

NATIONAL JUDICIAL ACADEMY

P 992: Annual National Seminar on Working of the First Level Commercial Courts in India

24 - 25 September, 2016

Programme Coordinator: Mr. Rajesh Suman, Assistant Professor

Number of Participants: 36

No of forms received: 36

I. OVERALL				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	88.89	11.11	-	7. Since I have not been appointed/given a Commercial Court, I will use these skills in Civil Court. 31. C-Courts are not yet started to function.
b. The subject matter of the program is useful and relevant to my work	58.82	41.18	-	21. I am currently holding civil court 26. Subject matter useful. Cannot say about relevancy since no commercial court constituted. 27. Since there is no commercial court in West Bengal yet.
c. Overall, I got benefited from attending this program	77.14	22.86	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	75.00	25.00	-	-
e. Adequate time and opportunity was provided to participants to share experiences	88.89	11.11	-	-

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	63.89	36.11	-	31. C. Courts not started to function at present.
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	74.29	25.71	-	-
c. Up to date	82.86	17.14	-	-
d. Related to Constitutional Vision of Justice	63.89	33.33	2.78	7. Why not include the amendments in CPC and make it applicable for all Courts; Why is it only restricted to Commercial disputes.
e. Related to International Legal Norms	59.46	35.14	5.41	-
III STRUCTURE OF THE PROGRAM				
PROPOSITIONS	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	72.22	27.78	-	8. The length of programme is too short.
b. The program was an adequate combination of the following methodologies viz.	-	-	-	-
i. Group discussion cleared many doubts	58.62	41.38	-	-
ii. Case studies were relevant	79.41	20.59	-	-
iii. Interactive sessions were fruitful	85.29	14.71	-	-
iv. Simulation Exercises were valuable	64.52	32.26	3.23	-
v. Audio Visual Aids were beneficial	64.71	32.35	2.94	-

IV. INDIVIDUAL SESSIONS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. Discussions in individual sessions were effectively organized	70.97	29.03	-	8. Not organized.
b. The session theme was adequately addressed by the Resource Persons	85.71	14.29	-	-
V. PROGRAM MATERIALS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	83.33	16.67	-	-
b. The content was updated. It reflected recent case laws/current thinking/ research/ policy in the discussed area	88.89	11.11	-	-
c. The content was organized and easy to follow	77.14	22.86	-	-
VI. GENERAL SUGGESTIONS				
a. Three most important learning achievements of this Programme	<p>1. 1. Speedy disposal of cases; 2. Case hearing management; 3. Interactive sessions were fruitful.</p> <p>2. I pay my sincere thanks to the prestigious National Judicial Academy for having given me tremendous and incredible knowledge and experience through its outstanding training programme.</p> <p>3. 1. Use of commercial courts; 2. The possibility of judiciary to contribute to the growth of GDP; 3. Starting the period of litigation.</p> <p>4. Commercial court system will improve our economy very fast; 2. Will improve the growth of judicial system in the administration of justice in Commercial Court matters.</p> <p>5. Clarified many doubts regarding insurance.</p> <p>6. 1. Rejuvenation of speedy disposal; 2. Necessity of commercial courts; 3. In order to improve the faith of public in judiciary these type of law is necessary.</p> <p>7. 1. Exposure to the idea of Commercial Courts from scratch/ level zero; 2. Practices which can be used in daily court work; 3. Interaction with other judges who shared their experiences in Court.</p>			

	<p>8. 1. The concept behind the Commercial Courts became clear; 2. Doubts regarding the mode of operating the Courts cleared; 3. Various concepts of unchartered territory like re-insurance, Intellectual property right, licensing have become clear.</p> <p>9. Ideas about working in commercial courts. Time frame management.</p> <p>10. Time management; Proper use of law as well as higher courts laws.</p> <p>11. Useful material provided; 2. The content was updated; 3. Latest case law updation.</p> <p>12. Practicality; Awareness; Appreciation.</p> <p>13. I learnt a lot from all the speakers.</p> <p>14. Participant did not comment</p> <p>15. Reading material, Group discussion, Hon'ble participants</p> <p>16. 1. Insight into the newly enacted Commercial Court Act; 2. Fundamentals of IRP cleared; 3. Holistic study of joint ventures.</p> <p>17. Licensing agreements, , Joint Venture Agreements; and last session of Commercial Courts 2015</p> <p>18. New acts discussed which will help to decide matters.</p> <p>19. Participant did not comment</p> <p>20. Participant did not comment</p> <p>21. Even though the program was designed for commercial courts, it did help me in clearing my horizon in civil law.</p> <p>22. Participant did not comment</p> <p>23. Came to know about the new Act and its application.</p> <p>24. To handle court management by finding a time span.</p> <p>25. Motivation, Sensitization, Professional competence.</p> <p>26. Understanding the interpretation and scope of commercial disputes and the manner in which they are to be disposed. Need for enacting law and constitution of courts.</p> <p>27. The laws already known like Trademark and Copy right are clearer. The new laws have been discussed and are now better understandable. The study materials provided would guide me a lot in my future assignment.</p> <p>28. <i>Session 2: Intellectual Property Rights Relating to Registered and Unregistered Trademarks, Copyright, Patent and Design; Session 4: Interpretation of Distribution & Licensing Agreements and Disputes</i></p>
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	<p><i>Arising Thereunder; Session 6: Joint Venture Agreements: Definition, Disputes & Resolution</i></p> <p>29. 1. About the Patent Law; 2. About the Intellectual Property Rights; 3. J.V. Company Law.</p> <p>30. Excellent study material; 2. Gathered knowledge about Commercial Courts.</p> <p>31. Study material is to be provided one month prior to the programme.</p> <p>32. 1. Excellent study materials; 2. Effective deliberations by the resource persons; 3. Thoughtful interactive sessions.</p> <p>33. 1. To know about the Commercial Courts; 2. To understand the exact priority.</p> <p>34. Introduction of commercial disputes. How to dispose cases speedily.</p> <p>35. Interpretation of Insurance and Re-insurance agent; Intellectual Property Rights; Trademarks, Patent and Design.</p> <p>36. Got insight to new law which is to be implemented; Acquaintance with brother colleagues from through the country; Will be able to implement effectively.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. Procedure, collection and disclosure of data and case management under the Commercial courts, because it is used day to day in course of working.</p> <p>2. Part A- Introduction – why Commercial Courts – Contours of Jurisdiction.</p> <p>3. Interaction with Mr. Justice Mukundam Sarma</p> <p>4. Discussion in Intellectual Property Rights Act. The discussion was very effective.</p> <p>5. About Intellectual Property Right, Patent Infringement, Copyright, Carriage of Goods, Management under Commercial Courts.</p> <p>6. <i>Session 2- Intellectual Property Rights Relating to Registered and Unregistered Trademarks, Copyright, Patent and Design- helpful to decide day to day problems.</i></p> <p>7. <i>Session 3: Disputes Relating to Carriage of Goods: since the topic comes up every day in Court.</i></p> <p>8. <i>Session 4: Interpretation of Distribution & Licensing Agreements and Disputes Arising Thereunder;</i> <i>Session 5, Interpretation of Insurance and Re-Insurance Agreements & Disputes Arising Thereunder;</i></p>

	<p><i>Session 6: Joint Venture Agreements: Definition, Disputes & Resolution</i> <i>Session 7- Procedure; Collection & Disclosure of Data; & Case Management Under the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015-</i> were important</p> <p>9. Intellectual Property Laws. The resource person was extremely knowledgeable and made an excellent presentation.</p> <p>10. No comment</p> <p>11. Each session</p> <p>12. IPR as its involvement increases not only in India but worldwide.</p> <p>13. Commercial Courts</p> <p>14. Participant did not comment</p> <p>15. Jurisdiction and Commercial Court</p> <p>16. IPR session</p> <p>17. Joint Venture Agreement</p> <p>18. All the programme.</p> <p>19. Participant did not comment 20. Participant did not comment 21. Participant did not comment 22. Participant did not comment 23. All the programme 24. Each part 25. All sessions</p> <p>26. The role that judges can play in the economy of Nation and improve the image of nation in the international community through courts.</p> <p>27. Discussion on Intellectual Property Rights, especially deliberated by Mr. Pravin Anand.</p> <p><i>28. Session 2: Intellectual Property Rights Relating to Registered and Unregistered Trademarks, Copyright, Patent and Design; Session 4: Interpretation of Distribution & Licensing Agreements and Disputes Arising Thereunder ---</i> because of the elaborate and extensive in the explanation of subject matter.</p> <p>29. The part dealt by Mr. Pravin Anand; He was fully resourceful having all the answers.</p>
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	<p>30. <i>Session 2: Intellectual Property Rights Relating to Registered and Unregistered Trademarks, Copyright, Patent and Design; Session 6: Joint Venture Agreements: Definition, Disputes & Resolution</i></p> <p>31. Company Law – In as much as there is no much companies in the state of Assam.</p> <p>32. <i>Session 2: Intellectual Property Rights Relating to Registered and Unregistered Trademarks, Copyright, Patent and Design; Session 6: Joint Venture Agreements: Definition, Disputes & Resolution</i>---The deliberations of the resource persons made the sessions very interesting and effective.</p> <p>33. <i>Session 2: Intellectual Property Rights Relating to Registered and Unregistered Trademarks, Copyright, Patent and Design;</i></p> <p>34. Intellectual Property rights relating to Trademarks and Copyrights – Very useful to deal with such cases.</p> <p>35. Procedure, collection and disclosure of Date; Case Management.</p> <p>36. <i>Session 1: Part A-Introduction Why Commercial Courts-Contours of Jurisdiction; Part B-Interpretation of Construction & Infrastructure Contracts;</i> <i>Session 2: Intellectual Property Rights Relating to Registered and Unregistered Trademarks, Copyright, Patent and Design;</i> <i>Session 3: Disputes Relating to Carriage of Goods; Session 4: Interpretation of Distribution & Licensing Agreements and Disputes Arising Thereunder; Session 5: Interpretation of Insurance and Re-Insurance Agreements & Disputes Arising Thereunder; Session 7: Procedure; Collection & Disclosure of Data; & Case Management Under the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015</i>---Found most useful; Cleared doubts.</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. All programme is useful.</p> <p>3. Session 6: Joint Venture Agreements: Definition, Disputes & Resolution</p> <p>4. Joint Venture ground- discuss.</p> <p>5. Joint venture agreements</p> <p>6. <i>Session 3: Disputes Relating to Carriage of Goods</i>- because so far I did not come across this case.</p>

	<p>7. Session on Competition Law. Elementary theoretical and of least practical value.</p> <p>8. <i>Session 1: Part A-Introduction Why Commercial Courts-Contours of Jurisdiction; Session 3: Disputes Relating to Carriage of Goods</i></p> <p>9. Participant did not comment</p> <p>10. All well and good.</p> <p>11. Each session was useful because it gives latest updated materials</p> <p>12. <i>Session 3: Carriage of Goods.</i></p> <p>13. No part of the programme was least useful.</p> <p>14. Participant did not comment</p> <p>15. Scope of Commercial Court</p> <p>16. All the sessions were fairly useful.</p> <p>17. Carriage of Goods</p> <p>18. A few Acts are hardly dealt by us.</p> <p>19. Participant did not comment</p> <p>20. Participant did not comment</p> <p>21. Participant did not comment</p> <p>22. Participant did not comment</p> <p>23. Some subjects which are hardly dealt with by us in any case.</p> <p>24. None</p> <p>25. None</p> <p>26. The manner in which the presentation was made. It was easy to understand.</p> <p>27. None</p> <p>28. <i>Session 6: Joint Venture Agreements: Definition, Disputes & Resolution</i></p> <p>30. None</p> <p>31. Participant did not comment</p> <p>32. None</p> <p>33. All programme is useful</p> <p>34. Interpretation of insurance.</p> <p>35. Joint Venture Agreement—As I did not come across such cases.</p> <p>36. <i>Session 6: Joint Venture Agreements: Definition, Disputes & Resolution---</i>As I had not dealt with such issues in civil matter as yet.</p>
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<p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<ol style="list-style-type: none"> 1. Kindly make one programme/course regarding Section 34(2)(3) of Arbitration and Conciliation Act which related to mainly “Arbitration relating to against the public policy”. I am also requesting you to kindly send reading material of every programme to every State Judicial Academy 2. I pay my sincere thanks to NJA for having given me an excellent knowledge. I learnt a number of things from this training programme. I got a lot of information on the subject of this training programme indeed. This training programme is going to be highly beneficial for me in future. No further suggestion because training programme is very useful and perfect. 3. Keep up the good work. 4. Discussion specifically with quality of provisions in the Act will be useful. 5. Kindly conduct programme relating to Commercial Courts once the court starts functioning so that we will be benefitted. 6. More programmes are needed in Hindu Law. 7. Please send the schedule beforehand and some reading material so one can be better abreast of the session. 8. Since this is a new field of law, NJA may devise a SOP for Commercial Courts. Seeking inputs from all courts using best practices, the Hon’ble High Courts be apprised that making judges wear many hats will insulate .objective of the Act, and the Act may be followed in the letter and spirit. 9. The course/programme materials could perhaps be uploaded in website before programme so that participants can go through before participating. 10. Time should be one week at least. 11. Please, training time and days of training programme be enhanced upto one week and also allow officer’s family. 12. By providing material well in advance so a s to get equipped with or slides of presentations also. 13. The duration of the programme should be of more duration. 14. Participant did not comment 15. Enlarge the programme schedule. 16. NJA is already doing its best. Frequent nominations to attend training at NJA should be done.
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	<p>17. This type of Seminars to be organized from time to time in future also.</p> <p>18. Arrangements were satisfactory; Air conditioner, Television and Beddings are required to be re-checked.</p> <p>19. Participant did not comment</p> <p>20. Participant did not comment</p> <p>21. Participant did not comment</p> <p>22. Participant did not comment</p> <p>23. Break up of topics be sent to officers attending the course and be asked to add anything.</p> <p>24. None</p> <p>25. NJA is on right track. Thank you.</p> <p>26. Duration can be increased. Interactive session duration should be enhanced.</p> <p>27. A detailed programme may kindly be sent to the participants in advance, so that they may approach the academy with better preparation in advance.</p> <p>28. To extend 3 days to get extensive idea.</p> <p>29. None</p> <p>30 No suggestion</p> <p>31. Participant did not comment</p> <p>32. No such suggestions</p> <p>33. Programme should be at least for 4 days.</p> <p>34. More programmes on Special Acts and new Acts.</p> <p>35. Advance material be provided, if possible.</p> <p>36. Such programmes must be more exhaustive and regularly held for JO's of commercial courts in future.</p>
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