

NATIONAL JUDICIAL ACADEMY

Special Event-14: National Seminar for Members of Railway Claims Tribunal

21st – 22nd April, 2018

Programme Coordinator : Mr. Sumit Bhattacharya, Faculty, NJA, Bhopal

No. of Participants : 31

No. of forms received : 29

I. OVERALL				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	96.55	3.45	-	-
b. The subject matter of the program is useful and relevant to my work	100.00	-	-	-
c. Overall, I got benefited from attending this program	93.10	6.90	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	100.00	-	-	-
e. Adequate time and opportunity was provided to participants to share experiences	85.71	14.29	-	3. More time could have been a little better.
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	92.59	7.41	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	62.07	31.03	-	-
c. Up to date	70.37	29.63	-	-

d. Related to Constitutional Vision of Justice	44.00	48.00	8.00	-
e. Related to International Legal Norms	36.36	18.18	45.45	-
III. STRUCTURE OF THE PROGRAM				
PROPOSITIONS	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	86.21	13.79	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Interactive sessions were fruitful	77.78	22.22	-	-
<i>(To be modified as per the sessions planned)</i>				
IV SESSIONS WISE VETTING				
Parameters				
Session	Discussions in individual sessions were effectively organized		The Session theme was adequately addressed by the Resource Persons	
	Effective and Useful	Satisfactory	Effective and useful	satisfactory
1	100.00	-	95.45	4.55
2	100.00	-	100.00	-
3	76.47	23.53	100.00	-
4	87.50	12.50	100.00	-
5	87.50	12.50	100.00	-
6	76.47	23.53	100.00	-
V. PROGRAM MATERIALS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	96.43	3.57	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	96.30	3.70	-	-

c. The content was organized and easy to follow	86.96	13.04	-	-
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VIII. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<p>1. How to conduct the bench in case of difference of opinions.</p> <p>2. 1. Bench etiquette; 2. Difference of opinion and its mitigation 3. Reasoning in order and reasoned orders.</p> <p>3. 1. Handling difference of opinion in the bench; 2. Understanding the concept of strict Liability & absolute liability; 3. How to apply precedent.</p> <p>4. To make self-assessment of cases based upon documents on record.</p> <p>5. Interpretation of “Passenger” bonafide was clearly understood; Court etiquettes & dealing with conflict; General rules on precedent.</p> <p>6. Court etiquettes, evidence relevance and extent, fair dealing and reasonable analysis for judgements.</p> <p>7. Insight into law-British law; How bench to behave in the court.</p> <p>8. Participant did not comment.</p> <p>9. Participant did not comment.</p> <p>10. Participant did not comment.</p> <p>11. 1. Legal issues & challenges which RCT is facing; 2. Efficacious & speedy justice; Reasoned judgment writing.</p> <p>12. Regarding bonafide of passenger; How to deal with the difference of opinion; Regarding pleadings of parties & evidence.</p> <p>13. 1. Order must be supported with reasoning. Reasons to impart justice in fair manner; 2. If two view are possible then take the view in favour of claimant as RCT ACT is benevolent legislation.</p> <p>14. How to tackle difference of opinion; Hon'ble Justice Joseph. Bonafide passenger and untoward incidents - Hon'ble Justice Kannan.; Difference between criminal negligence and self-inflicted injury.</p> <p>15. Participant did not comment.</p> <p>16. Participant did not comment.</p> <p>17. A lot of doubts were cleared.</p> <p>18. Lot of cob webs and doubts got cleared.</p>
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	<p>19. 1. Use of precedents; Fair dealing, reasonable & rational orders; 3. Presumptions.</p> <p>20. Learned about important judgements and application.</p> <p>21. Participant did not comment.</p> <p>22. Interpretation of key concepts and handling difference of opinion in bench.</p> <p>23. 1. To resolve difference of opinion; 2. To appreciate rulings; 3. To act on DKM report.</p> <p>24. Mr. Justice Kurian Joseph.</p> <p>25. Use of law.</p> <p>26. 1. Precedents and hierarchy of courts; 2. Discussions on various judgements; 3. Ways and means of speedy disposal.</p> <p>27. Participant did not comment.</p> <p>28. Exposure to diverse views of accomplished scholars.</p> <p>29. Lesson and lectures of Hon'ble Justice K. Kannan.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. Lecture of Professor V.K. Dixit and Dr. Arun Mohan</p> <p>2. Judicial process.</p> <p>3. Statutory interpretation of key concepts.</p> <p>4. Entire programme.</p> <p>5. Experience sharing by Justice Kurian Joseph, Hon'ble Supreme Court Judge; The regular interactions by Chairman RCT and Justice Anjana Prakash.</p> <p>6. Interaction with Justice Kurian Joseph, Session with Prof. V.K. Dixit and insights & guidance from Chairman.</p> <p>7. Summary of all the issue by Hon'ble Chairman.</p> <p>8. Participant did not comment.</p> <p>9. All the programmed were useful.</p> <p>10. Participant did not comment.</p> <p>11. All sessions.</p> <p>12. Difference between criminal negligence & self-inflected injuries.</p> <p>13. Almost all programme were very informative and thought provoking.</p>

	<p>14. Understanding the intricacies of different judgement of apex court.</p> <p>15. Participant did not comment.</p> <p>16. Participant did not comment.</p> <p>17. Precedence by Prof. Dixit.</p> <p>18. Dr. Arun Mohan.</p> <p>19. System changes essentially required.</p> <p>20. Interaction with Justice Kurian Joseph is more informative and practical in application in day to day working.</p> <p>21. Participant did not comment.</p> <p>22. Session 1: a. Jurisdictional Charter of Railway Claims Tribunal b. Statutory Interpretation of key concepts • Untoward Incident • Self-inflicted injury • Criminal act & Violent attack/stampede c. Discussion on leading judgments of Hon’ble Supreme Court on Claims d. Strict Liability v. Liability Contingent on Malfeasance or Negligence - The Statutory context; Session 2: a. Survival of cause for compensation for personal injuries, after death of injured, especially when the death was not resultant to injury b. Components of Decision Making (viz. Fair Hearing; Reasoning; Objectivity; Rationality; Critical Analyses etc. c. Bench Etiquette a. Handling difference of opinion in the Bench</p> <p>23. Lecture of Justice K. Kannan and Justice Anjana Prakash.</p> <p>24. Session 1: a. Jurisdictional Charter of Railway Claims Tribunal b. Statutory Interpretation of key concepts • Untoward Incident • Self-inflicted injury • Criminal act & Violent attack/stampede c. Discussion on leading judgments of Hon’ble Supreme Court on Claims d. Strict Liability v. Liability Contingent on Malfeasance or Negligence - The Statutory context; Session 5: • Appropriate strategies for expeditious disposal in RCT • Shift towards non-litigative approach & settlement under superintendence of RCT –Need for attitudinal change • Lok Adalat • Meaning and Scope of Enquiry as distinguished to Trial</p> <p>25. Practical examples brought out by various member and speakers.</p> <p>26. All parts of programme.</p> <p>27. Participant did not comment.</p> <p>28. Precedent ratio.</p> <p>29. Discussion and interaction with Resource Persons.</p>
<p>c. Which part of the Programme did you</p>	<p>1. Participant did not comment.</p> <p>2. Participant did not comment.</p>

<p>find least useful and why</p>	<p>3. Participant did not comment. 4. None 5. Nil</p> <p>6. There was hardly any session which was not useful.</p> <p>7. Participant did not comment. 8. Participant did not comment. 9. All were useful.</p> <p>10. Participant did not comment. 11. Participant did not comment. 12. Nothing. 13. Almost all programme enable me to learn new things: particularly the scheme of “Life Annuity” seems to be very useful to claimants. 14. Participant did not comment.</p> <p>15. Participant did not comment.</p> <p>16. Participant did not comment.</p> <p>17. None 18. Participant did not comment. 19. Participant did not comment. 20. Participant did not comment. 21. Participant did not comment. 22. None 23. Prof. V.K. Dixit.</p> <p>24. Session 1: a. Jurisdictional Charter of Railway Claims Tribunal b. Statutory Interpretation of key concepts • Untoward Incident • Self-inflicted injury • Criminal act & Violent attack/stampede c. Discussion on leading judgments of Hon’ble Supreme Court on Claims d. Strict Liability v. Liability Contingent on Malfeasance or Negligence - The Statutory context; Session 5: • Appropriate strategies for expeditious disposal in RCT • Shift towards non-litigative approach & settlement under superintendence of RCT –Need for attitudinal change • Lok Adalat • Meaning and Scope of Enquiry as distinguished to Trial</p> <p>25. Participant did not comment.</p> <p>26. Participant did not comment.</p> <p>27. Participant did not comment.</p> <p>28. Matrix propounded by Dr. Arun Mohan. 29. Nil</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. Participant did not comment. 2. Participant did not comment. 3. Participant did not comment. 4. 1. Email judgements relevant to cases of RCT 2. Hold interaction session/seminar more frequently. 5. Everything is just fine. 6. Participant did not comment. 7. Too many stairs to climb 2/3 times. Sone lift to be provide. Fridge in room to keep water cool. Water lose. Tea/sachet & kettle to be provided. 8. Participant did not comment. 9. Participant did not comment. 10. Participant did not comment. 11. Implementation of Legal Services Authority Act 1987 i.e. ADR. 12. These type of conference should be organized by NJA frequently, so we will interact with each other & share ideas with each other. 13. To know the place i.e. Bhopal, which has a historical background during seminar, one day must be kept for sight-seeing to know this part of India in a better way. 14. More research based report to segregate fake cases. 15. Participant did not comment. 16. Participant did not comment. 17. 1. Tea kettle in the rooms; 2. Elevator in the hostel; 3. Effective air conditioning in the room; 4. Prior collection of details of participants by email rather than at the point of checking in. 18. Participant did not comment. 19. The arrangement were very good; Tea making in room can be considered. 20. Campus maintenace is excellent. 21. Participant did not comment. 22. Keep it up. 23. NJA is doing well. Nothing remains to suggest. 24. NA 25. To organize this type of programme frequently.
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	<p>26. At the reception the participant has to fill up lots of details in two pages. Some of them are not essential. It can be reduced.</p> <p>27. Participant did not comment.</p> <p>28. More discussions on problems being faced by different benches.</p> <p>29. No Suggestion.</p>
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