

# National Judicial Academy

**SE-05: Training Programme for Bangladesh Judges**

(For Senior Assistant Judges, Assistant Judges and Magistrates) [Level-2]

1<sup>st</sup> – 7<sup>th</sup> November, 2019

**Programme Coordinator** : Ms. Sonam Jain and Ms. Nitika Jain, Faculty

**No. of Participants** : 39

**No. of forms received** : 38

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	<b>97.37</b>	<b>2.63</b>	-	27. Excellent.
b. The subject matter of the program is useful and relevant to my work	<b>94.74</b>	<b>5.26</b>	-	27. Excellent.
c. Overall, I got benefited from attending this program	<b>97.37</b>	<b>2.63</b>	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	<b>76.32</b>	<b>23.68</b>	-	-
e. Adequate time and opportunity was provided to participants to share experiences	<b>78.95</b>	<b>21.05</b>	-	1. Considering the issues given time may be extended.  27. More time to be needed at least 30 days.
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	<b>84.21</b>	<b>15.79</b>	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>65.79</b>	<b>34.21</b>	-	-
c. Up to date	<b>86.84</b>	<b>13.16</b>	-	-

d. Related to Constitutional Vision of Justice	<b>86.84</b>	<b>13.16</b>	-	-
e. Related to international legal norms	<b>60.53</b>	<b>39.47</b>	-	-
<b>III. STRUCTURE OF THE PROGRAM</b>				
<b>PROPOSITION</b>	<b>Good</b>	<b>Satisfactory</b>	<b>Unsatisfactory</b>	<b>Remarks</b>
a. The structure and sequence of the program was logical	<b>92.11</b>	<b>7.89</b>	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>84.21</b>	<b>15.79</b>	-	-
(ii) Interactive sessions were fruitful	<b>73.68</b>	<b>26.32</b>	-	-
(iii) Audio Visual Aids were beneficial	<b>78.95</b>	<b>21.05</b>	-	-
(iv) Group discussion cleared many doubts	<b>60.00</b>	<b>40.00</b>	-	-
<b>IV SESSIONS WISE VETTING</b>				
<b>Parameters</b>				
<b>Session</b>	<b>Discussions in individual sessions were effectively organized</b>		<b>The Session theme was adequately addressed by the Resource Persons</b>	
	Effective and Useful	Satisfactory	Effective and Useful	Satisfactory
1	<b>94.74</b>	<b>5.26</b>	<b>96.43</b>	<b>3.57</b>
2	<b>92.11</b>	<b>7.89</b>	<b>96.43</b>	<b>3.57</b>
3	<b>94.74</b>	<b>5.26</b>	<b>89.29</b>	<b>10.71</b>
4	<b>94.74</b>	<b>5.26</b>	<b>92.86</b>	<b>7.14</b>
5	<b>92.11</b>	<b>7.89</b>	<b>82.14</b>	<b>17.86</b>
6	<b>86.84</b>	<b>13.16</b>	<b>82.14</b>	<b>17.86</b>
7	<b>84.21</b>	<b>15.79</b>	<b>82.76</b>	<b>17.24</b>
8	<b>84.62</b>	<b>15.38</b>	<b>85.19</b>	<b>14.81</b>
9	<b>82.05</b>	<b>17.95</b>	<b>80.77</b>	<b>19.23</b>
10	<b>84.62</b>	<b>15.38</b>	<b>88.46</b>	<b>11.54</b>
11	<b>78.95</b>	<b>21.05</b>	<b>74.07</b>	<b>25.93</b>

12	<b>57.89</b>	<b>42.11</b>	<b>55.56</b>	<b>44.44</b>
13	<b>44.74</b>	<b>55.26</b>	<b>60.00</b>	<b>40.00</b>
14	<b>63.16</b>	<b>36.84</b>	<b>64.00</b>	<b>36.00</b>
15	<b>97.37</b>	<b>2.63</b>	<b>92.00</b>	<b>8.00</b>
16	<b>86.84</b>	<b>13.16</b>	<b>91.67</b>	<b>8.33</b>
17	<b>89.19</b>	<b>10.81</b>	<b>91.67</b>	<b>8.33</b>

#### V. PROGRAM MATERIALS

<b>PROPOSITION</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>97.37</b>	<b>2.63</b>	-	1. Soft copies of the lectures may be given to the trainees. 6. Actually the resource persons do not always follow the reading material. I think the lectures should be included in the reading material(s) We will be more benefitted.
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>78.95</b>	<b>21.05</b>	-	-
c. The content was organized and easy to follow	<b>92.11</b>	<b>7.89</b>	-	-

#### VIII. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<p>1. 1. Getting the knowledge on spirit and values of Indian constitution; 2. To come to know the legal position of electronic evidence in India; 3. Coming across some landmark judgements of Indian Supreme Court.</p> <p>2. 1. Appreciation of electronic evidence; 2. Use of ICT in the judiciary; 3. Identification of ration in a precedent.</p> <p>3. 1. Learning law; 2. How to adapt the legal provisions in the applicable situation; 3. Legal exposition.</p> <p>4. 1. How to read the law; 2. How to apply the law; 3. How to uphold justice.</p> <p>5. Sharing the knowledge with comparison of Bangladesh laws, getting lecture from justices and chief justice, exploring Bhopal.</p>
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6. 1. Initiating e-judiciary is not so tough, instead; 2. How to keep brain calm and cool in court room; 3. Finding relevant evidences more appropriately; 4. Identification of ratio in a precedent.

7. 1. Principles of evidence; 2. Court & case management; 3. Goals, Role & Mission of courts.

8. This programme is related to constitutional vision of justice and international legal norms. I got benefitted up on attending this.

9. 1. Process of using electronic evidence; 2. Process of having e-judiciary; 3. Knowing Indian constitutional vision of justice.

10. 1. Comparative discussion of laws of both countries; 2. Re-information of laws to make those/suitable for ages; 3. Digitalization of Indian judiciary.

11. 1. Got elaborate knowledge of count management and case management; 2. Got adequate knowledge about on us and burden of proof and practical aspects at electronic and forensic evidence; 3. Got knowledge about Indian judiciary.

12. 1. Time management; 2. Comprehensive and subject oriented lecture module; 3. Environment.

13. 1. Constitutional vision of justice; 2. Court management and case management; 3. Electronic evidence.

14. 1. Constitutional vision of justice; 2. Court management and case management; 3. Electronic evidence.

15. The most important learning achievements of this programme are learning architecture of the Indian constitutional arrangement and electronic evidence as well as landmark judgements in India.

16. 1. Understanding the Indian laws and procedures that would help us to improve ours; 2. Judges have one of the most important roles to play as they are the ultimate hope for litigant people; 3. To be more humble and more human is important in life.

17. 1. Got a very clear idea about constitutional law; 2. Got a clear idea about Indian legal system; 3. Got ideas about e-court and electronic evidence.

18. 1. I have come across the constitutional development in India; 2. A comparative analysis between the Indian & Bangladeshi legal system; 3. The development done in India in the field of electronic & forensic evidence.

19. Through this training programme I think my knowledge has enriched regarding Indian judiciary, judges skill and appreciation of evidence in civil and criminal cases.

20. This training programme is enriched my knowledge about drafting of a judgement. Identification of ratio in a precedent and appreciation of evidence in civil and criminal cases.

21. 1. Importance and uses of electronic evidence; 2. Proper appreciation of evidence in both civil and criminal cases; 3. Landmark judgements on various field.

22. 1. How to extent the vision of interpretation; 2. Assessment of evidence; 3. How to impart training.

23. 1. Applying and interpreting law in the light of spirit of constitution; 2. Appreciation of electronic evidence; 3. How to ICT can be used in effective way to ensure administration of justice.

24. Similarity and dissimilarity among the law of evidence civil procedure, criminal procedure and constitutional laws between the two countries.

	<p>25. Participant did not comment.</p> <p>26. 1. Group study; 2. Learning in a cross culture environment; 3. Interaction with notable jurists of this sub-continent.</p> <p>27. Constitutional jurisprudence; Way of appreciation of evidence; Idea of e-judiciary.</p> <p>28. Legal aid system – Indian Government give free legal aid to all over Indian and Non-Indian people.</p> <p>29. 1. Indian landmark judgement on various aspect; 2. Introduction to the provision of evidence act about electronic evidence; 3. Better management of age and knowing about the electronic evidence.</p> <p>30. 1. Court management &amp; case management; 2. E-judiciary; 3. Art of writing judgement.</p> <p>31. Case management and court management, e-judiciary act of writing judgement.</p> <p>32. Discipline method of interpreting the law methods of applying the right court to administer justice.</p> <p>33. 1. Learn how does the judicial activism works here; 2. Application of laws in practical fields; 3. Enrich the knowledge of law be the profound resource person of every session.</p> <p>34. 1. Amendment of evidence Act, Sec.-65B regarding electronic evidence; 2. ICT &amp; E-judiciary application; 3. Court management &amp; case management.</p> <p>35. Get to know honorable resource persons; Having an overall idea about Indian judges training system; To be acquainted with new people.</p> <p>36. Court management; Learning about ICT and E-judiciary principle of evidence.</p> <p>37. 1. A long inherited history of legal system of Indian sub-continent; 2. Indian judiciary system; 3. A superior court management system.</p> <p>38. 1. Gather and acquire knowledge; 2. Be good at yourself, then you would keep others good; 3. Think very sincerely and apply judicial mind appropriately.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. I found the topic electronic evidence: New horizons, collection, preservation and appreciation most useful because now it is the era of digitalization which inevitably necessitated the acceptance and appreciation of digital evidence, electronic evidence by the courts. So, I have least how I as a judge magistrate can accept and appreciate electronic evidence in my court.</p> <p>2. 1. Electronic evidence; 2. ICT &amp; E-judiciary; 3. Identification of ratio in a precedent.</p> <p>3. Practical application.</p> <p>4. Identification of ratio in a precedent.</p> <p>5. Classes regarding criminal justice administration.</p> <p>6. Hospitality of the authority, Gesture of the resource persons and definitely support from support staff (Cook, attendants, Guards etc.). The programme is very much professionally organized in the seminar room by Ms. Sonam Jain and Ms. Nitika Jain; It is great learning! I know how to behave with people properly.</p> <p>7. ICT &amp; E-Judiciary.</p> <p>8. The constitutional vision of justice the supreme of the constitution and the separation of judiciary.</p>

9. Session on electronic evidence: Because this is something which as a judge I can't avoid.
10. **Session 12: Criminal Justice Administration and Human Rights-** of Mr. Yashpal Singh. Discussed brief by as to admissibility of electronic evidence. Examples given were quite relevant.
11. **Session 6: Judging Skills: Art, Craft and Science of drafting judgments; Session 7: Judge the Master of the Court: Court Management & Case Management; Session 8: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 9: Evidentiary Presumptions: Onus and Burden of Proof and Session 10: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation-** because materials discussing of these sessions are directly useful and relevant to my work.
12. Lectures of the knowledgeable resource person which enables us to get a clear concept on the subject matter.
13. Court management and case management because its proper use can reduce back log of cases.
14. Court management and case management because its proper use can reduce back log of cases.
15. Each and every part of the programme was useful. I find most useful part out of this to me constitutional principles at the time of providing justice at are lower court. Because sometimes we through only the laws. But, we need to keep in mind the principles of the constitution.
16. 1. I find most important the court and case management session or it is important for a judge from daily basis; 2. Also find the electronic evidence session important it is quite new for us though it is a necessity of the present time to insert provisions regarding this issue in Bangladesh and this session would help us to do that.
17. Session on "Elements of judicial behavior and judgement writing skills were most useful because it will help me a great deal to improve the quality of my judgement.
18. The session on electronic evidence: New horizons, collection, preservation & application. As in Bangladesh no amendment has been done to in evidence act, 1972 to renders an electronic evidence as document.
19. Discussion of appreciation of evidence in civil and criminal cases and evidentiary presumptions was most useful to me because It is a great excellent to my work.
20. The sessions regarding appreciation of evidence in civil and criminal cases was very much useful to me because I think a judge should have a clear understanding about appreciation of evidence in order to write a good judgement.
21. Arrangement of subject matter because the subjects which are selected is most useful and effective in performing our job more smoothly.
22. Electronic evidence because considering these is a demand of time.
23. Opportunity to put questions to the resource persons to meet up clearest.
24. Discussion by the Hon'ble Director. I think he is capable of making things clarified. Sir himself should take at least one sessions in a day.
25. Question and answer session.
26. Use of ICT in the Justice sector of India; E-judiciary & ICT Part.
27. Discussion on landmark judgement; These judgement widens my thinking horizon.

	<p>28. Participant did not comment.</p> <p>29. <b>Session 10: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation-</b> consist of the topic of electronic evidence etc... is most useful. Because it discloser new era of evidence that should be interested in Bangladesh.</p> <p>30. E-judiciary because the litigants get their demands so quickly.</p> <p>31. Principles of evidence: Appreciation in civil and criminal cases because it is very-very important in my day to day judicial work.</p> <p>32. <b>Session 6: Judging Skills: Art, Craft and Science of drafting judgments; Session 8: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 9: Evidentiary Presumptions: Onus and Burden of Proof and Session 10: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation; Session 12: Criminal Justice Administration and Human Rights; Session 13: Human Rights : Fair and Impartial Investigation and Session 14: ICT and E-Judiciary: Indian Perspective-</b> was most useful because it directly relates to work a judge in Bangladesh nicely to adjudicate the disputes among the litigant.</p> <p>33. <b>Session 8: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 9: Evidentiary Presumptions: Onus and Burden of Proof and Session 10: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation; Session 11: Forensic Evidence in Civil and Criminal Trials; DNA profiling-</b> was most useful. Because I think in this area we here to develop our laws relating to electronic and forensic evidence.</p> <p>34. Electronic evidence found by me most useful because there was a confusion in our mind that without amendment of B.D. evidence act. The electronic document cannot be applied as evidence in our country but after this programme I think that idea was wrong.</p> <p>35. I like most the case based approach of study modules. Specially the class of Hon’ble Mr. Justice Ved Prakash &amp; Justice Deepak Gupta. Being a judge, analytical aspect of legal provisions are relevant to my day to day works. That’s why, care based study in best for us.</p> <p>36. Learning about ICT &amp; E-judiciary because our country have taken e-judiciary project.</p> <p>37. The effectiveness of fully independence of judiciary in India.</p> <p>38. The whole arrangement is magnificent because simplicity and beauty in here with highly experience and nice people living and working in with subtlety, candidacy and in an appropriate delicate manner.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. I have not found any part of the programme that is least useful. Each and every part of the programme has been useful for me.</p> <p>2. Goal, role and mission of courts – could not be developed to shed new light on the topic.</p> <p>3. Participant did not comment.</p> <p>4. None.</p> <p>5. None.</p> <p>6. Local Tour: Tribal museum/ State museum. It is not fully pertinent with our course outlines though it gave us anthropologies history. How even, we may spend some couple of hours in the court. We missed a lot, I think. We could have a look to physical court proceeding.</p>

7. ICT & E-Judiciary is the least useful to me because of its new dimension.
8. Every part of this programme found useful for me.
9. None.
10. Every part of the programme was outstanding.
11. Participant did not comment.
12. None.
13. Participant did not comment.
14. Participant did not comment.
15. Though forensic evidence in civil and criminal trials: DNA profiling is important issue, it is least useful in my sense as it is similar to our country.
16. Nothing.
17. Visiting central jail as it was very common experience of all judges.
18. Visit to central jail. As being a judicial officer we have to visit there on regular basis.
19. NA.
20. NA.
21. NA.
22. Jail visit. It is experienced by all of us before.
23. Participant did not comment.
24. Not applicable.
25. To visit museum.
26. Participant did not comment.
27. I did not find anything least useful.
28. Did not find any least useful thing in this training programme.
29. None of this training programme is least useful but *Session 12: Criminal Justice Administration and Human Rights* and *Session 13: Human Rights: Fair and Impartial Investigation*- can be better presented.
30. To visit central jail. It is not essential to learn anything but to visit Indian court in much more better.
31. Visit to central jail because there kind of jails are also in our country we visit there.
32. Participant did not comment.
33. Not applicable.
34. As a judge I think all parts of the programme are most important for us. Because any part may be faced by us at any stage of our service.
35. Not having any group/team work. There should be more and more group work based on any case law/given fact.
36. None.
37. The theoretical and hypothetical part of the programme.
38. Less interactive, would expected to be more reciprocal it desired.



<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"> <li>1. 1. The NJA may have a session on presentation by the participants at the end of the programme. It may be a group presentation of the trainees; 2. NJA may arrange or may have a part on visiting different courts including high court and other courts, if possible, supreme court as well.</li> <li>2. NJA may incorporate the topic on economic analysis of law for the development of procedural laws of the courts in order to make the judges sensitized and thereof and pro reformists to part the way of development of the judiciary.</li> <li>3. It has had for reaching effect in my career.</li> <li>4. To extend the tenure for farther period.</li> <li>5. Along with lectured method of each session, some small group work, presentation and assignment can be added.</li> <li>6. Time duration (6days) is too short. More classes/ sessions on court and case management. Night long plane journey (with connecting flights) make us a bit tired. The Director Mr. Justice G. Raghuram should take some sessions. It seems to me. His vast knowledge and dynamic approach may enrich the participants in many ways. May invite a resource person from Bangladesh for at least one session.</li> <li>7. 1. All class should be presented by power point; 2. It should have visit to Supreme Court of India minimum two high court &amp; district court of India.</li> <li>8. I have no hesitation to say that NJA provide would class facilities both in the classroom and in residence facilities.</li> <li>9. Standing programme at 9:00 am and closing by 3:00 pm. The participants will think they have day time to visit different places and will be more attentive in the last sessions of a day.</li> <li>10. Seating arrangement can be go long based. Couldn't see the resource person from the back seat.</li> <li>11. Session may be more interactive and contents may be more updated.</li> <li>12. Visit to local historical places and natural beauty should be invested so that we can explore the city.</li> <li>13. Participant did not comment.</li> <li>14. Participant did not comment.</li> <li>15. Frankly speaking, the training was just I needed. These 07 days was big gift of a tremendous experience, expertise and creativity in a smooth manner, It would more beneficial to if it would more participatory.</li> <li>16. Please do try to include a programme to visit the court here.</li> <li>17. The course schedule and resource persons were excellent. I think arranging some more trips to different historical and tourist location can make the programme more interesting and effective. Some group presentations of the participants and few interactive session can also make the programme more enjoyable.</li> <li>18. The length of the training session in NJA could be extended. More study tours could be arranged.</li> <li>19. NA.</li> <li>20. NA.</li> <li>21. May be included one or two more visit session in various historical places in Bhopal.</li> </ol>
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	<p>22. Sessions should be started early in the morning and ended before lunch especially for the participants of Bangladesh so that we can visit various places of Bhopal and MP.</p> <p>23. 1. Staffs should be trained so that they are above to communicate with the trainers through English; 2. Arrangement for phone booth when international call can be made on payment at the time of emergency.</p> <p>24. Not applicable.</p> <p>25. To keep a part of the programme is to local court visit.</p> <p>26. The length of training programme can be increased. Judges should have more days to stay in this well arranged academy.</p> <p>27. Training time can be extended up to 30 days; Make arrangement of visit to state high court and district court.</p> <p>28. Include local study tour such as visit to state high court and district court.</p> <p>29. I have no suggestion of this topic. Because this Academy served us in good way. Food was best. Programmes schedules was full or variety.</p> <p>30. The programme should be more interactive between the resource persons and the participants relating to the system and procedural of Indian and Bangladesh.</p> <p>31. Everything is up to the mark. You could make a practical session regarding functioning of e-judiciary of India.</p> <p>32. 1. It would suggest to have a visit to lower court; 2. Along with the judges of Bangladesh the judges of other countries may have been trained at the same time on same programme schedule so that judges from different countries can share their knowledge with us with the ambit of your opportunity.</p> <p>33. 1. A programme to visit to court mechanism is more effective. Because it will make sense how does court function in your country; 2. Arrangement of programmes with other countries at the same time will be more effective. Because it creates opportunity to share experience and knowledge which is beneficial for the ultimate goal of effective judiciary.</p> <p>34. For discussion amongst participants &amp; for question &amp; answers more time can be given or for questions &amp; answers time should be commenced at least 15 minutes earlier to the end of the sessions.</p> <p>35. As law is not a static subject, legal study is always updating and changing. Being a judge of this sub-continent, I think modules on human psychology and law. Psychological conflict of stake holders in law drafting and implementing in court rooms can be addressed. Apart from this, the service of NJA is excellent.</p> <p>36. Wi-Fi connection should be available in the residence as well.</p> <p>37. In order to make more effective of the NJA's programme as it is for judicial officers only, it should be much more practical, practice oriented.</p> <p>38. Arrange more practical study tour like visiting courts and extracts the practical knowledge regarding courts proceedings.</p>
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