

# NATIONAL JUDICIAL ACADEMY

**P-1064: Refresher Course for Presiding Officers of MACT**

15<sup>th</sup> – 17<sup>th</sup> December, 2017

**Programme Coordinator** : Mr. Shashwat Gupta, Faculty, NJA, Bhopal

**No. of Participants** : 37

**No. of forms received** : 37

I. OVERALL				
PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	<b>97.30</b>	<b>2.70</b>	-	-
b. The subject matter of the program is useful and relevant to my work	<b>100.00</b>	-	-	-
c. Overall, I got benefited from attending this program	<b>91.89</b>	<b>8.11</b>	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	<b>86.49</b>	<b>13.51</b>	-	-
e. Adequate time and opportunity was provided to participants to share experiences	<b>91.89</b>	<b>8.11</b>	-	-
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	<b>94.59</b>	<b>5.41</b>	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>94.59</b>	<b>5.41</b>	-	-
c. Up to date	<b>91.67</b>	<b>8.33</b>	-	-
III. STRUCTURE OF THE PROGRAM				
PROPOSITIONS	Good	Satisfactory	Unsatisfactory	Remarks

a. The structure and sequence of the program was logical	<b>94.59</b>	<b>5.41</b>	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>94.59</b>	<b>5.41</b>	-	-
(ii) Interactive sessions were fruitful	<b>81.08</b>	<b>18.92</b>	-	-
(iii) Audio Visual Aids were beneficial	<b>64.86</b>	<b>29.73</b>	<b>5.41</b>	-

*(To be modified as per the sessions planned)*

#### 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	<b>82.35</b>	<b>17.65</b>	<b>92.00</b>	<b>8.00</b>
2	<b>80.65</b>	<b>19.35</b>	<b>88.00</b>	<b>12.00</b>
3	<b>87.10</b>	<b>12.90</b>	<b>88.00</b>	<b>12.00</b>
4	<b>100.00</b>	-	<b>100.00</b>	-
5	<b>100.00</b>	-	<b>100.00</b>	-
6	<b>100.00</b>	-	<b>96.30</b>	<b>3.70</b>
7	<b>100.00</b>	-	<b>100.00</b>	-
8	<b>100.00</b>	-	<b>100.00</b>	-

#### V. PROGRAM MATERIALS

PROPOSITIONS	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	<b>97.30</b>	<b>2.70</b>	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>97.30</b>	<b>2.70</b>	-	-

c. The content was organized and easy to follow	<b>93.75</b>	<b>6.25</b>	-	-
<b>VIII. GENERAL SUGGESTIONS</b>				
a. Three most important learning achievements of this Programme	<p>1. Justice Kannan &amp; Dr. Justice Joshi and Adv. Mr. Raghvan's Sessions.</p> <p>2. <i>Session-4 Assessment of Disability. Session-5 Determination of Compensation in Cases of Injury. Session-6 Determination of Compensation in Cases of Death.</i></p> <p>3. 1. Update knowledge regarding effective and speedy disposal of claim petition. 2. Knowledge of procedure followed in other states. 3. Interaction with officers of other states.</p> <p>4. 1. Speedy derived. 2. Judgment writing 3. Revisit of the provisions of Motor Vehicle Act.</p> <p>5. 1. Clarity of subject. 2. Updating on law. 3. Mixing various laws and tenets to get the case decided quickly.</p> <p>6. Participant did not comment.</p> <p>7. Concept and ideas and new things learned.</p> <p>8. Greater Depth of the subject. 2. Better clarity as the subject. 3. The interplay between various provisions.</p> <p>9. 1. Latest case law. 2. Various techniques for effective and expeditions enquiry in MACT for settlement. 3. Learning new things and interaction.</p> <p>10. 1. Latest case law. 2. Various techniques for effective and expeditions enquiry in MACT for settlement. 3. Learning new things and interaction with participants.</p> <p>11. Assessment of disability with regards to injury. 2. Distinction between S. 163 and S. 166 of Motor Vehicle Act. Enforcement of award.</p> <p>12. This programme updated me with the tools/procedure for speedy disposal of petitions.</p> <p>13. How to try MACT cases. What to do from initial to end in MACT cases.</p> <p>14. Programme was very useful.</p> <p>15. This programme has given me to analyse the object of given law in a new vision and direction.</p> <p>16. Newly cited case law. Procedure for tribunal. Execution of award.</p> <p>17. Settlement of claim. Enforcement of Award. Just compensation.</p> <p>18. Came to know about the practices adopted in different state. Interchange views of the participants. New ideas from different participants have been discussed.</p> <p>19. Mode of recovery of award. Rate of interest in the award. Who are the LR's in MACT cases in death claims.</p>			

	<p>20. Updation of knowledge in the subject. Indepth study. Sessions by Justice Kannan.</p> <p>21. Case laws. Assessment of disability. Execution of award.</p> <p>22. Assessment of disability. Jurisdiction of MACT. Challenges in the Enforcement of Award of Motor Accident Claim Tribunal.</p> <p>23. Helped me to focus on areas where I can improve. I got latest law on the subject. I got practical suggestion to improve my skills of disposal.</p> <p>24. Mindset to deal with MACT proceedings has changed. Summary proceedings for quick relief to the victim.</p> <p>25. Assessment of case of disability. Mode of recovery process. Consistency in role of interest and discussed.</p> <p>26. Determination of compensation in cases of injury. Assessment of liability. Expeditious settlement of claims.</p> <p>27. Participant did not comment.</p> <p>28. It help us to know what procedure are being followed by other states on subject, by interaction with participants.</p> <p>29. <i>Session-3 The Art, Craft and Science of Judgment Writing.</i></p> <p>30. <i>Session-3 The Art, Craft and Science of Judgment Writing.</i></p> <p>31. Not to be technical. To be liberal in procedure aspect. To be liberal in assessing compensation.</p> <p>32. Knowing the circumstance in dealing with MACT cases all over India. Getting ideas for handling some situations in EP proceeding.</p> <p>33. Up to date material. Understand the things in more effective may. Learned new ideas and skills.</p> <p>34. How to handle the case of death. How to disburse the awards. How to expedite the cases for disposal.</p> <p>35. Well versed regarding MACT laws. Enforcement of Award. Expeditious disposal of cases.</p> <p>36. Best view found related to determination of compensation both the type of cases Motor Vehicle accident. We have found basic distinguishing provisions related to S. 140, 166 &amp; 163-A of Motor Vehicle Act.</p> <p>37. Got to know about the procedure followed in other states. Latest case laws.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. All Sessions.</p> <p>2. Assessment of disability. Determination of Compensation in Cases of injury and Death cases.</p> <p>3. <i>Session-4 Assessment of Disability. Session-8 Challenges in Enforcement of Award of Motor Accident Claim Tribunal.</i></p>

4. The lecture by Justice Kannan.
5. The case laws are very useful and very relevant.
6. Every part.
7. All aspects, difficulties and problem continues in dealing with MACT cases have been discussed in all parts of the programmes.
8. All session was very useful.
9. All were useful.
10. All.
11. As stated above.
12. All part of programme are most useful.
13. Lecture of Justice Hon'ble Mr. K. Kannan to decide MACT cases.
14. Assessment of disability and challenges in Enforcement of Award of Motor Accident Claim Tribunal.
15. A lucid discussion has taken place as to assessment of disability of person since the same has been a grey area.
16. Assessment of disability; challenges in Enforcement of Award of Motor Accident Claim Tribunal because Resource Persons informed effective and useful matter.
17. All part.
18. Interplay between Section- 140, 163A, and 166 of the MV Act.
19. 17.12.17 days programme.
20. All the sessions by Hon'ble Mr. Justice K. Kannan.
21. All parts were useful for the proper and quick adjudication of cases.
22. Assessment of disability is a complicated matter and the class conferred the ideas to reckon the same in an easy way.
23. Second and third day of the programme.
24. All session were most useful.
25. All part of programme.
26. All part were useful.
27. Participant did not comment.
28. All Part of programme are most useful. Because up-to-date case laws has been cited and explained to us. Reading material.
29. All training programme is very useful for me.

	<p>30. All training programme is very useful for me.</p> <p>31. All training programme is very useful for me.</p> <p>32. <i>Session-5 Determination of Compensation in Cases of Injury</i>. It is useful for uniform calculation of compensation all over India.</p> <p>33. Second and Third day's lectures were more close to topic clear and effective.</p> <p>34. Every part of the programme is very useful as it is very useful for awarding the compensation adequately.</p> <p>35. Interactive sessions.</p> <p>36. All the part of useful for my working.</p> <p>37. All the topic are useful.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. Participant did not comment.</p> <p>2. <i>Session-7 Expeditious Settlement of Claims: Role of Presiding Officers of MACT. Session-8 Challenges in Enforcement of Award of Motor Accident Claim Tribunal.</i></p> <p>3. All part were useful.</p> <p>4. First, Second and Third session.</p> <p>5. <i>Session-2 Liability of Insurance Companies in MACT Cases</i> was satisfactory but least useful.</p> <p>6. Every part was useful.</p> <p>7. Participant did not comment.</p> <p>8. Participant did not comment.</p> <p>9. None.</p> <p>10. None.</p> <p>11. Participant did not comment.</p> <p>12. Nil.</p> <p>13. All session for learning.</p> <p>14. Participant did not comment.</p> <p>15. Every part was useful.</p> <p>16. Participant did not comment.</p> <p>17. None.</p> <p>18. Jurisdiction of MACT Act.</p>

	<p>19. No.</p> <p>20. None.</p> <p>21. No.</p> <p>22. Expending settlement of claims.</p> <p>23. None.</p> <p>24. None.</p> <p>25. No.</p> <p>26. Participant did not comment.</p> <p>27. Participant did not comment.</p> <p>28. Participant did not comment.</p> <p>29. Participant did not comment.</p> <p>30. Participant did not comment.</p> <p>31. Participant did not comment.</p> <p>32. <i>Session-1 CAT Contours of Jurisdiction; Relevant Constitutional &amp; Administrative Law Principles.</i></p> <p>33. Voice of Resource Persons was not clear.</p> <p>34. Everything is good.</p> <p>35. Participant did not comment.</p> <p>36. All the parts are useful for my working.</p> <p>37. 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. Participant did not comment.</p> <p>2. Participant did not comment</p> <p>3. Duration of training programme should be of one week.</p> <p>4. Participant did not comment.</p> <p>5. To give more opportunity to the participants to attend NJA Conferences.</p> <p>6. Participant did not comment.</p> <p>7. Such programme requires to be arranged more frequently.</p> <p>8. Participant did not comment.</p> <p>9. None.</p> <p>10. None.</p> <p>11. I have no suggestions to make.</p>

	<p>12. Such type of programme should be organized through Regional Conferences for greater benefit of all judges.</p> <p>13. Please put vegetarian and non-vegetarian markings in the kitchen.</p> <p>14. Discussion of participants with delegates.</p> <p>15. Similar programme in particular subject has to be arranged for higher judiciary also.</p> <p>16. Participant did not comment.</p> <p>17. Participant did not comment.</p> <p>18. Participant did not comment.</p> <p>19. Participant did not comment.</p> <p>20. Duration of the programme was short, should be increased.</p> <p>21. Participant did not comment.</p> <p>22. Conduct a debate on the subjects for everyone to exchange their thoughts and ideas and perspective.</p> <p>23. To make such programme more for frequently across all hierarchy of judiciary. Resource person's resource may be shared.</p> <p>24. Training programmes may be held for at least five days.</p> <p>25. Participant did not comment.</p> <p>26. Participant did not comment.</p> <p>27. Participant did not comment.</p> <p>28. Participant did not comment.</p> <p>29. Participant did not comment.</p> <p>30. Participant did not comment.</p> <p>31. Participant did not comment.</p> <p>32. Participant did not comment.</p> <p>33. More programme should be organized and more officers should be given opportunities to attend such programme.</p> <p>35. Participant did not comment.</p> <p>36. NJA services are excellent.</p> <p>37. Study material may be made available.</p>
--	---