

# National Judicial Academy

P-1002: Workshop on Applicability of ADR techniques to Reduce Pendency in Courts  
26<sup>th</sup> – 27<sup>th</sup> November, 2016

Programme Coordinator : Mr. Yogesh Pratap Singh, Research Fellow  
No. of Participants : 33  
No. of forms received : 33

<b>I. OVERALL</b>				
<b>PROPOSITIONS</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
a. The objective of the Program was clear to me	<b>96.97</b>	<b>3.03</b>	-	-
b. The subject matter of the program is useful and relevant to my work	<b>72.73</b>	<b>27.27</b>	-	-
c. Overall, I got benefited from attending this program	<b>93.33</b>	<b>6.67</b>	--	-
d. I will use the new learning, skills, ideas and knowledge in my work	<b>78.79</b>	<b>21.21</b>	-	-
e. Adequate time and opportunity was provided to participants to share experiences	<b>80.65</b>	<b>19.35</b>	-	-
<b>II. KNOWLEDGE</b>				
<b>PROPOSITIONS</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
The program provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	<b>74.19</b>	<b>25.81</b>	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>78.12</b>	<b>21.88</b>	-	-
c. Up to date	<b>71.88</b>	<b>28.12</b>	-	-
d. Related to Constitutional Vision of Justice	<b>59.38</b>	<b>34.38</b>	<b>6.24</b>	-
e. Related to International Legal Norms	<b>48.39</b>	<b>38.71</b>	<b>12.90</b>	21. Modulated as per Indian social conditions.
f.				

<b>III. STRUCTURE OF THE PROGRAM</b>				
<b>PROPOSITIONS</b>	<b>Good</b>	<b>Satisfactory</b>	<b>Unsatisfactory</b>	<b>Remarks</b>
a. The structure and sequence of the program was logical	<b>84.85</b>	<b>15.15</b>	-	-
The program was an adequate combination of the following methodologies viz.				
i. Break-out Group discussion was	<b>72.00</b>	<b>28.00</b>	-	-
ii. Interactive sessions were fruitful	<b>81.82</b>	<b>18.18</b>	-	
iii. Audio Visual Aids were beneficial	<b>70.97</b>	<b>29.03</b>	-	-
iv. Role Play	<b>80.65</b>	<b>19.35</b>	-	
v. Case Law Analysis	<b>62.07</b>	<b>31.03</b>	<b>6.90</b>	-
<b>IV. INDIVIDUAL SESSIONS</b>				
<b>PROPOSITIONS</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
a. Discussions in individual sessions were effectively organized	<b>75.76</b>	<b>24.24</b>	-	-
b. The session theme was adequately addressed by the Resource Persons	<b>90.91</b>	<b>9.09</b>	-	-
<b>V. PROGRAM MATERIALS</b>				
<b>PROPOSITIONS</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
a. The Program material is useful and relevant	<b>100.00</b>	-	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>87.88</b>	<b>12.12</b>	-	-
c. The content was organized and easy to follow	<b>90.91</b>	<b>9.09</b>	-	-

## VI. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme

1. 1. Mediation is the greatest of all ADRs; 2. Sec 89 to be given a shot before going ahead with a dispute.
2. Participant did not comment.
3. Participant did not comment.
  
4. 1. The theme is prepared based on latest case laws; 2. It is useful in dispute resolution; 3. Mediators be properly trained.
5. Applicability of ADR to reduce; 2. How to proceed with mediation; 3. Strategies and Techniques.
6. 1. Enlightened the importance of mediation; 2. Role of Referral judges; 3. Importance of Judge-mediator.
7. Lecture of Hon'ble Manmohan Sarin, giving examples of practical problem.
8. Sensitized towards ADR.
9. Part of Referral Judge.
10. I learnt that there are many things to know.
11. Sessions were lively, interactive and educative.
12. All programmes
13. I got experience.
14. Everything ok.
15. Broadening the vision; Gaining knowledge; Sharing experience
16. Participant did not comment.
17. High Standard of Learning.
18. Understanding mediation process & its use as ADR tool for settlement of cases.
19. 1. Subject matter is relevant; 2. Course programming is good; 3. Good study materials.
20. 1. What the mediation etc. ADR really are and the importance in Indian context; 2. Role of the mediator, responsibilities; 3. How effective it can be in the quick resolution of dispute.
21. Learnt of ADR mechanism to curtail cost & delay, ensuring also that the outcome is just.
22. All Sessions.

	<p>23. Non-judgmental / neutral &amp; proactive role for Mediator.</p> <p>24. I found that, mere training of 40 hours is not sufficient. Such course motivates us as well as activates judges to do the needful. It will certainly achieve the goal of this Noble Institution.</p> <p>25. It helped in improving techniques, it may be used in daily work.</p> <p>26. 1. Introduction must be very effective; 2. Try to understand the feelings and emotions of the parties.</p> <p>27. Gave a proper perspective on Mediation; Role of a Mediator; Advantages of Mediation.</p> <p>28. 1. Vast concept of Mediation; 2. Role of Judge/Mediator; 3. Ready material like case laws.</p> <p>29. More about ADR mechanism; How to proceed in a Mediation; Role of a referral judge.</p> <p>30. 1. Role of Mediators in settling a dispute; 2. The areas to be touched upon by a mediator; 3. Not to go through the pleadings.</p> <p>31. 1. How to use ADR method in minimizing the litigation &amp; to reduce the same; 2. How to save the parties from spending long years in litigation &amp; money; 3. How to take benefit from ADR methods.</p> <p>32. Role of Mediator; Role of referral Judge; Way out to solve the disputes of the parties in different ways.</p> <p>33. 1. Section 89 be used; 2. Mediation has values.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. <i>Session 1-Challenges in implementation of ADR system in Subordinate Courts –A Critical Analysis</i></p> <p>2. Participant did not comment.</p> <p>3. Each part is connected to each other and all useful.</p> <p>4. Participant did not comment.</p> <p>5. <b>Session 2: ADR, Mediation and Section 89 of CPC</b> <b>Session 3: Understanding conflict, their bases and groundings: Strategies and Techniques;</b> <b>Session 4: Reducing differences between parties: Role of different stakeholders</b> &amp; <b>Session 5: Effective resolution of Family and Matrimonial disputes---</b>These sessions made us to understand mediator’s orientation, Strategies and Techniques.</p> <p>6. Role of Referral Judges</p> <p>7. Participant did not comment.</p> <p>8. All</p>

9. **Session 2:** *ADR, Mediation and Section 89 of CPC*    **Session 3:** *Understanding conflict, their bases and groundings: Strategies and Techniques;* **Session 4:** *Reducing differences between parties: Role of different stakeholders*    & **Session 5:** *Effective resolution of Family and Matrimonial disputes---* More relevant to our judicial work.
10. Total programme useful as we have to do the work related to ADR every day.
11. Role of Mediation.
12. Group discussion
13. All programmes were useful.
14. Each and every programme is useful.
15. All
16. Group Discussion
17. All
18. Role play in Mediation.
19. The practical aspect of the course as it is more interactive.
20. Generally, all sessions were good.
21. Presentation by Hon'ble Ms. Justice Manju Goel. The game was lively, interactive and gave food for thought.
22. All Sessions.
23. **Session 1:** *Challenges in implementation of ADR system in Subordinate Courts – A Critical Analysis.*
24. **Session 1:** *Challenges in implementation of ADR system in Subordinate Courts – A Critical Analysis;* **Session 5:** *Effective resolution of Family and Matrimonial disputes.*
25. **Session 5:** *Effective resolution of Family and Matrimonial disputes;* **Session 6:** *Application of Mediation Techniques: Role Play in Mediation.*
26. **Session 2:** *ADR, Mediation and Section 89 of CPC* is most useful. In short, we understand the process of mediation and relevant citations.
27. **Session 6:** *Application of mediation techniques*-Role play gave a practical perception of the idea of mediation.
28. **Session 5:** *Effective resolution of Family and Matrimonial disputes;* **Session 6:** *Application of Mediation Techniques: Role Play in Mediation.*
29. Role Play – Understood how to conduct Mediation.
30. **Session 1:** *Challenges in implementation of ADR system in Subordinate Courts* by Justice D.M. Dharmadhikari; **Session 2:** *ADR, Mediation and Section 89 of CPC;* **Session 5:** *Effective resolution of Family and Matrimonial disputes*

	<p>31. Every Session was useful.</p> <p>32. Most of the part of the programme found most useful in ADR System.</p> <p>33. Participant did not comment.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. Participant did not comment.</p> <p>2. Participant did not comment.</p> <p>3. Not any</p> <p>4. Participant did not comment.</p> <p>5. Nil</p> <p>6. NA</p> <p>7. Participant did not comment</p> <p>8. None</p> <p>9. Participant did not comment</p> <p>10. NIL</p> <p>11. None</p> <p>12. Participant did not comment</p> <p>13. No</p> <p>14. NIL</p> <p>15. None</p> <p>16. Reading the paper</p> <p>17. No.</p> <p>18. Participant did not comment.</p> <p>19. Wastage of time or generalities by the Resource Persons.</p> <p>20. Nil</p> <p>21. None</p> <p>22. NA</p> <p>23. NA</p> <p>24. No</p> <p>25. Participant did not comment.</p> <p>26. Participant did not comment.</p> <p>27. Film show – didn't give anything with regard to the role of a Mediator.</p> <p>28. <b>Session 3: Understanding conflict, their bases and groundings: Strategies and Techniques-</b> I did not cover the subject.</p> <p>29. Not any part.</p> <p>30. Understanding conflict, their bases and founding.</p> <p>31. No part was least useful.</p> <p>32. Most of them.</p> <p>33. Participant did not comment.</p>
<p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>1. Please, Please, Please look into the degrading food quality. However, Programme was good except that the resource persons should make the session more interesting rather than just reading the slides prepared.</p> <p>2. Participant did not comment.</p> <p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p>

5. Participant did not comment.
6. Time of Training shall be extended for group discussion.
7. Make the rooms (for staying at night) more Airy, properly ventilated. Cutoff membership fee.
8. Participant did not comment.
9. Participant did not comment
10. Participant did not comment
11. Satisfactory. Nothing wanting.
12. Participant did not comment
13. Nothing
14. None is needed.
15. Duration of course should be at least of 3 days.
16. Participant did not comment.
17. Awaiting for visit again & again.
18. Participant did not comment.
19. So far so good.
20. Make these programmes happen more and an endeavor must be made that every Judicial Officer has the occasion to visit at least once in a year.
21. Please ensure that food quality is better.
22. Supply of reading materials at the time of nomination by the HC.
23. Participant did not comment.
24. Arrangements of various workshops on various subjects with the study of foreign courts, working methods, for speedy disposal.
25. Participant did not comment.
26. The whole programme was organized very well and very informative.
27. The programme is very effective & no more suggestions are required.
28. The discussion of topics has to be focused.
29. Nil
30. Group debates be carried and recorded and best group be applauded.
31. Be inviting senior Advocates, experts of matter.
32. More programmes should in Break Out group and Integrative Sessions.
33. Good Effort.