

National Judicial Academy

P-1004: Colloquium on Art, Science and Craft of Judging for Newly Elevated Judges
10th – 11th December, 2016

Programme Coordinator : Mr. Prasadh Raj Singh, Law Associate
No. of Participants : 24
No. of forms received : 22

I. OVERALL				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	90.91	9.09	-	5. But things should be made clear to participants
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	95.24	4.76	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	81.82	18.18	-	-
e. Adequate time and opportunity was provided to participants to share experiences	100.00	-	-	5. 2 nd day m it was more open.
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	90.48	9.52	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	80.95	19.05	-	-
c. Up to date	84.21	15.79	-	-
d. Related to Constitutional Vision of Justice	95.24	4.76	-	-

e. Related to International Legal Norms	29.41	58.82	11.77	-
III. STRUCTURE OF THE PROGRAM				
PROPOSITIONS	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	100.00	-	-	-
b. The program was an adequate combination of the following methodologies viz.				
i. Case studies were relevant	81.82	18.18	-	-
ii. Interactive sessions were fruitful	80.95	19.05	-	-
iii. Audio Visual Aids were beneficial	63.64	36.36	-	-
IV. INDIVIDUAL SESSIONS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. Discussions in individual sessions were effectively organized	73.68	26.32	-	-
b. The session theme was adequately addressed by the Resource Persons	90.00	10.00	-	-
V. PROGRAM MATERIALS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	95.45	4.55	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	76.19	23.81	-	-
c. The content was organized and easy to follow	81.82	18.18	-	-

VI. GENERAL SUGGESTIONS

<p>a. Three most important learning achievements of this Programme</p>	<ol style="list-style-type: none"> 1. Restraint of powers. 2. 1. Helped me is to shed some of my inhibitions; 2. Helped me to understand about implementation of law. 3. Effectiveness in discharging duties 4. Instead of interactive session at initial stage, expressions from experts be provided on subjects. 5. 1. Experience to be used while working on judgment; 2. Human factor and feelings to be kept in mind; 3. How to write judgment in the case of conflicting judgments. 6. Sessions were enlightening; May more interactive sessions bring out more new thoughts. 7. Enlightened on the issues; 2. Refreshed memory; 3. Good interaction. 8. Highly motivating; informative and practical 9. Participant did not comment 10.1. How to apply precedents was made clear; 2. Effect of contradictory judgments; How to apply, was made clear. 11. 1. As a newly appointed sharing experience was learning; 2. Concept of precedence was further clarified; 3. The evolution of the principles in any field of law . 12. Good interaction; Clearing the ideas/notions; Expectation from a Judge of the High Court. 13. It broadened my vision; experience; 3. Removed misconceptions. 14. 1. Objectivity is given more importance; 2. Judicial restraint or judicial activism to be visited always; 3. Constitutional value is talked about. 15. Interactive sessions were helpful. 16. The power and jurisdiction of judges and following the cultural practices, status strictly with great humanity 17. Judgment writing; Judicial review; conduct 18. 1. Learning on Art of managing the Court Proceedings; 2. Good guidance to decode the issue depends upon the facts of individual case; 3. Lakshman Rekkha-encroaching other pillars of the Constitution.
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	<p>19. Participant did not comment</p> <p>20. Extent of exercise of judicial power; Guidelines for judicial conduct; Reconciling precedence conflict.</p> <p>21. 1. Not to make uncharitable comments as judges of subordinate judges; 2. Enhancing the art of patient hearing; 3. Enriching interactive sessions.</p> <p>22. SESSION 2 <i>Challenges in judging: Reconciling precedential conflict</i>; SESSION 4: <i>Judicial review: restraint vs activism</i>; SESSION 5 <i>Judicial reasoning and analysis of precedents</i></p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. SESSION 4: <i>Judicial review: restraint vs activism</i>; SESSION 5 <i>Judicial reasoning and analysis of precedents</i></p> <p>2. All programmes were useful. Interconnectivity issues make it difficult to identify an individual programme.</p> <p>3. Entire</p> <p>4. Judicial Review and Precedents</p> <p>5. SESSION 4: <i>Judicial review: restraint vs activism</i>; SESSION 5 <i>Judicial reasoning and analysis of precedents</i></p> <p>6. SESSION 4: <i>Judicial review: restraint vs activism</i>; SESSION 5 <i>Judicial reasoning and analysis of precedents</i> – Exceptional</p> <p>7. Interactive session as it opens one’s mind.</p> <p>8. All the sessions</p> <p>9. Participant did not comment</p> <p>10. SESSION 4: <i>Judicial review: restraint vs activism</i>; SESSION 5 <i>Judicial reasoning and analysis of precedents</i>—where there were open discussions and problems were addressed.</p> <p>11. Participant did not comment</p> <p>12. SESSION 4: <i>Judicial review: restraint vs activism</i>; SESSION 5 <i>Judicial reasoning and analysis of precedents</i>—It was because almost every body was motivated to participate in the discussions.</p> <p>13. All sessions</p> <p>14. SESSION 3: <i>Constitutional interpretation</i>; SESSION 4: <i>Judicial review: restraint vs activism</i>; SESSION 5 <i>Judicial reasoning and analysis of precedent</i></p> <p>15. All</p>

	<p>16. SESSION 4: Judicial review: restraint vs activism; SESSION 5 Judicial reasoning and analysis of precedent—the jurisdiction of writs Art. 226, 32 have been explained well.</p> <p>17. Last two sessions-- SESSION 4: Judicial review: restraint vs activism; SESSION 5 Judicial reasoning and analysis of precedent</p> <p>18. Restraint is activism.</p> <p>19. Participant did not comment</p> <p>20. All sessions were useful, being relevant and gave more information to the work to be done in my jurisdiction.</p> <p>21. All very honestly. Gave an input and insight into understanding the role of judges in dealing with constitutional law in particular.</p> <p>22. SESSION 4: Judicial review: restraint vs activism; SESSION 5 Judicial reasoning and analysis of precedents</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. None</p> <p>2. No</p> <p>3. Participants did not respond.</p> <p>4. Interaction at length as it was gathering of newly appointed judges so not that much qualitative queries.</p> <p>5. None. Every part was useful. Sorry to say whole part of the programme least useful.</p> <p>6. All were useful</p> <p>7. Participant did not comment.</p> <p>8. Participant did not comment.</p> <p>9. Participant did not comment</p> <p>10. Participant did not comment</p> <p>11. Participant did not comment</p> <p>12. Participant did not comment</p> <p>13. Participant did not comment</p> <p>14. Participant did not comment</p> <p>15. None</p> <p>16. Nil</p> <p>17. Participant did not comment</p> <p>18. Participant did not comment</p> <p>19. Participant did not comment</p> <p>20. All sessions were useful</p> <p>21. Participant did not comment</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. Everything was near perfect.</p> <p>2. It was a well thought out programme.</p> <p>3. Participants did not respond.</p>

4. By arranging more programmes regularly but am informed that it is being done. Very nice experience.
5. It may be made compulsory to all judges to attend atleast two conferences in their term as HC judge.
6. Regular programme on these subtle legal and abstract ideas be conducted. More interactive sessions be encouraged.
7. Participant did not comment.
8. Frequent interactive sessions could be helpful to assess our performance and to update our knowledge.
9. Participant did not comment
10. Very effective.
11. Participant did not comment
12. Participant did not comment
13. Organize more programmes.
14. Rightly conducted.
15. Good going. Keep it up.
16. Participant did not comment
17. Programme for Civil subjects particularly.
18. Participant did not comment
19. Participant did not comment
20. Reading material needs t be concise, relevant, more in tune with Indian cases, thought and the entire jurisprudential perspective is global. Reading material needs to be sent in advance.
21. Sessions could be added and spread over a week to make the process of learning more fruitful.
22. May organize a special training programme on constitutional matters for the judges coming from service.