

# National Judicial Academy

P-1003: Annual National Seminar on Working of the Special Courts established under the SC/ST  
(PoA) Act  
3<sup>rd</sup> – 4<sup>th</sup> December, 2016

Programme Coordinator : Mr. Sumit Bhattacharya, Research Fellow  
No. of Participants : 35  
No. of forms received : 34

<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>97.06</b>	<b>2.94</b>	-	-
b. The subject matter of the program is useful and relevant to my work	<b>90.91</b>	<b>6.06</b>	<b>3.03</b>	2. As I am not holding the chair of Special Judge  13. Extremely useful
c. Overall, I got benefited from attending this program	<b>97.06</b>	<b>2.94</b>	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	<b>87.88</b>	<b>12.12</b>	-	2. If I get scope at subsequent stage.
e. Adequate time and opportunity was provided to participants to share experiences	<b>91.18</b>	<b>8.82</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>81.25</b>	<b>15.63</b>	<b>3.12</b>	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>85.29</b>	<b>14.71</b>	-	-
c. Up to date	<b>84.38</b>	<b>15.63</b>	-	-

d. Related to Constitutional Vision of Justice	<b>75.00</b>	<b>25.00</b>	-	-
e. Related to International Legal Norms	<b>38.71</b>	<b>51.61</b>	<b>9.68</b>	-

### **III. STRUCTURE OF THE PROGRAM**

<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>85.29</b>	<b>14.71</b>	-	-
b. The program was an adequate combination of the following methodologies viz.				
i. Case studies were relevant	<b>82.35</b>	<b>17.65</b>	-	
ii. Interactive sessions were fruitful	<b>88.24</b>	<b>11.76</b>	-	-
iii. Simulation Exercises were valuable	<b>73.53</b>	<b>26.47</b>	-	-
iv. Audio Visual Aids were beneficial	<b>66.67</b>	<b>33.33</b>	-	-

### **IV. INDIVIDUAL SESSIONS**

<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>84.85</b>	<b>15.15</b>	-	-
b. The session theme was adequately addressed by the Resource Persons	<b>93.94</b>	<b>6.06</b>	-	-

### **V. PROGRAM MATERIALS**

<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>94.12</b>	<b>5.88</b>	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>88.24</b>	<b>11.76</b>	-	-
c. The content was organized and easy to follow	<b>84.38</b>	<b>15.63</b>	-	17. Not got sufficient time during the programme to read.

## VI. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<ol style="list-style-type: none"><li>1. To improve my skill and knowledge for delivery of good justice.</li><li>2. I am unable to mention any specific session as I could not attend all the sessions due to unavoidable circumstances.</li><li>3.1. Award and standardization of victim compensation; 2. Judicial issue under the SC/ST (POA) Act; 3. Qualities of a good judge.</li><li>4. 1. To improve my skill and knowledge by sharing the great experience of the Hon'ble resource persons for delivery of good justice and make my improvement with all good aspects in system.</li><li>5. Updating on Law and knowing about Constitutional values applying in our Courts.</li><li>6. Discussion on new amendment; Good lecture on victim compensation; The whole programme was useful.</li><li>7. Amendments made by Act 1 of 2016. Judicial issues u/s SC/ST Act and its remedies and clarifications; Victim compensation under various statutes.</li><li>8. 1. New amendments and its consequences in day to day trial , with regard to SC/ST (PoA) Act, 1989; 2. How to evaluate Compensation; 3. Administrative skills; 4. Compensation to victims</li><li>9. To deal with marginalized section of society specially SC/ST with compassion.</li><li>10. 1. Regarding payment of compensation for victims; 2. Development of personality of a good judge; 3. How to tackle cases of poor person/victim relating to SC/ST Act.</li><li>11. Got overall idea about the latest amendments of SCs/STs (PoA) Act.</li><li>12. Updated the amendment provision of SC/ST Act.</li><li>13. 1. Clarity of the subject; 2. Updated knowledge; 3. Broad/ Practical aspects on victim compensation.</li><li>14. Recent case laws; Knowledge regarding Award &amp; Standardization of Victim Compensation.</li><li>15. Participant did not comment.</li><li>16. 1. The crux of the Act; 2. Sensitization awards the context; 3. To do holistic justice to the Act.</li><li>17. 1. How to understand philosophy of the Act; 2. Sensitization; 3. Trial Courts can also involve the constitutional provisions.</li></ol>
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	<p>18. 1. The objective and short cover of Amended SC &amp; ST protection Act; 2. Judicious approach towards your role &amp; duties as Judge; 3. Assessment of compensation.</p> <p>19. In giving justice to the victims; in shaping my personality as a good judge.</p> <p>20. 1. About new amendments in SC/ST Act; 2. Use of Law; 3. How to determine compensation.</p> <p>21. 1. <b>Session 4:</b> <i>Recognizing “Ego State” to Deliver Better; 2. Award of Victim Compensation; 3. Session 5&amp;6: Qualities of a Good Judge.</i></p> <p>22. Learned to improve myself as a good judge; 2. Learned to cope up with all situations; 3. Apply law for practical use.</p> <p>23. 1. Meeting judges from other states; 2. Latest legal position relating to SC/ST (PoA) Act; 3. Fine and victim compensation.</p> <p>24. 1. How to be a good Judge; 2. How to award victim compensation; 3. How to follow SC/ST (PoA) Act.</p> <p>25. 1. Amended standardization of victim compensation; 2. Gender based atrocities; 3. Judicial issues under the SC/ST Act.</p> <p>26. 1. How to approach a problem relating to cases under the Act; 2.</p> <p>27. As SC/ST (PoA) Act is amended so i have gained knowledge about the whole; We have to take care in dealing with these cases.</p> <p>28. Sensitivity to Spl. Act and scope and parameters for awarding compensation.</p> <p>29. Detail provisions and various aspects of amended provisions of 2015 of SC/ST (PoA) Act.</p> <p>30. Participant did not comment</p> <p>31. Victim compensation</p> <p>32. Restorative justice</p> <p>33. Participant did not comment</p> <p>34. <i>Session 1 Marginalization &amp; Social Exclusion in India: Evolution &amp; Constitutionalization; Session 3 Gender based Atrocities against SC/ST Women in India; Session 7 Award &amp; Standardization of Victim Compensation</i></p>
b. Which part of the Programme did you find most useful and why	<p>1. All</p> <p>2. <i>Session 7Award &amp; Standardization of Victim Compensation</i>—because the Act itself is mostly silent regarding the appropriate and proper victim compensation.</p> <p>3. <i>Session 7Award &amp; Standardization of Victim Compensation</i>—Discussion is most elaborate and it will be useful to render justice to the victims as well.</p> <p>4. All the programmes were useful to improve my working culture and knowledge and skill.</p>

	<p>5. Lecture of Hon'ble Justice Gita Mittal. Learning How to impose compensation.</p> <p>6. The whole programme was useful.</p> <p>7. <i>Session 7Award &amp; Standardization of Victim Compensation</i>— sense of sensitivity imbibed; concern towards victim of offence analyzed and appraised.</p> <p>8. Summary inquiry and how it is to be implemented in order or sentence.</p> <p>9. Guidelines for order of compensation as it is not relevant at the stage of granting of quantum of sentence.</p> <p>10. . <i>Session 7Award &amp; Standardization of Victim Compensation—is most useful regarding judgment writing.</i></p> <p>11. Every part of the programme is most useful as it has given guidance in dealing with practical aspects.</p> <p>12. <b>Sessions 7:</b> <i>Award &amp; Standardization of Victim Compensation</i> of Day 2 is most useful because in this session the Hon'ble Resource Person clarified how to determine the compensation with case laws.</p> <p>13. <b>Sessions 5 &amp; 6:</b> <i>Qualities of a Good Judge.</i></p> <p>14. Gender based atrocities.</p> <p>15. This Programme is found most useful because the discussion in individual session is most useful for the participant.</p> <p>16. The programmes, as all have some connection in one way or the other.</p> <p>17. <b>Session 2:</b> <i>Judicial Issues under the SC/ST (PoA) Act-</i> We must explain &amp; give our reason while granting and denying relief.</p> <p>18. Discussion on reasons why SC&amp;ST protection was amended.</p> <p>19. I find every programme most useful as this is my first participation.</p> <p>20. Awarding of compensation to the victim.</p> <p>21. <b>Session 4:</b> <i>Recognizing “Ego State” to Deliver Better;</i> 2. <b>Session 7:</b> <i>Award of Victim Compensation;</i></p> <p>22. <b>Session 4:</b> <i>Recognizing “Ego State” to Deliver Better;</i> <b>Session 7:</b> <i>Award &amp; Standardization of Victim Compensation</i></p> <p>23. All</p> <p>24. <b>Session 2:</b> <i>Judicial Issues under the SC/ST (PoA) Act.</i></p> <p>25. All programmes from day one to day two.</p> <p>26. The victim compensation session.</p>
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	<p>27. All the lectures and sessions are important for me, as I have gained the great wisdom and knowledge from the speakers.</p> <p>28. <b>Session 7 Award &amp; Standardization of Victim Compensation</b>— the ambit &amp; consideration to be taken into account while awarding compensation was lucidly dealt with.</p> <p>29. Entire programme.</p> <p>30. Whole programme very useful</p> <p>31. All part of the programme was useful.</p> <p>32. Appreciation of materials and consideration of factors concerning family position, financial ability, so also society of the victim and the accused while deciding a case, punishment and compensation, etc.</p> <p>33. Whole programme found most useful.</p> <p>34. All were useful.</p>
c. Which part of the Programme did you find least useful and why	<p>1. None</p> <p>2. <i>Session 5 &amp; 6- Qualities of a Good Judge</i>, because it does not relate to a particular Act, which actually a judge to bear in his or her character all the time since the day of joining in the Service.</p> <p>3. <i>Session 4- Recognizing “Ego State” to Deliver Better</i></p> <p>4. None</p> <p>5. Participant did not comment</p> <p>6. Participant did not comment</p> <p>7. Participant did not comment</p> <p>8. Nothing</p> <p>9. None</p> <p>10. <i>Session 4- Recognizing “Ego State” to Deliver Better</i>—is also useful but lesser than other sessions.</p> <p>11. Participant did not comment.</p> <p>12. <b>Session 4:</b> <i>Recognizing “Ego State” to Deliver Better</i>- because in our day to day work there is no use or it.</p> <p>13. Whole programme was useful.</p> <p>14. <b>Session 4:</b> <i>Recognizing “Ego State” to Deliver Better</i></p> <p>15. NA</p> <p>16. NA.</p> <p>17. The entire programme was moderate.</p> <p>18. All the programmes were helpful in their own way.</p> <p>19. Participant did not comment.</p> <p>20. <b>Sessions 5 &amp; 6:</b> <i>Qualities of a Good Judge</i> because not satisfactory.</p> <p>21. Participant did not comment.</p> <p>22. Nil</p> <p>23. Nil</p> <p>24. <b>Session 4:</b> <i>Recognizing “Ego State” to Deliver Better</i>- No proper idea was given.</p> <p>25. Nothing left. Everything is useful.</p> <p>26. How to be a good judge. As only outcome were qualities of a good judge but how to achieve that was left to the gathering.</p> <p>27. Participant did not comment</p>

	<p>28. Participant did not comment</p> <p>29. None</p> <p>30. About the SC/ST Amended Act.</p> <p>31. No part of the programme was least useful.</p> <p>32. Participant did not comment</p> <p>33. Participant did not comment</p> <p>34. None</p>
d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective	<p>1. There should be more programmes to be conducted with respect to other subjects of Law.</p> <p>2. By supplying study materials well in advance.</p> <p>3. Providing study material to the participant before attending the programme and to send the same to the participants email id.</p> <p>4. There should be more programme conducted with respect to other subjects of law.</p> <p>5. Participant did not comment</p> <p>6. Information on the topic of discussion and the duration of programme of the last session of the last day should be given well in time so that the participant judges will be able to come well prepared for a fruitful discussion. In addition, it would enable the participant to plan his itinerary.</p> <p>7. Length of programme may be extended by one or two days more.</p> <p>8. Duration of programme should be at least for two complete days or three days.</p> <p>9. More such programmes on special jurisdiction/ Act like NDPS/ MCOCA/POCSO etc., should be designed for the benefit of judicial officers.</p> <p>10. Seminar/programmes may be at least 4-5 days. Latest laws and legal should be added on various laws.</p> <p>11. Participant did not comment.</p> <p>12. No Suggestion.</p> <p>13. Whole programme was highly effective and interactive vis-a-vis in a very relaxed manner.</p> <p>14. Nil</p> <p>15. No suggestion is required.</p> <p>16. Participant did not comment.</p> <p>17. At least spouse should be allowed to stay in the NJA campus.</p> <p>18. Participant did not comment.</p> <p>19. Participant did not comment.</p> <p>20. More discussion on the point of Role of Judge &amp; pending cases – Unit System.</p>

	<p>21. Participant did not comment.</p> <p>22. By ensuring the participation of each judges throughout the country at least once in 2 years.</p> <p>23. Participant did not comment.</p> <p>24. The NJA is great. I have no points since I find no defect in NJA.</p> <p>25. No suggestions.</p> <p>26. Very little interpersonal interaction was possible with the judges of other states. There was no opportunity for group discussion.</p> <p>27. Have more lectures.</p> <p>28. Participant did not comment</p> <p>29. Participant did not comment.</p> <p>30. Already everything is better. It should be for at least week.</p> <p>31. NA</p> <p>32. Participant did not comment</p> <p>33. Already NJA is serving better hence suggestion not required.</p> <p>34. Good arrangement. NJA already doing better. Must maintain it in future also.</p>
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D/C/PR- Dec 2016