

NATIONAL JUDICIAL ACADEMY

SE 2: Workshop for Members of Railway Claims Tribunal September 10 & 11, 2016

Programme Coordinator: Ms. Paiker Nasir, Research Fellow

Number of Participants: 25

No of forms received: 23

I. OVERALL				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	86.36	13.63	-	
b. The subject matter of the program is useful and relevant to my work	69.56	30.43	-	
c. Overall, I got benefited from attending this program	56.52	43.47	-	
d. I will use the new learning, skills, ideas and knowledge in my work	56.62	43.47	-	
e. Adequate time and opportunity was provided to participants to share experiences	78.26	21.73	-	
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	78.26	21.73	-	
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	63.63	36.36	-	
c. Up to date	56.52	43.47	-	
d. Related to Constitutional Vision of Justice	57.14	38.09	4.76	

e. Related to International Legal Norms	31.25	37.5	31.25	
III STRUCTURE OF THE PROGRAM				
PROPOSITIONS	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	86.95	13.04	-	
b. The program was an adequate combination of the following methodologies viz.	90	10	-	
i. Group discussion cleared many doubts	80	20	-	
ii. Case studies were relevant	52.63	47.36	-	
iii. Interactive sessions were fruitful	73.91	21.73	4.34	
iv. Simulation Exercises were valuable	50	35.71	14.28	
v. Audio Visual Aids were beneficial	22.22	77.77	-	
IV. INDIVIDUAL SESSIONS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. Discussions in individual sessions were effectively organized	75	25	-	
b. The session theme was adequately addressed by the Resource Persons	77.27	22.73	-	
V. PROGRAM MATERIALS				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	69.56	30.43	-	
b. The content was updated. It reflected recent case laws/current thinking/research/ policy in the discussed area	54.54	45.45	-	
c. The content was organized and easy to follow	71.42	28.57	-	

VI. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<ol style="list-style-type: none">1. Participant did not comment2. Participant did not comment3. Discussion in the workshop provided us to interact amongst Members posted in different Benches.4. Participant did not comment5. 1. Interpretation of 124 (A), legal point of view; 2. Homogeneity of common issues; 3. I nsight into judiciary.6. Participant did not comment7. Sharing experiences with brother judges.8. 1. Sharing views; 2. To know new ideas; 3. To know latest legal views.9. 1. Interpretation of key concepts; 2. Provisions of RCT Act comprehensively made clear; 3. How to settle the disputes through ADR System.10. Learnt lot of knowledge.11. Participant did not comment12. Key concepts of untoward incident; Issues and challenges and their solutions; Expeditious disposal.13. 1. The philosophies behind the working of judges; 2. The issue pertaining to RCT Cases and their redressal- statutory provisions and guidance; 3. Interaction among the RCT members across the country.14. How to study and apply the doctrine of precedent; Law is a changing process with a degree of stability; dispensation of legal justice should be expeditious.15. Participant did not comment16. This has been useful conference. It can be further useful if we can hold such conferences in future and discuss the various subjects for better functioning of RCT.17. Understanding the concept and basis of strict liability; 2. Concept of Precedence; 3. Discussion on nuances of section s123 & 124 of Indian Railways Act, 1989.18. Strict liability discussion; 2. Justice Midha's methodology for securing investigational support; Statutory interpretation of key concepts.19. It enabled to understand judicial mind and legal reasoning arriving at
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	<p>a judicial decision. The genesis of a principle of law is to be comprehended.</p> <p>20. 1. The extent to which Sect 124 A to be read and understood; 2. New case laws providing insights to deciding cases; 3. Interaction with all members and working and understanding their view.</p> <p>21. Duration should be little more.</p> <p>22. Participant did not comment</p> <p>23. Useful addition to knowledge to improve performance.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<ol style="list-style-type: none"> 1. Issues and Challenges 2. Participant did not comment 3. Various judicial and administrative aspects discussed would help us to discharge judicial functions more efficiently and independently. 4. Participant did not comment 5. All sessions generally useful. 6. Participant did not comment 7. All 8. All 9. Settlement of disputes in expeditious manner. 10. Justice K Kanan lecture; Interaction with colleagues. 11. Both the days 10th and 11th Sept, 2016 was useful to me. 12. <i>Session 4-Statutory Interpretation of key concepts • Untoward incident • Self-inflicted injury • Criminal act; Session 5- How to identify the operative ratio of a Precedent - Shift towards non-litigative approach and settlement under superintendence of RCT- Need for attitudinal change; Session 6- Issues & Challenges --- as directly related to functions of RCT.</i> 13. The interactive segments and clarifications. 14. Exposition and explanation of basic concepts involved. 15. Participant did not comment 16. Every part 17. Strict liability – Concept helped me to appreciated the basis in a deeper and meaningful way. Experience sharing was equally useful. 18. Cannot pick any particular part, the whole exercise made one think and reflect. It was particularly exciting to find out that charges can be

	<p>brought out in procedures to bring about closure of cases early in Tribunals. These can be incorporated with changes.</p> <p>19. 1. The DRM's report must be the basis of the written reply which is normally generalized and should be rejected; 2. Inspections . 3. It helped enormously to clear concepts and was a useful learning experience.</p> <p><i>20. Session 1 Jurisdictional Charter of Railway Claims Tribunal - Overview of railway accidents and claims in India; Session 2- Strict Liability vs. Liability contingent on malfeasance or negligence (civil and criminal)- The Statutory Context b. Components of decision making process • Fair Hearing • Reasoning • Objectivity • Rationality • Critical Analyses • Meaning and scope of enquiry as distinguished to trial.</i></p> <p>21. We are highly benefitted.</p> <p>22. Participant did not comment</p> <p>23. Interaction and discussion to getting clarification in various doubts.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p><i>1. Session 2: a. Strict Liability vs. Liability contingent on malfeasance or negligence (civil and criminal)- The Statutory Context b. Components of decision making process • Fair Hearing • Reasoning • Objectivity • Rationality • Critical Analyses • Meaning and scope of enquiry as distinguished to trial</i></p> <p>2. All the sessions were fruitful</p> <p>4. Participant did not comment</p> <p>5. All sessions generally useful.</p> <p>6. Participant did not comment</p> <p>7. Participant did not comment</p> <p>8. Participant did not comment</p> <p>8. Participant did not comment</p> <p>10. Participant did not comment</p> <p>11. Participant did not comment</p> <p>12. NA</p> <p>13. Participant did not comment</p> <p>14. None</p> <p>15. Participant did not comment</p> <p>16. Participant did not comment</p> <p>17. Difficulty to say</p> <p>18. Participant did not comment</p> <p>19. Not applicable</p> <p><i>20. Session 3- Methodologies for securing police/investigatorial support for ascertaining genuineness of claims b. Appropriate strategies for expeditious disposal in RCT.</i></p> <p>21. I found each programme much useful.</p> <p>22. Participant did not comment</p> <p>23. None</p>

<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. Sr. Advocate presentation was of exceptional use. 4. Participant did not comment 5. Longer time to read the material 6. Participant did not comment 7. Exposure at induction stage. 8. Young advocates be invited to give lecture. 9. Separate training for Rly Protection Force, regarding manner of investigation. 10. Participant did not comment 11. Participant did not comment 12. Highly effective; Keep it up. 13. Very good place; The arrangements are excellent. The duration of the workshop could be for one week. 14. Participant did not comment 15. Participant did not comment 16. Participant did not comment 17. Already on top 18. Participant did not comment 19. Case studies of Benches to be discussed to focus on major deficiencies, shortcomings. 2. After members are posted, workshops of this nature should be organized at the earliest. 20. Frequent interaction and prior supply of case material. 21. This workshop should be held at least every year. 22. Participant did not comment 23. A weekly programme/ module for new members also would be the most beneficial.
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