

# National Judicial Academy

## P 986: Annual National Seminar on Working of the NDPS Courts in India 13-14 August, 2016

<b>Prog Coordinator</b>	Mr. Prasadh Raj Singh, Law Associate
<b>No. of Participants</b>	49
<b>No. of forms received</b>	46

### General Suggestions

4	<p><b>Give your views on the structure of the programme and sessions included:</b></p>	<ol style="list-style-type: none"> <li>1. Excellent but there is scope for improvement.</li> <li>2. The structure of the programme is very good. It gives an overall idea regarding the overall presentation of laws touching on almost in all the areas of NDPS Act.</li> <li>3. Good</li> <li>4. Nicely structured as it covered all the areas of confusion. It touched the mandates of the Act and also the relevant case law on the subject.</li> <li>5. Sessions were fruitful except some conflicting views of some resource persons.</li> <li>6. Participant did not comment.</li> <li>7. Very useful schedule.</li> <li>8. It is too short a stay to opine.</li> <li>9. The structure of the programme of lessons included was good one of enriching and knowledge enhancing. The time structure is quite impressive.</li> <li>10. Participant did not comment.</li> <li>11. The structure of programme and sessions are satisfactory and useful for the participants.</li> <li>12. Good</li> <li>13. The structure of the programme regarding session 1 (Provisions relating to search and seizure under the NDPS Act), Session 2 (Presumption of “Culpable Mental State” vis-à-vis Reverse Burden of Proof) and Session 3 (Pre-trial disposal of narcotics contrabands) of 1<sup>st</sup> day is very good.</li> <li>14. More interactions necessary during the Sessions’ academic deliberations.</li> <li>15. Duration of time is need to be extended, providing more time for interaction.</li> <li>16. The programme was well organized. Sessions were fruitful.</li> <li>17. The sessions on the first day was excellent; The session on the second day was not that much good when compared to the first day session . If discussion on the basis of the Supreme Court judgments would have been better.</li> <li>18. It was very effectively structured.</li> <li>19. The sessions are carefully arranged and it very much useful to the participant.</li> <li>20. Good and beneficial to us in dealing with NDPS cases.</li> <li>21. Good</li> <li>22. Lectures given by Justice S.J. Mukhopadhaya was very good. Lectures given by other speakers were fair enough.</li> <li>23. Participants didn’t give the Answer.</li> <li>24. Programme was good.</li> <li>25. In the programme was good with best guest faculties.</li> <li>26. Session was very nice and it will certainly help me in tutors to deal with the NDPS cases effectively. However the period of sessions should be at least 5 days programme.</li> </ol>
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	<p>27. Dictum/verbatim of the discussion/lectures to be made available at the end of the programme.</p> <p>28. More stress on the measure of expediting disposal of NDPS Cases.</p> <p>29. Nicely structured with relevant topics, helpful in the day to day functioning of the Courts.</p> <p>30. No</p> <p>31. Seminar on working of NDPS Courts in India is found to be helpful and useful for helping the trial court into coming out with good judgments.</p> <p>32. This kind of training is very essential for each and every judicial officer so that the judicial officers can hone their skills, become very sharp and deal with this kind of NDPS cases which requires meticulous follow up of procedure.</p> <p>33. The programme is very useful to learn the various types of cases in other states also. This type of interactive sessions will enhance the knowledge and improve skills.</p> <p>34. Excellent</p> <p>35. Its good</p> <p>36. Participant did not comment</p> <p>37. Benefitting</p> <p>38. It is very short and it must at least for 4 days.</p> <p>39. At least 4 days programme required.</p> <p>40. Participant did not comment.</p> <p>41. Increase the duration of programme up to 3-4 days. Necessary to supply the lecture given by speaker in written.</p> <p>42. I found that time is very short for dealing with the subject – it may be increased.</p> <p>43. Participant did not comment.</p> <p>44. Very good.</p> <p>45. Programmes should be of 5 days.</p> <p>46. Programme must be for five days.</p>
5	<p><b>What are your gains/learning from this programme?</b></p> <p>1. Benefitted immensely and learnt many things especially search and seizure, culpable mental state.</p> <p>2. It gives one a clear cut ideas about conducting the trial of NDPS Act.</p> <p>3. Gained more knowledge.</p> <p>4. Better clarity on the subject.</p> <p>5. I am updated with the knowledge regarding the subject concerned.</p> <p>6. I have learnt a lot regarding disposal of NDPS Act.</p> <p>7. Some dark sides were cleared.</p> <p>8. I got myself on various aspects of the Act and the provisions are made clear.</p> <p>9. The gains/learning revolves around all the corners. The deliberation of discussion has sharpened the views of understanding of various provisions of NDPS Act. Certain informations have been unearthed with different discussions.</p> <p>10. Participant did not comment.</p> <p>11. I learnt so many useful information and knowledge regarding NDPS Act, which would be useful to the me in delivering judgments.</p> <p>12. Training helped to update my knowledge in NDPS Act.</p> <p>13. I have gained enough to conduct trial of NDPS cases, especially regarding Search and Seizure under NDPS case and regarding Pretrial disposal of Narcotics contraband.</p> <p>14. Enriching with knowledge/experiences shared during this programme-practical.</p> <p>15. I learnt a lot about sentencing part.</p>

16. I have gained knowledge about the interpretation of provisions of NDPS Act. Basic and latest judgments as the subject.
17. Excellent discussion.
18. Doubts regarding NDPS Act was clarified; Acquired knowledge about the procedures adopted in some exceptional cases; Got acquainted with latest position of laws.
19. Since I took charge only 27.07.16 the programme is useful to me.
20. Got cleared many technical problems regarding various provisions.
21. I got various aspects of NDPS my speakers and Participants.
22. I am at present not dealing with NDPS Act cases as no such cases are pending in my cases. This programme really enlightened me about the various provision of the NDPS Act. Which will help me on near future.
23. Participants didn't give the Answer
24. I have learnt a lot.
25. Much more I have learnt about pretrial disposed of contrabands.
26. My concept about sec. 41, 42 & 50 was now become very clear. Hon'ble Justice Shri Mukhopadhyay has explained the subject in very lucid manner. Particularly all the activities & facets of the NDPS Act Particularly the expression "Magistrate" occurred in sec 41, 42, 48 & sec. 52 (A) of the Act.
27. Latest judgment from the Hon'ble Supreme Court and High Court can be used to learn about the latest position of circumstances in applying and interpretation of law and provisions.
28. Some of the topics like provisions relating to search and seizure and culpable mental state are very informative and helpful.
29. Moot questions- who is the "Magistrate" under the NDPS Act? This problem needs to be deliberated upon.
30. Participant did not comment
31. Yes, I have gained upon attending the seminar.
32. The case law on this topic is very helpful for judicial officers who deal with NDPS Act cases. It is my personal feeling that the two days programme helped me in enriching knowledge on the subject of NDPS Act and I added few weapons to my armour. I thank the NJA for providing wonderful facilities to the participating officers. The training revitalized our energies to work with full throttle from the Bench. I thank all for making this two days programme a grand success.
33. Lecture of Justice Mukhopadaya and Justice Dharnidhar Jha is very useful. I came to know how to interpret the provisions and also settle law in NDPS Cases. With second day sessions Sentencing policy along with settled law is very useful.
34. Learnt minute point system .
35. A lot of learning. I have been enlightened by attending this programme. Thanks to NJA.
36. Participant did not comment
37. Broad perception in deciding cases under the NDPS Act.
38. Thorough knowledge of the about the NDPS Act.
39. I have gained much about the NDPS Act in during this programme.
40. I have gained up to date ruling of Hon'ble HC & SC regarding the NDPS Act through reading materials & discussion in the session.
41. Gained knowledge regarding latest change in provision, discussions & how to interpret the provision.
42. Since it is new subject to me really helped me to understand important sections of NDPS Act and its interpretations.

		<p>43. Participant did not comment.</p> <p>44. Gained a lot.</p> <p>45. Learnt basics about NDPS Act.</p> <p>46. Minimum learning from this programme was gained.</p>
6	<p><b>Kindly make and Suggestion you may have on how NJA may Serve You better and make the Programme more effective:</b></p>	<p>1. Training curricular may be prepared in such a way covering the burning topics. Persons with reputes with experience in relevant field may be invited to deliver lecture.</p> <p>2. This type of programmes should have been included in NJA.</p> <p>3. To provide as much latest and new citations and authorities in connection with the course, especially of the Hon’ble Supreme Court as it will keep the participants updated.</p> <p>4. Soft copy, if any, of the presentations of the resource persons may be provided as the ready reckoner of the subject concerned.</p> <p>5. Services are better. Nothing to suggest.</p> <p>6. Participant did not comment.</p> <p>7. Please request the judges across the country to send their papers on a particular topic and a collection can be published; Call for regular advice from the judges.</p> <p>8. Interactive sessions should be given priority in every session.</p> <p>9. Number of invited faculties/experts be increased/enhanced so that participants have benefits of hearing/listening to different faculties of course have benefits to perceive the knowledge of experience of several persons in a single session.</p> <p>10. Participant did not comment.</p> <p>11. No suggestion from my side.</p> <p>12. Kindly increase the duration of training to three to four days at least.</p> <p>13. Nil</p> <p>14. Duration of each programme/workshop should be for at least 5/6 days, in order to avail of the grand library, and the vast legal research options it offers to the judicial officers.</p> <p>15. Participant did not comment.</p> <p>16. The programme is already very good. It can be better if its duration is increased, because the participants come from far away places. More topics can also be covered.</p> <p>17. If a group discussion had been made, an opportunity would have been obtained to know practices being followed in different parts of the country.</p> <p>18. The period of training should be enhanced to 4-7 days on a particular subject; The duration should be regular – at least twice a year.</p> <p>19. Participant did not comment.</p> <p>20. More speakers of subject/field (Specialist) be invited.</p> <p>21. No</p> <p>22. In my opinion the study materials be sent to participants as early as possible so they can prepare fully for the programme. Participants are asked to fund their queries ahead so that answers can be searched before start of programme.</p> <p>23. Participants didn’t give the Answer.</p> <p>24. Participants didn’t give the Answer.</p> <p>25. No more suggestions all is best.</p> <p>26. The Training programme/ Seminar should be a one week Programme. It will certainly help the Judicial Officers from all corners of the country to update their knowledge.</p> <p>27. Participant did not comment</p> <p>28. Frequent training.</p> <p>29. There should be more deliberations on the core issues affecting the actual working of the</p>

		<p>courts.</p> <p>30. Participant did not comment</p> <p>31. Good</p> <p>32. Training of this nature is necessary for the police and prosecutors also so that they may follow the mandatory procedure and present the cases in appropriate form.</p> <p>33. Two days programme is insufficient. It should be for more days on the subject to cover all the topics from bail to conviction or acquittal.</p> <p>34. Provide specific judgments of the Hon'ble Supreme Court cases for a particular point regarding NDPS cases.</p> <p>35. No suggestion.</p> <p>36. Participant did not comment.</p> <p>37. Participant did not comment</p> <p>38. Days were limited. Make it for 4 days.</p> <p>39. More days programmes are required on this particular subject.</p> <p>40. Seminar time may be extended 2 days to 3 days.</p> <p>41. If speaker is either Judge of sitting or former, delivery or presentation, it will be more effective.</p> <p>42. Participant did not comment.</p> <p>43. Participant did not comment.</p> <p>44. To ensure punctuality.</p> <p>45. Duration must be extended once &amp; deliberations should be exhaustive.</p> <p>46. Evening tea should be including is lodging &amp; fooding charges.</p>
7	<p><b>Any other Suggestion / Remarks</b></p>	<p>1. i. Faculties from the investigating agency may be included in this kind of programme. ii) Training programme may be organized on regional basis so that travelling of long distances by the judicial officers, saving judicial hours, cold be avoided. It will reduce burden on the state exchequer.</p> <p>2. No</p> <p>3. No</p> <p>4. Participant did not comment.</p> <p>5. No</p> <p>6. Participant did not comment.</p> <p>7. Participant did not comment.</p> <p>8. Nothing other than giving thanks.</p> <p>9. Number of training/seminar days be increased so as to cover each and every corner/aspect of the law.</p> <p>10. Participant did not comment.</p> <p>11. Participant did not comment.</p> <p>12. Nil</p> <p>13. Nil</p> <p>14. Better communication/ replies to emails from participants is desirable/necessary. Last minute communication with myself created a few logistical problems, especially since I was attending the programme at NJA for the first time.</p> <p>15. Participant did not comment.</p> <p>16. Would like to come again.</p> <p>17. Good sessions.</p> <p>18. An exceptional experience to interact with the resource persons of National standard.</p>

19. Participant did not comment.
20. Kindly let the programmes be informed as early as possible to avoid problems in reservation of trains/flights.
21. No
22. Participant did not comment
23. Participant did not comment
24. Participant did not comment
25. Participant did not comment
26. Participant did not comment
27. Participant did not comment
28. Frequent traqining and supply of study materials before the start of the programme, that is along with the schedule sent to the place of posting of officers.
- 29.No.
30. Participant did not comment
31. No
32. It is my personal opinion that two days programme is not sufficient. Some more time may be allotted for deliberating the subject.
33. Participant did not comment
34. No
35. Participant did not comment
36. Participant did not comment
37. Participant did not comment
38. Evening tea must be free or included. Training should be in working days and if not so, compensatory leave should be provided.
39. Participant did not comment.
40. Satisfactory training.
41. Repeatedly, course of programme more regarding NDPS Act.
42. Participant did not comment.
43. Participant did not comment.
44. To be more informative, please.
45. Evening tea charge should be included is lodging & food charges. Training programme must be convened in working days, if not possible, compensatory leave should be provided.
46. Training should be is working days if training is conducted is vacation days, then compensatory leave must be provided.

SNo	Particulars	Respondent	Marks out of 5	Remarks
1	Reading Material	07	04/05	More elaborate discussion needed.
		14	04/05	A laptop with CDs may be provided during training duration with contents or subjects of the training programme.
		16	04/05	It will be better if NJA supplies the study material regularly on emails.
		31	04/05	Found the reading material to be helpful
2	Travel	14	03/05	Some arrangements could be made for sightseeing by participants, with payment for fuel by participants (optional).
		15	03/05	Vehicles may be provided to the officers for sightseeing.
		16	04/05	Very nice arrangement.
4	Protocol	16	04/05	Very cooperative staff.
		31	04/05	Can be better
5	Reception	16	04/05	Sincere and cooperative
		31	04/05	Can be better
6	Cleanliness			
7	Food			
8	Hygiene	06	04/05	Water in the bathroom is not good.
9	Staff Behaviour	-	-	-
10	Hospitality	-	-	-
11	Others	-	-	-

