

NATIONAL JUDICIAL ACADEMY

P-1009: Colloquium on Commercial Laws for High Court Justices 28th – 29th January, 2017

Programme Coordinator: Mr. Yogesh Pratap Sing, Law Associate, National Judicial Academy

No. of Participants : 26

No. of forms received : 24

I. OVERALL				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	78.13	21.88	-	-
b. The subject matter of the program is useful and relevant to my work	61.29	38.71	-	-
c. Overall, I got benefited from attending this program	74.19	25.81	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	72.41	27.59	-	-
e. Adequate time and opportunity was provided to participants to share experiences	73.33	23.33	3.33	-
II. KNOWLEDGE				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
The program provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	64.52	35.48	-	5. Not much commercial litigation in my bench.
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	64.52	35.48	-	-
c. Up to date	67.74	32.26	-	-

d. Related to Constitutional Vision of Justice	58.06	35.48	6.45	-
e. Related to International Legal Norms	50	46.67	3.33	-
III STRUCTURE OF THE PROGRAM				
PROPOSITIONS	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	73.33	23.33	3.33	13. Could be improved.
The program was an adequate combination of the following methodologies viz.				
i. Case studies were relevant	82.76	13.79	3.45	-
ii. Interactive sessions were fruitful	74.19	19.35	6.45	-
iii. Audio Visual Aids were beneficial	70.97	19.35	9.68	-
IV. INDIVIDUAL SESSIONS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. Discussions in individual sessions were effectively organized	73.33	26.67	-	-
b. The session theme was adequately addressed by the Resource Persons	73.33	26.67	-	-
V. PROGRAM MATERIALS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	77.42	22.58	-	-
b. The content was updated. It reflected recent case laws/current thinking/ research/ policy in the discussed area	80.65	16.13	3.23	-
c. The content was organized and easy to follow	77.42	22.58	-	-

VI. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme

1. Participant did not comment
2. Participant did not comment
3. Introduction to newly amended provisions to Company/ Corporate Laws.
4. It has been always a pleasure visiting NJA, sharpening, broadening, updating the different vistas of laws.
5. i. Good overview exposure to commercial laws; ii. Useful in relation to laws pertaining to corporates; iii. Specialized knowledge required to be upgraded to deal with commercial laws.
6. No comments
7. Development of law; Practical application; Establishment and Functional analysis of Commercial Courts division.
8. a. An effective programme introducing me to an areas of law that I had never worked upon as a lawyer; b. Lectures were useful and encourage me to read on further effectively; c. Interacting with other attendees who had prior experience in this field was useful.
9. Participant did not comment
10. Participant did not comment
11. Participant did not comment
12. Good resource persons and reading material.
13. It would be difficult to describe in a way that it could be of use for njac.
14. Genesis, Benefits and importance of Intellectual Property Rights; 2. Role of Judiciary in effective judgment of Intellectual Property Rights; 3. Development of contract jurisprudence in India.
15. It is good and useful for updating the latest scenario.
16. Useful with the update
17. 1. I could come to know about the commercial disputes; 2. That the Law which governs taxation in India is inadequate to tackle the tax evasion; 3. The working on the commercial court & appellate division.
18. Exposure to litigation and disputes in fields which are not common in my High Court. Challenges of Digital Economy, IPR, Corporate jurisprudence; Share transactions and Regulatory forums.
19. 1. Tax laws related to digital economy; 2. Take cover code; 3. Commercial law.

	<p>20. 1. Exposure to relevant commercial laws; 2.New developments in law; 3. Interaction with participants.</p> <p>21. Participant did not comment</p> <p>22. Participant did not comment</p> <p>23. There is good exposure to the areas of the subjects below, but for to say on intellectual property rights attended earlier classes and participated in workshops (before elevation to High Court).</p> <p>24.Participant did not comment</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. Each session was a learning.</p> <p>2. Each session was learning to me.</p> <p>3. Session 1: Addressing Tax Laws related Challenges of Digital Economy</p> <p>4. Participant did not comment</p> <p>5. <i>Session 1: Addressing Tax Laws related Challenges of Digital Economy; Session 2: Intellectual Property Rights: Genesis, Benefits, Importance; Session 5: Development of Corporate Jurisprudence in India: The way forward; Session 6: Some contemporary issues pertaining to Commercial Laws for effective Adjudication of Commercial Disputes (Insider Trading, Securities Market Frauds & Investors Protection)</i></p> <p>6. All the parts</p> <p>7. The first sessions. Current trend and emergence of law in IP Act.</p> <p>8. The question answer sessions that elicited answers which were very relevant from the experts.</p> <p>9. Participant did not comment</p> <p>10. Participant did not comment</p> <p>11. Participant did not comment</p> <p>12. Discussion with resource persons</p> <p>13. <i>Session 1: Addressing Tax Laws related Challenges of Digital Economy; Session 5: Development of Corporate Jurisprudence in India: The way forward; Session 6: Some contemporary issues pertaining to Commercial Laws for effective Adjudication of Commercial Disputes (Insider Trading, Securities Market Frauds & Investors Protection) --- Sessions were quite lively, relevant and absorbing.</i></p> <p>14. Issues pertaining to commercial disputes.</p> <p>15. All parts of the programme found useful.</p> <p>16. <i>Session 4: Role of Judiciary in effective Enforcement of Intellectual Property Rights; Session 5: Development of Corporate Jurisprudence in India: The way forward; Session 6: Some contemporary issues pertaining to Commercial Laws</i></p>

	<p><i>for effective Adjudication of Commercial Disputes (Insider Trading, Securities Market Frauds & Investors Protection)</i></p> <p>17. Session 5: Development of Corporate Jurisprudence: The way forward.</p> <p>18. Presentations by eminent resource persons who are specialists in the field and the gentle steering by the Director, NJA on occasions, towards what would be useful for higher judiciary.</p> <p>19. 1. Tax laws related to digital economy; 2. Corporate Jurisprudence.</p> <p>20. Not specific.</p> <p>21. General Discussion</p> <p>22. Participant did not comment</p> <p>23. Session 1: Addressing Tax Laws related Challenges of Digital Economy; Session 5: Development of Corporate Jurisprudence in India: The way forward; Session 6: Some contemporary issues pertaining to Commercial Laws for effective Adjudication of Commercial Disputes (Insider Trading, Securities Market Frauds & Investors Protection)</p> <p>24. Good</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. None</p> <p>2. None</p> <p>3. Participant did not comment</p> <p>4. Participant did not comment</p> <p>5. None</p> <p>6. None</p> <p>7. All were useful</p> <p>8. Participant did not comment</p> <p>9. Participant did not comment</p> <p>10. Participant did not comment</p> <p>11. Participant did not comment</p> <p>12. Nothing that I can think of.</p> <p>13. Session 2: Intellectual Property Rights: Genesis, Benefits, Importance; Session 3 Intellectual Property Rights Regime in India: Government Policies and Practices—Least relevant.</p> <p>14. Development of Corporate Jurisprudence in India.</p> <p>15. Participant did not comment.</p> <p>16. Participant did not comment.</p> <p>17. No</p> <p>18. Participant did not comment.</p> <p>19. More jurisprudential discussion on Intellectual Property right would have been more useful.</p>

	<p>20. Participant did not comment.</p> <p>21. Participant did not comment</p> <p>22. Participant did not comment</p> <p>23. Nil</p> <p>24. 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. The programmes/ sessions are well organized. Practical problems may be included facing each issue.</p> <p>2. System is giving knowledge to the subject.</p> <p>3. More and more session be conducted. Executives and Bar members should also be included, if possible.</p> <p>4. Participant did not comment</p> <p>5. Session 1, 5 & 6 needs more time. So spread of time frame over reach of subjects may be needed to work out more judiciously.</p> <p>6. None</p> <p>7. Audio system can be a little effective.</p> <p>8. Participant did not comment</p> <p>9. The speakers should realize the audience they are addressing. The last two sessions on 28.01.2017 looked more like taking class to 3rd year law students. (<i>SESSION 3 Intellectual Property Rights Regime in India: Government Policies and Practices; SESSION 4: Role of Judiciary in effective Enforcement of Intellectual Property Rights</i>). NJA could consider writing to Hon'ble judges to come and speak on their field of expertise.</p> <p>10. Participant did not comment</p> <p>11. Participant did not comment</p> <p>12. It would be helpful to have renowned Academics as resource persons. Judges would benefit with a knowledge of academic thinking on any given topic.</p> <p>13. The resource persons invited have to be more focused.</p> <p>14. Judges from all across should be given opportunity to participate in programmes in NJA.</p> <p>15. Continue</p> <p>16. Participant did not comment.</p> <p>17. Programme duration should be more.</p> <p>18. Tribunalization of Litigation and its impact on Litigators and the Courts and also the Apex Court, which is the 2nd forum after the original Tribunal decision.</p>

	<p>19. Identify the conflicting decisions and a discussion on those aspects forming subject matters of such decisions with an object to and a solution and discussions on Effective implementation of ADR. I would also suggest to hold two day seminar on Family Laws.</p> <p>20. 1. Resource Persons should not be drawn from practicing advocates; 2. The Coordinator should study the material, prepare synopsis and prepare a theme paper; 3. In the present programme, there is no exposure to application of international legal principles in commercial dealings; 4. There is no discussion on the working of Competition Commission of India; 5. The study material should be from the Resource Persons and no we find disjunction; 6. The role of Regulatory bodies is not discussed; 7. The total time allocated is 9 hours which is grossly inadequate.</p> <p>21. Session be made online.</p> <p>22. The reading materials should be made available at least fortnight before the commencement.</p> <p>23. The programme schedule shall be at least for 3 days as two days not sufficient. I thought it to suggest some more sessions for tax laws rather than a single session. For me concerned, if I be given an opportunity to attend any programme on public and private international law and on Constitution Laws and Tax laws I would be grateful to the Institution.</p> <p>24. Participant did not comment</p>
--	--