

NATIONAL JUDICIAL ACADEMY

Special Event-02: Seminar for Foreign Judges [Bangladesh]

5th – 11th October, 2018

Programme Coordinator : Mr. Yogesh Pratap Singh & Mr. Prasadh Raj Singh, Faculty

No. of Participants : 40

No. of forms received : 40

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	94.87	5.13	-	3. Knowledge for justice [Appreciable]
b. The subject matter of the program is useful and relevant to my work	87.50	12.50	-	-
c. Overall, I got benefited from attending this program	100.00	-	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	90.00	10.00	-	-
e. Adequate time and opportunity was provided to participants to share experiences	75.00	25.00	-	-
II. KNOWLEDGE				
PROPOSITION	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	87.50	12.50	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	75.00	25.00	-	11. More on common law countries laws should be included.

c. Up to date	87.50	12.50	-	-
d. Related to Constitutional Vision of Justice	90.00	10.00	-	-
e. Related to international legal norms	57.50	42.50	-	-
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	75.00	25.00	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	80.00	20.00	-	-
(ii) Interactive sessions were fruitful	85.00	15.00	-	-
(iii) Audio Visual Aids were beneficial	82.50	17.50	-	-
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	95.00	5.00	93.94	6.06
2	90.00	10.00	93.94	6.06
3	95.00	5.00	96.88	3.12
4	47.50	52.50	51.52	48.48
5	62.50	37.50	66.67	33.33
6	85.00	15.00	90.32	9.68
7	52.50	47.50	60.61	39.39
8	56.41	43.59	54.55	45.45
9	92.50	7.50	88.24	11.76
10	65.00	35.00	75.76	24.24

11	51.28	48.72	51.52	48.48
12	53.85	46.15	57.58	42.42
13	87.50	12.50	94.12	5.88
14	43.59	56.41	36.36	63.64
15	87.18	12.82	78.79	21.21
16	47.22	52.78	51.61	48.39

V. PROGRAM MATERIALS

PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	95.00	5.00	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	85.00	15.00	-	-
c. The content was organized and easy to follow	87.50	12.50	-	-

VIII. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<p>1. 1. Hospitality; 2. Punctuality; 3. Which provisions of law of Bangladesh should be amended in order to develop its Judicial System?</p> <p>2. 1. Learning of judicial ethics; 2. Legal concept; 3. Professionalism.</p> <p>3. 1. Combination of academic & practical knowledge (University scholar & Justices/Professionals. 2. Judicial activism should be applied as a judge; 3. [No fear no favours] encouraged me to go to e-judiciary.</p> <p>4. 1. All the sessions are very effective in doing judicial works. I have never experienced the sessions like judging skills and identification of ratio; 2. The knowledge, wisdom and insight of all the resources persons overwhelmed me; 3. The nature of Bhopal is well preserved.</p> <p>5. 1. Court & case management; 2. Electronic evidence collection preservation & appreciation method; 3. ICT & E-judiciary system.</p> <p>6. 1. Comparative legal study of India and Bangladesh; 2. Digital judicial system in India; 3. How to handle the court.</p> <p>7. Participant did not comment.</p> <p>8. E-judiciary, electronic evidence and constitutional vision of justice.</p> <p>9. 1. Learning about Indian judiciary system; 2. Exchange of legal knowledge; 3. Extension of mental aptitude which will immensely help me in discharging my day to day work.</p>
---	--

	<p>10. 1. Effective evidence appreciation; 2. Case management and court management e-judiciary, New horizon; 3. Human rights in criminal justice administration. Pro-human rights judicial activism.</p> <p>11. 1. Constitutional vision of both the countries; 2. E-judiciary; 3. Appreciation of evidence.</p> <p>12. 1. Learning about constitutional vision of justice; 2. Learning about e-judiciary in India; 3. Learning about important aspects on laws of evidence- forensic and digital evidence as well as about landmark judgements in India.</p> <p>13. E-judiciary system; Electronic evidence; Principles of evidence.</p> <p>14. 1. Electronic evidence, ICT and E-judiciary; 2. Forensic evidence in civil and criminal trials; DNA profiling; 3. Landmark judgements in India.</p> <p>15. 1. ICT and e-judiciary: Indian perspective; 2. Criminal justice administration, fair and impartial investigation in those regard; 3. Constitutional vision of justice.</p> <p>16. 1. Constitutional vision of justice; 2. E-judiciary; 3. Court management and case management.</p> <p>17. Sources of law and precedents. Using of knowledge to deliver justice, use of judicial power & activism.</p> <p>18. 1. Comparative knowledge regarding the management of the court; 2. Comparative knowledge regarding the realistic amendments in basic laws which yet do not reflect in our laws; 3. Sincerity, discipline punctuality and hard work very much necessary for developing judicial system.</p> <p>19. Constitutional vision of justice; Court management; 3. Electronic evidence, ICT & e-judiciary.</p> <p>20. 1. An overview of the legal system of India; 2. Digitization of judiciary; 3. Human rights issues and role of judiciary.</p> <p>21. 1. Forensic evidence in civil and criminal trials: DNA profiling; 2. ICT and E-judiciary; 3. Judge is the master of the court.</p> <p>22. 1. Use of electronic and digital documents as evidence; 2. Paperless e-court system; 3. Digital mode of recording evidence and e-FIR system.</p> <p>23. 1. E-judiciary; 2. Electronic evidence; 3. Local visits study tour.</p> <p>24. 1. Have to give right decision; 2. Have the social knowledge & dimension to reach the right decision; 3. Have the logical & legal knowledge over the matter.</p> <p>25. 1. To learn the importance of e-judiciary; 2. To know the necessity of using electronic evidence. 3. To understand the reality of cyber-crime.</p> <p>26. 1. Learning about e-judiciary; 2. Constitutional vision mandates are being fulfilled by judiciary; 3. Learning about electronic evidence thoroughly.</p> <p>27. 1. About e-judiciary system; 2. Appreciation of evidence; 3. Appreciation of forensic evidence in civil and criminal trials.</p> <p>28. 1. The thoughts on e-judiciary; 2. Forensic evidence; 3. Using precedents.</p> <p>29. Electronic evidence taking process, electronic case management, judging skills.</p> <p>30. Art, craft and science of drafting judgements and court management & case management.</p> <p>31. Participant did not comment.</p>
--	---

	<p>32. 1. Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation; 2. Session 10: Forensic Evidence in Civil and Criminal Trials; DNA Profiling and 3. Session 13: ICT and E-Judiciary: Indian Perspective.</p> <p>33. 1. Collection, preservation and appreciation of evidence in the electronic method; 2. Got an overview of forensic evidence in civil and criminal trials, DNA profiling; 3. Got an idea about the ICT and e-judiciary which is running in India.</p> <p>34. 1. Forensic evidence in civil and criminal trials & DNA profiling; 2. Electronic evidence; 3. Landmark judgements in India.</p> <p>35. Participant did not comment.</p> <p>36. 1. Role and mission of courts; 2. Judicial behaviour; 3. Court and case management.</p> <p>37. 1. Mission and vision of the Indian Government about the judicial system; 2. Comparisons between Indian and Bangladesh laws; Constitution Cr.PC., Penal code Evidence Act etc; 3. Changes in the procedural laws in India such as Evidence Act Cr.P.C. etc.</p> <p>38. 1. Achieved knowledge on organizational structure of Indian judiciary; 2. How to appreciate evidence and write judgement; 3. E-judiciary.</p> <p>39. 1. It opened windows of thought; 2. It gave elements of thought; 3. It gave the impression of knowledge based judiciary, strong judiciary for the betterment of democracy and the country.</p> <p>40. 1. Learning about constitutional Justice; 2. E-judiciary of India; 3. Appreciation of evidence.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. 1. Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation; 2. Session 13: ICT and E-Judiciary: Indian Perspective- because from both the sessions I came to know effectively about the weakness of the judicial administration system of Bangladesh.</p> <p>2. The most useful part of the programme was the learning and interactive sessions. The reason is from the learning part we were able to learn and know about different legal aspects of Indian legal system and by interaction we were able to share our conditions also.</p> <p>3. 1. E-judiciary session; 2. Appreciation of evidence.</p> <p>4. 1. ICT & E-judiciary. The courts of Bangladesh are overburdened with cases. The lengthy judicial procedure, shortage of judges and resources, lawyer's unwillingness makes the whole judicial process delayed. Therefore, e-judiciary should be introduced in Bangladesh.</p> <p>5. ICT & E-judiciary- Because without introducing e-judiciary system no judiciary of the contemporary world would be able to work smoothly.</p> <p>6. Questioning and answering part. Reasons: Resource persons and we the trainee judges can express our respective views.</p> <p>7. ICT and e-judiciary because it is new phenomenon of judiciary. It reduces time to give quick justice.</p> <p>8. Judging skills, court management and principles of evidence. Because these three help the judge every day.</p> <p>9. 1. Electronic evidence: New horizons, collection, preservation and appreciation; 2. ICT and E-judiciary; 3. Judging skills- Art Craft and Science of Drafting Judgement.</p>

10. Appreciation of evidence, essential rules and mode of doing.
11. E-judiciary; To render justice to the people quickly and without heavy cost.
12. The interactive sessions and local visits were most useful because it helped me to share and gain knowledge at the same time and added to my experience.
13. ICT and e-judiciary by Mr. Talwant Singh; I learnt from him how e-judiciary can operate. State privacy and personal privacy, human rights.
14. Interactive session- exchanging views and ideas, comparison between the provisions of the two countries constitution (India – Bangladesh).
15. The study of e-judiciary because, I am of opinion that it is essential for speedy trial, removing backlog and perhaps, it will be the next generation judiciary.
16. I found **Session 1: Overview and Architecture of the Indian Constitutional Arrangement; Session 2: Indian Judiciary: Organizational Structure and Jurisdiction; Session 3: Goals, Role and Mission of Courts: Constitutional Vision of Justice** – most useful as these sessions were interactive and speakers especially Justice Sonak has delivered great extent of service.
17. E-court & goals, role and mission of courts. **Session 2: Indian Judiciary: Organizational Structure and Jurisdiction; Session 3: Goals, Role and Mission of Courts: Constitutional Vision of Justice; Session 13: ICT and E-Judiciary: Indian Perspective.** It is time saving and way to ensure speedy remedy to litigants.
18. Constitutional vision of justice, appreciation of evidences as well as art, science of drafting judgements.
19. Entire programme was most useful.
20. Almost all the sessions.
21. ICT and e-judiciary as it is not developed in our country as much as India.
22. The sessions regarding paperless e-court system as it is the demand of the age and equally effective and convenient for litigants, pleaders, judges as well as for future generation.
23. Every session of the topic is most useful because it develops our judicial skills.
24. The speech of Justice Sanjeev Sachdeva is very useful, as it is very practical & social context oriented.
25. Attending **Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation**-as Mr. Harold D'Costa practically showed what the nature and scope of cyber-crime is and how lenient we are in this regard.
26. **Session 7: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 13: ICT and E-Judiciary: Indian Perspective**- These sessions would be very relevant and necessary in coming days in our country.
27. **Session 7: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 8: Evidentiary Presumptions; Onus and Burden of Proof; Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation and Session 10: Forensic Evidence in Civil and Criminal Trials; DNA Profiling** – are most useful to us because appreciation of evidence is most important in both civil and criminal cases.
28. The implementation of e-judiciary in India because we are in transitional period as well as to turn our judiciary into e-judiciary. This knowledge will help us a lot.

	<p>29. Taking evidence through electronic process. Because it may give justice to the litigants as early as possible.</p> <p>30. Court management & case management. Because now I know how to organize huge amount of cases in our courts.</p> <p>31. Participant did not comment.</p> <p>32. <i>Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation.</i> I found most useful as the modern court system should be digitized. It will be very useful to reduce the backlog of cases. It will also save time and money.</p> <p>33. In my opinion <i>Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation; Session 13: ICT and E-Judiciary: Indian Perspective-</i> in India are the most useful parts of the programme.</p> <p>34. ICT and e-judiciary. Application of ICT in judiciary will save cost, time and people will get easy access to justice.</p> <p>35. Participant did not comment.</p> <p>36. <i>Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation-</i> It is befitting and time demanding subject.</p> <p>37. 1. Floor discussion- because it helps us to know a lot within short time; 2. Recreation: Yoga and swimming made me aware about physical and mental health; 3. Sitting arrangement in the classroom and its arrangement.</p> <p>38. Most of the laws of India are similar to Bangladesh. So, we could gather ideas from foreign externals as to how to administer the court of justice.</p> <p>39. Interactive sessions are the most useful part of the programme.</p> <p>40. The session which gave us the idea of how to appreciate the evidence appears to me most useful because if we fail to appreciate evidence then miscarriage of justice many happen which is fatal to the legal justice system.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. Local visit at Bhimbetka as it is far away from the Academy and takes long to reach there.</p> <p>2. NA.</p> <p>3. Local visit – Bhimbetka.</p> <p>4. NA</p> <p>5. I found no part of the programme as least useful.</p> <p>6. Only theoretical session- 1. Demonstration classes are absent; 2. To maintain the attention for a long time is difficult.</p> <p>7. Participant did not comment.</p> <p>8. Nothing is least useful of this programme but for a practical situation I have to say this ICT and e-judiciary because in our country most of the lower courts are not familiar with this concept.</p> <p>9. None.</p> <p>10. Nothing.</p> <p>11. Nothing found.</p> <p>12. Sessions on principles of evidence and evidentiary presumption were lengthy. There was not enough time for session on electronic and forensic evidence which were more effective for us.</p>

13. All programmes are good and effective.
14. Local visit arrangement to Bhimbetka. Because it is so far from here. Areas for visit should be selected on the basis of distance rather than history, scenery etc.
15. Participant did not comment.
16. I found **Session 11: Criminal Justice Administration and Human Rights; Session 12: Human Rights: Fair and Impartial Investigation** – least useful as these sessions were not interactive. Deliberation towards the participants by Prof. M.K. Ramesh was not upto the mark.
17. Nothing like that.
18. Human rights: fair and impartial investigation; Because this subject is exclusively connected with projection part and court could play very little role in this issue. But court could give some directions for speedy and material investigation.
19. NA.
20. Not applicable.
21. NA
22. No comment.
23. Nothing of the programme is least useful because all is necessary for us.
24. There is no least useful programme.
25. No comment.
26. **Session 14: Identification of Ratio in a Precedent.**
27. **Session 15: Landmark Judgments in India; Session 16: Landmark Judgments in India-** are least useful to us because judgement of Indian court is not obligatory for us.
28. The sessions regarding human rights because in this stage as we all are students of law, I think we all have adequate knowledge about human rights.
29. Every part of the programme is useful.
30. Every part of this programme is useful to me.
31. Participant did not comment.
32. Landmark judgement in India. This part is least useful as the facts of the case may vary from country to country. This part may not be the historic for any other country.
33. Every part of this programme is more or less essential to us to understand the existing legal system of India.
34. Participant did not comment.
35. Participant did not comment.
36. **Session 14: Identification of Ratio in a Precedent-** It was an usual topic.
37. It was hazardous to reach Bhopal from Dhaka. It takes two days.
38. Participant did not comment.
39. Long lecture could be avoided in row, rather lecture and other participatory method could be used.
40. I did not find anything least useful.

<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. NJA could arrange the programme not only with the participants from one particular country; but also participants from different countries. Then the sharing sessions would be more interactive. It will not be limited between India and Bangladesh only. Ideas from different countries would be shared. 2. I humbly appreciate the work of the research fellow to publish the two volumes of course material. But it will be convenient for the trainees if the materials are supplied in CDs or Pen drive. Thank You. 3. Identify the real problem of judicial administration & how to solve; Prof. D.P. Verma Sir's expertise may be used in different session. 4. I am thankful and grateful to NJA authority who are working hard to make our programme effective. My suggestion is- 1. Visit to National park can be included in programme; 2. A sim card to activate a mobile phone can be delivered to us for some days. 5. Service of NJA is extra ordinary. So we are very much delighted & lucky enough for being here. 6. 1. Local court visit should be introduced; 2. More local visits. 7. 15 days training is too short. My suggestion is to extend the training for 30 days. 8. Procedural law may be incorporated in this programmes because we the new judges make procedural mistakes often. 9. 1. Official arrangement for calling to country of participant; 2. Local food supplies, if possible; 3. Internet connection at dormitory. 10. Group presentation on a given fact in some cases may be thought. 11. Comparative law means the comparative legal system study may be initiated. 12. 1. Session on e-judiciary, electronic evidence and forensic evidence can be made longer. It will help us more; 2. Local visits and study tours should be more organized; 3. A short but formal inaugural ceremony would be good. 13. Everything is ok. But we cannot use Indian sim therefore we cannot connect to our country. If Indian sim can be provide for only few days it will be very nice. 14. Classes should be taken more and more by Prof. D.P. Verma, Justice M.S. Sonak because they are interactive and easy going to us. Sessions should be increased from 6-10 here and the rest in the other judicial academy. 15. Participant did not comment. 16. NJA may provide laptop computer in front of participants while they are in training sessions, so that, in case of necessity participants can search the matter in internet and gather relevant knowledge easily. 17. It is already up to the mark according to my view. 18. I would like to say NJA served us very effectively. Inspection in the local courts during proceedings could be added in the programme. 19. Visiting local courts and officers of the law enforcing agencies; visiting e-court etc. 20. 1. NJA may make arrangement for visits of local district courts for the participants; 2. This confidential form should not contain name and designation of the participant. 21. 1. Local court visits. 2. Practical use of e-judiciary.
---	---

22. 1. Power point presentation should be involved in all the sessions; 2. Visit to the local courts may be included in the schedule.
23. It comparative study in every topic is more it will develop the foreign judges as well as the system.
24. It may be useful to visit the legal institution.
25. 1. To extend the period of training; 2. To have a reserve day after arrival in NJA.
26. Make registration process easy. Server problem is not a good excuse in this regard. We heard previously about your belief that “Guests are the images of Narayan (God)”. Everything is ok. But registration!! Please communicate with the relevant Ministry/Department. NJA is Good.
27. The period of training should be extended.
28. Instead of sessions relating to human rights, sessions relating to forensic evidences could have been increased.
29. Visiting the courts.
30. NJA may serve us by visiting different types of courts in India.
31. Participant did not comment.
32. 1. All resource person should use power point presentation; 2. Every lecture should be mailed before starting of class; 3. Every participant should have access of computer lab and library.
33. Local visit and visiting of historical places should be increased. At least court visit should be included in this programme.
34. Local visit or study tour programmes should be increased.
35. Participant did not comment.
36. 1. Cyber type subject may be included; 2. Presentation based sessions may be encouraged; 3. Recommendation of trainees should be given priority.
37. Participant did not comment.
38. You could have a visit to courts to show us how your courts are administering justice.
39. You can ask suggestion for the subject which could be effective and useful for Bangladesh students.
40. Whatever is going on is good.