activity is to develop a true sense of team spirit within the participants as they were divided into teams and they have to accomplish the certain given task within a certain given time. He also showed a video clip in which a group of ants wanted to cross the longest river of the world and how they succeeded in doing that can be make it out from good team building.

He finally concluded the session by saying that with the help of the above practical activity has become possible only because of a team effort therefore one must try to understand the importance of a team within the organization and must try to develop such personality so that one can work with the team spirit in any organization for its overall success. Participants then dispersed for tea.

