

# National Judicial Academy

**P-1160:** Conference for Newly Elevated High Court Justices

12<sup>th</sup> – 14<sup>th</sup> April, 2019

**Programme Coordinator** : Mr. Sumit Bhattacharya & Ms. Sonam Jain, Research Fellow

**No. of Participants** : 27

**No. of forms received** : 26

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>92.59</b>	<b>7.41</b>	-	
b. The subject matter of the program is useful and relevant to my work	<b>88.89</b>	<b>11.11</b>	-	
c. Overall, I got benefited from attending this program	<b>92.31</b>	<b>7.69</b>	-	
d. I will use the new learning, skills, ideas and knowledge in my work	<b>70.37</b>	<b>29.63</b>	-	
e. Adequate time and opportunity was provided to participants to share experiences	<b>81.48</b>	<b>18.52</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>84.00</b>	<b>16.00</b>	-	
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>74.07</b>	<b>25.93</b>	-	
c. Up to date	<b>66.67</b>	<b>33.33</b>	-	

d. Related to Constitutional Vision of Justice	<b>85.19</b>	<b>11.11</b>	<b>3.70</b>	
e. Related to international legal norms	<b>29.63</b>	<b>59.26</b>	<b>11.11</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>88.89</b>	<b>11.11</b>	<b>-</b>	
b. The program was an adequate combination of the following methodologies viz.				
(i) Interactive sessions were fruitful	<b>70.37</b>	<b>29.63</b>	<b>-</b>	
(ii) Sharing of Best Practices amongst participants	<b>74.07</b>	<b>18.52</b>	<b>7.41</b>	
(iii) Audio Visual Aids were beneficial	<b>30.43</b>	<b>52.17</b>	<b>17.39</b>	24. Not done
<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>96.15</b>	<b>3.85</b>	<b>100.00</b>	<b>-</b>
2	<b>73.08</b>	<b>26.92</b>	<b>80.00</b>	<b>20.00</b>
3	<b>80.00</b>	<b>20.00</b>	<b>80.00</b>	<b>20.00</b>
4	<b>88.00</b>	<b>12.00</b>	<b>89.47</b>	<b>10.53</b>
5	<b>76.00</b>	<b>24.00</b>	<b>78.95</b>	<b>21.05</b>
6	<b>58.33</b>	<b>41.67</b>	<b>52.63</b>	<b>47.37</b>
7	<b>96.00</b>	<b>4.00</b>	<b>100.00</b>	<b>-</b>
8	<b>96.00</b>	<b>4.00</b>	<b>100.00</b>	<b>-</b>
9	<b>66.67</b>	<b>33.33</b>	<b>68.42</b>	<b>31.58</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>81.48</b>	<b>18.52</b>	-	
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>66.67</b>	<b>33.33</b>	-	
c. The content was organized and easy to follow	<b>81.48</b>	<b>18.52</b>	-	

### VIII. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<ol style="list-style-type: none"> <li>1. Helpful in day to day work.</li> <li>2. Art of hearing and constitutional laws development vis a vis basic structure of the constitution of India.</li> <li>3. Participant did not comment.</li> <li>4. Participant did not comment.</li> <li>5. 1. Constitutional adjudication; 2. Art of hearing; 3. Developing concepts.</li> <li>6. Addition to legal concepts.</li> <li>7. Court management; Theories of judicial review; Fundamental rights and restrictions on entrenched rights.</li> <li>8. Broadening constitutional vision; Assimilation of competing principles; Promotion of constitutional norms through adjudication.</li> <li>9. Learning have practical application.</li> <li>10. Court management; Information &amp; communication technology in courts;</li> <li>11. 1. Separation of powers in our democracy; 2. Entrenching fundamental rights; 3. Basic structure of constitution.</li> <li>12. 1. Constitutional vision of justice; 2. Court management; 3. Judicial review.</li> <li>13. Individual sessions, constitutional democracy; Fundamental rights.</li> <li>14. Imparted insight to proper understanding of the issues involved; Sharing of experiences; Exchange of ideas/views by participants envisioned for future working.</li> <li>15. 1. Gave me a new perspective on the constitutional vision of justice; 2. The limitations while exercising the power of judicial review; 3. The evaluation and the present status of the basic structure theory.</li> <li>16. 1. Interactive sessions to clear doubts; 2. Bar and bench relations; 3. View of judges from different angles.</li> <li>17. Constitutional vision of justice. Theories of judicial review; Theory of basic feature.</li> <li>18. Gained experience; Noted down new points; To strive to discharge the duties more effectively.</li> </ol>
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	<p>19. Interaction with judges of different high courts, gaining from their experiences.</p> <p>20. Noted down new points, gained experience.</p> <p>21. Divine duty; Constitutional duty; Power in the nature of trust.</p> <p>22. Programme should be more practical.</p> <p>23. 1. Learning to hear; 2. Expanding my vision; 3. Insights into broader concepts of law.</p> <p>24. 1. Constitutional vision gets some inputs; 2. ICT – vision broadened; 3. Judicial review- day to day usefulness.</p> <p>25. Wider thinking process; Time management; Preparation before attending court.</p> <p>26. 1. Helps to understand grey areas of law; 2. Brings confidence as newly appointed high court judges; 3. It updates understanding legal theories.</p> <p>27. The programme helped us a lot to get clear idea of the topics discussed. It helped us to deal with court management and also the art of hearing.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. Whole programme.</p> <p>2. All.</p> <p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p> <p>5. Constitutional entrenched rights.</p> <p>6. Constitutional vision session and the basic feature of constitution session.</p> <p>7. All.</p> <p>8. Entrenched rights and basic structure.</p> <p>9. <i>Session 1: Constitutional Vision of Justice.</i></p> <p>10. Vision of justice (Learnt the historical perspective).</p> <p>11. Basic structure doctrine of constitution. This doctrine was introduced to reduce the flood of constitutional amendments.</p> <p>12. The art of hearing; through this programme I learnt how to manage the advocates when they indulge in lengthy arguments.</p> <p>13. Discussions.</p> <p>14. All.</p> <p>15. The session on the constitutional vision of justice &amp; theory of basic features qua fundamental rights and entrenched rights.</p> <p>16. All programme are good.</p> <p>17. Constitutional vision of justice.</p> <p>18. Wise advice from the resource persons.</p> <p>19. <i>Session 7: Fundamental Rights and Restrictions on Entrenched Rights; Session 8: Theory of Basic Features: Contours and Session 9: The Art of Hearing.</i></p> <p>20. Art of hearing.</p> <p>21. <i>Session 1: Constitutional Vision of Justice; Session 4: Theories of Judicial Review and Session 7: Fundamental Rights and Restrictions on Entrenched Rights.</i></p>

	<p>22. <b>Session 4: Theories of Judicial Review and Session 7: Fundamental Rights and Restrictions on Entrenched Rights; Session 8: Theory of Basic Features: Contours and Session 9: The Art of Hearing</b> – useful in my day to day work.</p> <p>23. The topics were very interesting and very relevant, immensely helpful.</p> <p>24. <b>Session 1: Constitutional Vision of Justice; Session 3: Information and Communication Technology in Courts; Session 4: Theories of Judicial Review and Session 8: Theory of Basic Features: Contours and Session 9: The Art of Hearing.</b></p> <p>25. Advocate- C. Aryama Sundaram- lecture on basic feature/ basic structure of constitution.</p> <p>26. <b>Session 4: Theories of Judicial Review.</b></p> <p>27. The topic relating to judicial review was very useful as it will help us to decide cases.</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. None.</p> <p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p> <p>5. Art of hearing as the experience in court is unique from person to person.</p> <p>6. E-court session, because the ideas could not be implemented by the newly appointed judges, would be more appropriate for the senior judges.</p> <p>7. None.</p> <p>8. Information and communication technology in courts.</p> <p>9. No Comments.</p> <p>10. Allocation of legislative power – the federal architecture (Not very relevant to the programme).</p> <p>11. Participant did not comment.</p> <p>12. Participant did not comment.</p> <p>13. N.A.</p> <p>14. None.</p> <p>15. The session on court management. Absence of valid suggestion.</p> <p>16. Programme was generally good.</p> <p>17. Court management.</p> <p>18. Participant did not comment.</p> <p>19. Court management, we did not come away with any effective ideas to implement.</p> <p>20. Participant did not comment.</p> <p>21. Participant did not comment.</p> <p>22. Programme needs to be designed to be more useful to participants.</p> <p>23. Participant did not comment.</p> <p>24. <b>Session 2: Court Management; Session 6: Allocation of Legislative Powers - The Federal Architecture.</b></p> <p>25. Art of hearing – As no clear picture emerged.</p>

	<p>26. <i>Session 2: Court Management</i>- important aspects were not dealt with.</p> <p>27. All the topics were useful.</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"> <li>1. Participant did not comment.</li> <li>2. Thanks to all the members of NJA, please keep it up.</li> <li>3. Participant did not comment.</li> <li>4. Participant did not comment.</li> <li>5. Participant did not comment.</li> <li>6. Topic wise seminars and individual judge's opinion on the sessions he is keen to attend.</li> <li>7. Participant did not comment.</li> <li>8. Increase interactive and participative learning.</li> <li>9. Instead of or in addition to this evaluation form, participants should be informed how and where they can send their own perception on the issues discussed. This would allow inclusion of more ideas based on diverse experience of judges throughout the country.</li> <li>10. International level resource persons may also be involved.</li> <li>11. Participant did not comment.</li> <li>12. More number of programmes of these kinds may be conducted.</li> <li>13. Already up to the mark.</li> <li>14. Participant did not comment.</li> <li>15. Continue with the good work.</li> <li>16. Study materials may be forwarded well in advance.</li> <li>17. Programme schedule by NJA requires no suggestions. However, participants should be asked for attending the programmes of their choice.</li> <li>18. All discussions have to be made interactive to bring in more participation.</li> <li>19. Programme are relevant and effective as they are.</li> <li>20. Arrange special sessions for civil &amp; criminal law.</li> <li>21. Participant did not comment.</li> <li>22. Need lift facility at rooms and dining hall.</li> <li>23. The information provided in CD form is a good development. If we are able to access all the information at NJA that will be great.</li> <li>24. Resource persons may be combination of different vocations; Justices, Advocates, subject expert (Professors, Legislators).</li> <li>25. To cover the aspects of CrPC/ CPC in relation to constitution of India.</li> <li>26. Recent and relevant judgements based discussion will help the participants.</li> <li>27. To include topics relating to civil and criminal laws.</li> </ol>