

# National Judicial Academy

P-1015: Annual National Seminar on Working of the POCSO courts in India

4<sup>th</sup> – 5<sup>th</sup> March, 2017

Programme Coordinator : Mr. Sumit Bhattacharya, Research Fellow

No. of Participants : 42

No. of forms received : 42

I. OVERALL				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	<b>85.71</b>	<b>14.29</b>	-	11. Very good 35. Good 37. Good
b. The subject matter of the program is useful and relevant to my work	<b>87.50</b>	<b>12.50</b>	-	11. absolutely 35. Good 37. Good 38. It will help me when I shall preside over a Special Court
c. Overall, I got benefited from attending this program	<b>73.17</b>	<b>26.83</b>	-	11. No doubt, I am benefited. 35. Good 37. Good
d. I will use the new learning, skills, ideas and knowledge in my work	<b>87.50</b>	<b>12.50</b>	-	11. Sure 35. Good 37. Good 38. When I shall get opportunity.
e. Adequate time and opportunity was provided to participants to share experiences	<b>54.76</b>	<b>38.10</b>	<b>7.14</b>	11. Yes 35. Good 37. Good
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	<b>82.05</b>	<b>17.95</b>	-	35. Good 37. Good

b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>65.79</b>	<b>31.58</b>	<b>2.63</b>	11. The study material I find is of great help. 35. Good 37. Good
c. Up to date	<b>71.05</b>	<b>26.32</b>	-	35. Good 37. Good
d. Related to Constitutional Vision of Justice	<b>43.24</b>	<b>56.76</b>	-	35. Good 37. Good
e. Related to International Legal Norms	<b>31.43</b>	<b>65.71</b>	<b>2.86</b>	35. Good 37. Good 39. Required norms.
<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>86.49</b>	<b>13.51</b>	-	35. Good 37. Good
The program was an adequate combination of the following methodologies viz.				
Case Studies were relevant	<b>65.00</b>	<b>32.50</b>	<b>2.50</b>	37. Good
Interactive sessions were fruitful	<b>70.73</b>	<b>26.83</b>	<b>2.44</b>	37. Good
Audio Visual Aids were beneficial	<b>69.05</b>	<b>30.95</b>	-	37. Good
Break group exercise	<b>68.29</b>	<b>31.71</b>	-	37. Good
<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>63.41</b>	<b>36.59</b>	-	35. Good 37. Good
b. The session theme was adequately addressed by the Resource Persons	<b>60.98</b>	<b>39.02</b>	-	35. Excellent 37. Good
<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>92.68</b>	<b>7.32</b>	-	11. Very relevant and useful. 35. Excellent 37. Good
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>80.49</b>	<b>19.51</b>	-	35. Good 37. Good
c. The content was organized and easy to follow	<b>72.50</b>	<b>27.50</b>	-	35. Good 37. Good

## VI. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<p>1. <b>Session 7: Child Pornography &amp; POCSO Law.</b></p> <p>2. To face minute problems while dealing with POCSO.</p> <p>3. Updated knowledge with recent rulings.</p> <p>4. 1. We are updated on POCSO Act; We are made aware about different of flaws in the POCSO Act; 3. Learned a lot to deal with cases under POCSO Act.</p> <p>5. Participant did not comment.</p> <p>6. Participant did not comment.</p> <p>7. How internet is promoting POCSO offence; 2. How to deal with victim &amp; pre-trial procedure of POCSO; 3. Different perceptions participants to POCSO.</p> <p>8. Over all applicability of POCSO Act.</p> <p>9. Every part of the programme was interesting and is to be very useful.</p> <p>10. Very much useful in day to day functions.</p> <p>11. Participant did not comment.</p> <p>12. Participant did not comment.</p> <p>13. 1. Updating knowledge of POCSO Act; 2. Having a Human Approach; 3. Exchange of Ideas.</p> <p>14. Section-29, Section-30 and Section- 19.</p> <p>15. Recording of evidence.</p> <p>16. Benefitted with the programme in discharge of duties.</p> <p>17. Participant did not comment.</p> <p>18. Sharing of experiences; Useful techniques in regard to evidence recording; Getting to know other judges.</p>
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19. 1. How to deal with POCSO victims; 2. What should be environment of court dealing with POCSO; 3. How to deal with pornography offender.

20. 1. To court work in effective manner more; 2. Vision becomes more clear; 3. Changing of law.

21. Benefitted well in discharging the duties.

22. Various facts of POCSO.

23. Creating a child friendly POCSO court; Recording & Appreciation of Evidence; Presumption & Burden of Proof under POCSO Act.

24. Participant did not comment.

25. Having interactions and sharing experiences on POCSO Act.

26. Participant did not comment.

27. Legal pronouncements of law should be given on specific subjects.

28. Sensitivity in dealing with cases under POCSO Act; Evaluation and appreciation of evidence of children; Recording of evidence.

29. Participant did not comment

30. Participant did not comment

31. Providing advance study material; Accommodation facilities; Transportation.

32. As far as possible subjects may not be deviated from.

33. Participant did not comment

34. Participant did not comment

35. 1. Explained detail application of the POCSO Act; 2. IT Act and POCSO Act.

36. **Session 1** *Creating a Child - Friendly POCSO Court*; **Session 3** *Contours of Judicial Discretion & Special Courts*; **Session 7** *Child Pornography & POCSO Law*;

37. 1. View of S. 387 (A) CrPC and S.33 POCSO Act and Rule 7 of POCSO Act; 2. Learning about statutes; 3. Learning importance of IT Act in POCSO cases.

38. 1. How to create a child friendly atmosphere in the Special Court; 2. How to intertwine the provisions of IT Act with POCSO Act to get better result; 3. How to solve the challenges under POCSO Act.

39. **Session 1:** *Creating a Child - Friendly POCSO Court.*

40. **Session 1:** *Creating a Child - Friendly POCSO Court.*

41. IT in POCSO; Procedural technique; Court management while conducting the trial of POCSO Act cases.

<p>b. Which part of the Programme did you find most useful and why</p>	<p>42. IT in POCSO; Procedural technique; Extent and alarming situation.</p> <p>1. <b>Session 7: Child Pornography &amp; POCSO Law.</b></p> <p>2. All the programmes are useful.</p> <p>3. All programme was useful for day to day discharge of work.</p> <p>4. <b>Session 7: Child Pornography &amp; POCSO Law.</b></p> <p>5. Participant did not comment.</p> <p>6. Participant did not comment.</p> <p>7. Exposure to the NGO's working in the field &amp; their feedback.</p> <p>8. All</p> <p>9. Programme was interactive and useful.</p> <p>10. Very much useful in day to day functions.</p> <p>11. Participant did not comment.</p> <p>12. Participant did not comment.</p> <p>13. Day 1: Both Resource Persons were most knowledgeable &amp; democratic in their approach &amp; keen to help us in our difficulties.</p> <p>14. All repots to present scenario.</p> <p>15. <b>Session 7: Child Pornography &amp; POCSO Law.</b></p> <p>16. Friendly POCSO court because it helps me in court.</p> <p>17. Participant did not comment.</p> <p>18. <b>Session 1: Creating a Child- Friendly POCSO Court; Session 2: Recording &amp; Appreciation of Evidence of Victim in Cases of Child Abuse.</b></p> <p>19. <b>Session 1: Creating a Child- Friendly POCSO Court; Session 2: Recording &amp; Appreciation of Evidence of Victim in Cases of Child Abuse and Session 7: Child Pornography &amp; POCSO Law.</b></p> <p>20. None.</p> <p>21. Creating child friendly POCSO courts, why? Because it helps more and in dealing gently with child.</p> <p>22. The interactive sessions.</p> <p>23. Contours of Judicial Discretion &amp; Special Courts.</p> <p>24. Participant did not comment</p> <p>25. The entire programme as it helped in developing overall judicial working pattern.</p> <p>26. Participant did not comment</p>
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	<p>27. Participant did not comment</p> <p>28. All</p> <p>29. Last two sessions are useful; <b>Session 6</b> <i>Obligation for Reporting of Child Abuse under the POCSO Act</i>; <b>Session 7</b> <i>Child Pornography &amp; POCSO Law</i>.</p> <p>30. IT part.</p> <p>31. Audio- video.</p> <p>32. Sessions on recording of evidence.</p> <p>33. Participant did not comment.</p> <p>34. Session 5 Presumption &amp; Burden of Proof under POCSO Act.</p> <p>35. All the programme was useful because they are highly practical.</p> <p>36. <b>Session 7</b> <i>Child Pornography &amp; POCSO Law</i>.</p> <p>37. Justice Roshan Dalvi: How to observe and appreciate evidence of victims and recording of evidence in camera.</p> <p>38. <b>Session 5: Presumption &amp; Burden of Proof under POCSO Act</b>—because I have got huge opportunity to interact with my group members.</p> <p>39. <b>Session 3: Contours of Judicial Discretion &amp; Special Courts-</b> because some specific area is not up to the rule due to population &amp; false case.</p> <p>40. <b>Session 3: Contours of Judicial Discretion &amp; Special Courts-</b> because some specific area not up to the rule.</p> <p>41. Discussion on the conduct of trial of the POCSO Act cases.</p> <p>42. <b>Session 6</b> <i>Obligation for Reporting of Child Abuse under the POCSO Act</i>; <b>Session 7</b> <i>Child Pornography &amp; POCSO Law</i>.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1 <b>Session 5: Presumption &amp; Burden of Proof under POCSO Act.</b></p> <p>2. None of the programme.</p> <p>3. Participant did not comment.</p> <p>4. Nil</p> <p>5. Participant did not comment.</p> <p>6. Participant did not comment.</p> <p>7. NA</p> <p>8. Nil</p> <p>9. Participant did not comment.</p> <p>10. Very much useful in day to day functions.</p> <p>11. Participant did not comment.</p> <p>12. Participant did not comment.</p>

	<p>13. <b>Session 5: <i>Presumption &amp; Burden of Proof under POCSO Act-</i></b> on Day 2: of judgment deliverance.</p> <p>14. Participant did not comment.  15. Participant did not comment.  16. No.  17. Participant did not comment.</p> <p>18. <b>Session 5: <i>Presumption &amp; Burden of Proof under POCSO Act.</i></b></p> <p>19. None  20. All  21. Nothing  22. Participant did not comment  23. Helpful in future  24. Participant did not comment  25. Participant did not comment  26. Participant did not comment  27. Participant did not comment  28. None  29. Participant did not comment.</p> <p>30. General hypothetical case given was least useful.  31. Oral lectures.</p> <p>32. The last sessions, particularly relating to Child pornography etc., since such cases hardly comes.</p> <p>33. Participant did not comment  34. Participant did not comment  35. Nil  36. Participant did not comment  37. No</p> <p>38. <b>Session 2: <i>Recording &amp; Appreciation of Evidence of Victim in Cases of Child Abuse-</i></b> as because the procedure are available and specific in the Act itself.</p> <p>39. Participant did not comment</p> <p>40. <b>Session 7: <i>Child Pornography &amp; POCSO Law.</i></b></p> <p>41. No remarks  42. No remarks.</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 arrange lift or arrange of stay ground floor stairs are tiring.  2. No suggestion to NJA as they are already on right path &amp; very helpful.  3. No Comments.  4. More training programmes new to be held.</p> <p>5. Participant did not comment.  6. Need not</p>

7. There should be a doubt clearing session. Sometimes Q/A in last day does not clear all doubts. Resource Persons cannot get back.
8. By organizing such like specific programme arrived at specific jurisdictions.
9. Participant did not comment.
10. Very much useful in day to day functions.
11. Participant did not comment.
12. Participant did not comment.
13. Given the time constraints, more discussions should be accommodated.
14. Participant did not comment.
15. Participant did not comment.
16. Nothing.
17. Participant did not comment.
18. The length of the programme should be extended.
19. Duration of days should be increased.
20. NA.
21. No
22. Participant did not comment
22. Participant did not comment
24. Participant did not comment
25. Participant did not comment
26. Participant did not comment
27. Participant did not comment
28. Participant did not comment
29. Participant did not comment
30. Participant did not comment
31. How to write and appreciate exactly the evidences with latest author.
32. It is very much in tune with the time. We are grateful.
33. Participant did not comment
34. Participant did not comment
35. Nil
36. Participant did not comment
37. Allot some more time for interaction because interactive sessions are useful.
38. Participant did not comment.
39. Required programme again and time also more provided.
40. Participant did not comment.
41. Section wise discussion on the Act may make the programme more effective.
42. Section wise discussion of the POCSO Act would have been more fruitful.