

# NATIONAL JUDICIAL ACADEMY

**P-1105: National Judicial Conference for High Court Justices**

31<sup>st</sup> August – 2<sup>nd</sup> September, 2018

**Programme Coordinator** : Mr. Prasadh Raj Singh, Law Associate

**No. of Participants** : 24

**No. of forms received** : 19

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>68.42</b>	<b>31.58</b>	-	-
b. The subject matter of the program is useful and relevant to my work	<b>57.89</b>	<b>42.11</b>	-	-
c. Overall, I got benefited from attending this program	<b>68.42</b>	<b>31.58</b>	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	<b>68.42</b>	<b>31.58</b>	-	-
e. Adequate time and opportunity was provided to participants to share experiences	<b>68.42</b>	<b>31.58</b>	-	-
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>73.68</b>	<b>26.32</b>	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>55.56</b>	<b>44.44</b>	-	-
c. Up to date	<b>56.25</b>	<b>43.75</b>	-	-

d. Related to Constitutional Vision of Justice	<b>83.33</b>	<b>16.67</b>	-	-
e. Related to international legal norms	<b>61.11</b>	<b>33.33</b>	<b>5.56</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>73.68</b>	<b>26.32</b>	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>77.78</b>	<b>22.22</b>	-	-
(ii) Interactive sessions were fruitful	<b>76.47</b>	<b>23.53</b>	-	16. Less time for participation.
(iii) Audio Visual Aids were beneficial	<b>58.82</b>	<b>41.18</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>61.11</b>	<b>38.89</b>	<b>61.54</b>	<b>38.46</b>
2	<b>61.11</b>	<b>38.89</b>	<b>58.33</b>	<b>41.67</b>
3	<b>44.44</b>	<b>55.56</b>	<b>38.46</b>	<b>61.54</b>
4	<b>55.56</b>	<b>44.44</b>	<b>83.33</b>	<b>16.67</b>
5	<b>70.59</b>	<b>29.41</b>	<b>92.31</b>	<b>7.69</b>
6	<b>66.67</b>	<b>33.33</b>	<b>66.67</b>	<b>33.33</b>
7	<b>50.00</b>	<b>50.00</b>	<b>61.54</b>	<b>38.46</b>
8	<b>64.71</b>	<b>35.29</b>	<b>58.33</b>	<b>41.67</b>
<b>V. PROGRAM MATERIALS</b>				
<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>73.68</b>	<b>26.32</b>	-	-

b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>68.42</b>	<b>31.58</b>	-	5. Let it be properly legible zerox are not proper.
c. The content was organized and easy to follow	<b>63.16</b>	<b>36.84</b>	-	-

### VIII. GENERAL SUGGESTIONS

1. Three most important learning achievements of this Programme	<p>1. 1. Social Context Adjudication; 2. Sound of Constitution.</p> <p>2. 1. Social Context Adjudication; 2. Scope of Judicial Review; 3. Application of Judicial Precedent.</p> <p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p> <p>5. 1. Understanding of constitution with different context; 2. Better knowledge about functioning of election commission; 3. Good discussion on subject of <b>Session 7: Corporate Fraud &amp; Manipulation: Repercussions, Deterrent Mechanism &amp; Judicial Approach &amp; Session 8: Money Laundering: The Prevention of Money Laundering Act, 2002: Current Challenges.</b></p> <p>6. <b>Session 5: Adjudicating Electoral Disputes: The Role of Judiciary: Balancing Core Values-</b> Electoral disputes by Dr. S.Y. Quaraishi; <b>Session 7: Corporate Fraud &amp; Manipulation: Repercussions, Deterrent Mechanism &amp; Judicial Approach – Money laundering,</b> all speakers are very-very equipped.</p> <p>7. The first hand dealing with issues by academics &amp; lawyers; Learnt their perspective on dealing with issues.</p> <p>8. 1. Informative; 2. Would help in adjudication; 3. Help in dealing with contradictory judgement.</p> <p>9. Concept of judicial review; Insight into electoral disputes; Insights into PMLA.</p> <p>10. Participant did not comment.</p> <p>11. Participant did not comment.</p> <p>12. Got opportunity to hear from eminent persons.</p> <p>13. 1. Corporate fraud and manipulations; how dealt with by courts of law; 2. Special provisions of SEBI is effective to deal with frauds committed by companies; 3. Definitions of fraud covered; implied acts and omissions also along with intent.</p> <p>14. 1. I got to have a bird's eye view of topic which no text book would offer me; 2. The discussion has broadened my outlook on certain issues; 3. It will definitely help me while drafting my judgement.</p> <p>15. 1. How to use and follow the precedent; 2. Significance of silence in many of the provisions of constitution and how to deal with it; 3. Consideration of law in the social perspective.</p> <p>16. Constitutional law.</p> <p>17. 1. History of constitution of other countries; 2. As to what manner our constitution developed; 3. Election laws of India.</p>
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	<p>18. This was my first conference and I found it to be a rewarding opportunity to hear about the good practices and show case from range of judgments from international court by all the resource persons.</p> <p>19. 1. Notions about the silences of the constitution cleared to a great extent; 2. Practicalities of election very useful.</p>
<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. Adjudication of electoral disputes, PMLA, social context - all are most useful.</p> <p>2. Construing the sound of constitution's speech meanings: beyond text. It focused on its application via looking to the object and it's construction.</p> <p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p> <p>5. <b>Session 5: Adjudicating Electoral Disputes: The Role of Judiciary: Balancing Core Values; Session 7: Corporate Fraud &amp; Manipulation: Repercussions, Deterrent Mechanism &amp; Judicial Approach; Session 8: Money Laundering: The Prevention of Money Laundering Act, 2002: Current Challenges-</b> because it is not much discussed before and enlightened us with a different perception.</p> <p>6. All sessions in their respective context.</p> <p>7. <b>Session 2: Impact of Media on Public Perception regarding vitality of Justice Delivery; Session 5: Adjudicating Electoral Disputes: The Role of Judiciary: Balancing Core Values.</b> - burning issues.</p> <p>8. Navigating through contradictory precedents.</p> <p>9. <b>Session 4: Contemporary Judicial Review and Separation of Powers; Session 5: Adjudicating Electoral Disputes: The Role of Judiciary: Balancing Core Values; Session 7: Corporate Fraud &amp; Manipulation: Repercussions, Deterrent Mechanism &amp; Judicial Approach; Session 8: Money Laundering: The Prevention of Money Laundering Act, 2002: Current Challenges.</b></p> <p>10. Participant did not comment.</p> <p>11. Participant did not comment.</p> <p>12. Interactive sessions.</p> <p>13. Social context adjudication, because courts have to consider social contexts also within parameters of laws and constitution.</p> <p>14. 1. The discussion in the 2<sup>nd</sup> session relating to media, Session 6 - the sound of constitution's speech, Session 5 – electoral disputes, Session 7- corporate fraud and Session 8 PMLA; 2. The opening and closing statements of the Director succinctly put the gist of each session.</p> <p>15. Silence part in our constitution.</p> <p>16. Role of media, judicial activism.</p> <p>17. Second day session as the same relates to judicial function.</p> <p>18. In fact the entire programme was wonderful, inspiring thought provoking, most eloquent with relevant presentation.</p> <p>19. Adjudicating electoral disputes; The practical aspects were very eloquently put and easy to follow.</p>
<p>3. Which part of the Programme did you find least useful and why</p>	<p>1. None</p> <p>2. Impact of media on public perception regarding vitality of justice delivery. Courts should not view the cases as highlighted by media.</p>

	<p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p> <p>5. <b>Session 6: Construing the sounds of Constitution's Speech: Meanings Beyond Text-</b> since to some extent it overlaps with other discussion on constitution.</p> <p>6. N.A.</p> <p>7. None.</p> <p>8. Participant did not comment.</p> <p>9. <b>Session 3: Precedents: Navigating through Conflicting Decisions-</b> No useful practical value from the presentation given by the speaker.</p> <p>10. Participant did not comment.</p> <p>11. Participant did not comment.</p> <p>12. Mr. Rajeev Awasthi instead of giving lecture was concentrating to counter Mr. Anand Grover's lecture.</p> <p>13. None.</p> <p>14. I found the whole programme quite useful.</p> <p>15. Topics are equally important.</p> <p>16. Participant did not comment.</p> <p>17. First day programme not useful for the judges performing judicial function.</p> <p>18. All the sessions of the programme were research informed, thank you all for an outstanding conference, glad I attended.</p> <p>19. Participant did not comment.</p>
<p>4. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>1. Study material is bulky, we don't have sufficient time to read it prior to this conference, please send atleast two weeks before.</p> <p>2. Participant did not comment.</p> <p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p> <p>5. Let the reading material be legible and to save paper it may be circulated in digital format in PDF.</p> <p>6. It should be regularly conducted with judges from all over the country attending it.</p> <p>7. I think this programme was well organized &amp; giving opportunity to interact with lawyers &amp; academics was certainly a novel idea.</p> <p>8. 1. Introduce some part dealing with methods of court management for new judges; 2. Take stock of problems of new judges and then help them in resolution of the aforesaid problems.</p> <p>9. It should be made compulsory for all participants to give feedback.</p> <p>10. Participant did not comment.</p>

	<p>11. Participant did not comment.</p> <p>12. Nothing specific.</p> <p>13. Field of subjects, which are dealt with by courts of law practically/objectively in light of law on the subject. Interpretation of special laws relating to multifarious nature of crime and disputes.</p> <p>14. I would like to have the lecturers interspersed with participants and resource person's discussions.</p> <p>15. Judge's approach with in regard to speedy disposal of cases.</p> <p>16. Study material should be sent to the High Court concerned through Registrar General of concerned High Court in soft copy so that it may be sent to the participants for their use.</p> <p>17. Experiences of senior judges as to the manner new judge has to conduct court.</p> <p>18. I have no suggestion to make as the programme contained best of contents.</p> <p>19. Participant did not comment.</p>
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