

National Judicial Academy

P-1238: Workshop on Criminal Trials on Serious Offences (Online)

23rd – 24th January, 2021

Programme Coordinator : Mr. Rajesh Suman and Mr. Prasadh Raj Singh, Faculty

No. of Participants : 44

No. of forms received : 41

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	92.68	7.32	-	11. Very useful.
b. The subject matter of the program is useful and relevant to my work	97.56	2.44	-	11. Very useful. 20. The subjects deliberated upon mostly related to the issues we faced regularly in our daily court proceedings.
c. Overall, I got benefited from attending this program	95.12	4.88	-	11. Very useful.
d. I will use the new learning, skills, ideas and knowledge in my work	97.56	2.44	-	11. Very useful.
e. Adequate time and opportunity was provided to participants to share experiences	80.49	19.51	-	11. Some more time can be provided. 20. Participants have been able to share issues that are being faced by them in court.
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	95.12	4.88	-	11. Very useful.
b. Comprehensive (relevant case laws, national laws, leading text / articles /	97.56	2.44	-	11. Good.

comments by jurists)				
c. Up to date	94.87	5.13	-	11. Good.
d. Related to Constitutional Vision of Justice	90.24	9.76	-	11. Good.
e. Related to international legal norms	70.00	30.00	-	11. To some extent.
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	97.56	2.44	-	11. Good.
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	97.50	2.50	-	11. Good.
(ii) Interactive sessions were fruitful	90.24	9.76	-	11. Good. 20. Interactive sessions were the most productive where the participants shared legal issues faced by them in day to day proceedings.
(iii) Audio Visual Aids were beneficial	85.37	14.63	-	11. Good.
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	85.00	15.00	86.21	13.79
2	82.50	17.50	85.71	14.29
3	87.50	12.50	93.10	6.90
4	85.00	15.00	93.10	6.90

V. PROGRAM MATERIALS				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	95.12	4.88	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	97.56	2.44	-	-
c. The content was organized and easy to follow	95.00	5.00	-	-

VIII. GENERAL SUGGESTIONS	
1. Three most important learning achievements of this Programme	<p>1. 1. Constitutional values reaffirmed; 2. Meaning of Fair trial enlightened to include victims and other stakeholders; 3. Responsibility of court in witness protection and victim compensation rediscovered.</p> <p>2. 1. The concept of contradiction and omission to examine witnesses; 2. The provisions of Indian Evidence Act to record oral evidence of witnesses and to appreciate the evidence in criminal cases relating to serious offense; 3. The scheme of victim compensation and the useful relevant provision of Cr.PC to provide compensation to the victim.</p> <p>3. Appreciation of evidence; Role of judges in trial to discover truth on principles of law and procedures established under the law.</p> <p>4. 1. Would be helpful in dealing with the challenges faced during the course of recording of evidence; 2. Would be helpful in appreciating the evidence in precise manner; 3. Would be helpful to borne in mind the relevant parameters to be considered while awarding the compensation to victim.</p> <p>5. 1. Deliberations in regard to the topics of Presumption, Contradiction, Omission; 2. Framing of charge considering the face-value of charge-sheet & prima-facie materials available; 3. Discussion of Sec-142 & 143 of Indian Evidence Act.</p> <p>6. 1. I learnt many new things on the subject; 2. My decision making skills enhanced by learning deep knowledge and understanding on the subject; 3. My earlier study of the subject rejuvenated.</p> <p>7. 1. The Judge should not insist for citation on each facts and law. The Judge has to see the enactment and form his own view; 2. Importance of day to day hearing; 3. Affidavit is not the part of evidence; 4. The Judge should invoke Section 165 of Evidence Act; 5. The prosecution cannot cross-examine his own witness; 6. Prevent re-victimization of victim.</p> <p>8. Effective; Informative; Motivating.</p> <p>9. Clarity in concepts on many issues in criminal trials.</p>

10. 1. I have gained more knowledge outer topic of seniors offences and important jurisprudence development beyond this; 2. I have vast my knowledge on framing & alteration of charges in serious offences; 3. Now a day's since the witness and victim are threaten by the accused. So protection of witness & victim are very important so by attending this seminar I develop my views for the witness protection scheme & victim compensation scheme.

11. 1. Getting contacts of the judges of other state so that the methodology adopted in other states in getting exchanged & gets an idea to improve our self; 2. Refreshing the subjects very useful; 3. Getting updated in also very useful.

12. Unfolding meaning of provisions.

13. None.

14. With regard to appreciation of evidence victim compensation and witness protection.

15. 1. Learnt to effectively proceed the trial of serious offence; 2. How to consider the material at the time of framing of charge; 3. How to appreciate the evidence in trial of serious offence.

16. It is very useful.

17. 1.The Knowledge imparted by the resource persons is felt to be very helpful in trial of criminal cases; 2. All the doubts regarding criminal trial cleared by the resource persons is really immensely helpful; 3. The programme was very much helpful in boosting the confidence in criminal trial.

18. Through the Workshop, I understood very well the main three things- 1. How should the charges be framed in serious offences; 2. What is the procedure for trial in serious offences and what is the role of the Judge it; 3. Role of the Judge implementing the Victim Compensation Scheme.

19. 1. Enhancement of knowledge; 2. Be sensitive to the witness and victim; 3. Be sensitive with the litigant.

20. The sessions relating to the appreciation of evidence and victim compensation.

21. Learning new aspects and refreshing important areas of law and its application for dispensation of justice.

22. 1. I Learnt the appreciations of evidence in trial of serious criminal offences; 2. Framing of charges in different circumstances; 3. Award of compensation to the victims.

23. Keeps us up to date, makes us better sessions judges, find tunes our knowledge of criminal jurisprudence.

24. 1. Perfect framing of charge; 2. How can we improve our appreciation of evidence; 3. Victim compensation.

25. Refreshed legal concepts, clear doubts with experience of resource persons and enhanced our knowledge.

26. Got more knowledge on charge, appreciation of evidence.

27. Victim compensation scheme; Relevant features in appreciation of evidence manner in which trial of serious offenses dealt with.

28. Excellent overall arrangement. Audio and visual quality, quick response.

29. Provided new insights; Found material & discussion very useful on the point of charge, compensation etc.; Gain knowledge of latest and settled law on various points.

30. All are good.

	<p>31. 1. Knowledge of latest relevant laws; 2. Learning of practical approach; 3. Boosted my confidence.</p> <p>32. First-Pro-activeness as to granting compensation to the victim, Secondly- Protection to the witnesses and Thirdly- Interest of victim and accused should equally be in mind while holding the trial of serious offences.</p> <p>33. None.</p> <p>34. 1. Appreciation of evidence; 2. Witness protection; 3. Jurisprudence & trial process in serious offense.</p> <p>35. The programme was nicely organized. Even though it was an online programme, it was nicely managed.</p> <p>36. Criminal jurisprudence, Trial process and witness protection and victim compensation and appreciation of evidence.</p> <p>37. On evidence in serious offences. Protection of witnesses. Compensation to victims.</p> <p>38. Helps to improve more in dealing and deciding the cases; Improve on learning new skills; Enhances excellence in court work.</p> <p>39. None.</p> <p>40. Serious Offences, less serious nature of offences and victim compensation under section 357 of the Cr. P.C. 1973 for POCSO Act, offences against women and SC & STs Atrocities Act, etc.</p> <p>41. 1. Very useful in our day to day dispensation of justice; 2. Reception retention & 3. Reproductions three R.R.R.</p>
<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. Appreciation of evidence helps in getting the correct perspective regarding evidences.</p> <p>2. Appreciation of evidence in serious offenses. The said session will be very useful in my day to day judicial work.</p> <p>3. Witnesses protection scheme; Provisions in new enactments and victim compensation. Helps to day to day trial.</p> <p>4. Almost all as the same would be helpful in effective conduction of the trial in serious offenses and the appreciation of evidence recorded during such trial.</p> <p>5. 1. Appreciation of evidence; Discussion on presumption, Conclusive proof, etc., because every day we deal with such topics/proceedings in the Court, yet a sense of imperfection persists in mind; 2. Topic of witness protection Which becomes necessary sometimes, while dealing with special category of Cases.</p> <p>6. All.</p> <p>7. The entire program was useful because it has enlightened all relevant provisions and also shown what the duty of Judges is.</p> <p>8. All the programme.</p> <p>9. Participant did not comment.</p> <p>10. I personally feel that appreciation of evidence has played very important role while deciding a case. So by attending this seminar I expand my knowledge that how evidence shall be appreciated in serious offences. So that innocent person can't be convicted so appreciation of evidence session was very useful & fruitful.</p> <p>11. Appreciation of evidence in serious offences. I would like to know more on the subject in future also.</p> <p>12. Framing of charge; Appreciations of evidence; Study material.</p>

13. All programmes are useful while discharge the judicial work.
14. Appreciation of evidence.
15. Witness protection and victim compensation in serious offence was most useful; The programme was elaborately discussed by Mr. Justice Madan B. Lokur, which is useful.
16. Appreciation of evidence in serious offences; It is very useful and evidence for day to day trial works.
17. The programme on appreciation of evidence was most useful due to its necessity in day to day trial of criminal cases and adjudication of the matter.
18. The each and every part of this Training Programme is very useful for me, because each and every part of this Training Programme plays a vital role as the concept of Programme presented was so clear and easy to understand.
19. *Session 3: Appreciation of Evidence in Serious Offences*- was most useful to me.
20. The session relating to appreciation of evidence. It mostly dealt with the issues we faced regularly.
21. All. In order to avoid any legal lapse and effectively discharging the functions as a judge in criminal trial court.
22. Each part of the programme is most useful because I was enlightened with the knowledge of conducting trial smoothly in respect to the serious and heinous offences, appreciations of evidence and also with respect to the framing of charges and how to give protection to the witnesses and award compensation to victims.
23. Justice Lokur, Justice Tahiliyani, Justice Thipsay and Justice Nagamuthu.
24. *Session 3: Appreciation of Evidence in Serious Offences*- is the most useful because this part is most important as it is related to cases of serious offences.
25. Appreciation of evidence in serious offences, techniques and preparation of charge in serious offences and witness protection and victim compensation in serious offences.
26. All.
27. Victim compensations. More relevant now a days since witness and victims are backbone of the criminal administrative system.
28. Interactive session as acquainted with the modus operandi of all parts of the country.
29. All sessions were quite useful. I had learnt many new things. Doubts on natural points cleared.
30. All sessions are useful to my day to day busyness.
31. Appreciation of evidence because it is useful in practical work.
32. All parts of programme.
33. However, my humble permission is that the whole first day seminar which I attend was full of knowledge and learning. The question was providing a chance to assure our knowledge which we are applying any day to such legal problems we have to deal and divide in the court. Such interactive sessions are full of knowledge and help in having our legal skills which must continue.
34. *Session 3: Appreciation of Evidence in Serious Offences*.
35. Though whole of the programme was nice, experience and knowledge shared by Justice B.S. Chauhan and Justice Madan B. Lokur was most useful.
36. Appreciation of evidence. But, time slot is suggested to increase to one hour.

	<p>37. On appreciation of evidence.</p> <p>38. Session 4: Witness Protection and Victim Compensation in Serious Offences-Reason- I am dealing with POCSO cases, NDPS cases, cases under PC Act as special judge.</p> <p>39. Part of the programme pertaining to the provisions of evidence act, victim compensation scheme as these are the matters which are dealt with the sessions courts regularly during the session's ends.</p> <p>40. It is very interesting work shop. It is proficient.</p> <p>41. Appreciation of evidence in serious offences.</p>
<p>3. Which part of the Programme did you find least useful and why</p>	<p>1. None.</p> <p>2. None.</p> <p>3. None.</p> <p>4. None.</p> <p>5. There was no such instance.</p> <p>6. None.</p> <p>7. Not applicable.</p> <p>8. Nil.</p> <p>9. Participant did not comment.</p> <p>10. Since each and every topic presented in the seminar are very important in serious offences. So every topic is as important as other.</p> <p>11. All sessions were useful.</p> <p>12. Participant did not comment.</p> <p>13. Participant did not comment.</p> <p>14. Participant did not comment.</p> <p>15. All the programmes were useful.</p> <p>16. No such programme. All the programmes are very useful.</p> <p>17. The whole programme was found to be useful and quite helpful.</p> <p>18. None of the part of this Training Programme is least useful since the delivery of the content of this Training Programme is very Appreciable and wonderfully Presented and Executed.</p> <p>19. All the part were useful for me.</p> <p>20. All sessions were useful.</p> <p>21. None.</p> <p>22. No part of the programme was found as least useful, because every part was helpful in smooth conduct of the Criminal trial.</p> <p>23. All were useful.</p> <p>24. None.</p> <p>25. None.</p> <p>26. All parts were useful.</p> <p>27. Nil.</p> <p>28. No least useful part.</p> <p>29. NA.</p> <p>30. All are useful.</p>

	<p>31. None.</p> <p>32. None.</p> <p>33. None.</p> <p>34. None.</p> <p>35. No part.</p> <p>36. Does not arise. All the programmes are important.</p> <p>37. E-committee.</p> <p>38. <i>Session 2: Techniques and Preparation of Charge in Serious Offences-Reason-Already I have experience of recording plea and charge as a Magistrate in the past.</i></p> <p>39. None.</p> <p>40. Participant did not comment.</p> <p>41. Every part of programme is useful.</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. Kindly organize a more detailed program on Appreciation of Evidence as time is too limited in this program.</p> <p>2. None.</p> <p>3. Physical training making groups of officers to discuss new statutes and recent amendments and procedures.</p> <p>4. No suggestions.</p> <p>5. Adhering to the time frame is very good. More topics relating to trial of Cases should be included.</p> <p>6. Time allotted to appreciation of evidence could be enhanced and we could have one more one hour session after lunch break; Material should be made available earlier so that we could read it before attending the programme.</p> <p>7. The programme was so effective hence no suggestions.</p> <p>8. More time may be allotted to the speakers.</p> <p>9. Physical training can be started now. Timings can be till 3:30pm. Can academy take up file to provide tablets with stylus (pen) for judicial officers for training purpose, reading materials etc.</p> <p>10. All goods and necessary facilities are provided by NJA. So far all are good.</p> <p>11. Depending upon the topics which requires more deliberation, time shot can be increased.</p> <p>12. Time of session must be extended and more lectures are required on same subjects.</p> <p>13. NJA make the programme more effectively.</p> <p>14. N.A.</p> <p>15. It is suggested that time of about 2 hours the given to the speaker to discuss his experience.</p> <p>16. Programmes are conducted effective manner.</p> <p>17. Conducting such programmes at regular interval by involving the Judicial Officers would be immensely helpful.</p>

18. I feel no any Suggestions Required because the NJA has “not left any more unturned” to deliver each and every aspects of this Training Programme and did a great Job.
19. Participant did not comment.
20. Hoping for participating in a workshop in NDPS act and arms act.
21. Keeping in view the subject contents and highly effective resource persons, it will be very advantageous for the participants to slightly increase the time.
22. If physical mode of training programme had been conducted, it would have been more effective for us.
23. Have more real/physical conferences/seminars.
24. The language of the lower courts of most of the states of the country is Hindi, so it should be considered to organize such a workshop in Hindi also.
25. There should be a research team from which help can be sought by trial judges in case any difficulty arises while discharging duties as it is not possible to provide research assistants to each and everyone but one such research center can cater to such needs round the clock.
26. By Conducting more physical training.
27. More time for interactive session.
28. Participant did not comment.
29. Workshops be organized in routine through virtual mode. It will be easy to attend. Time & money saving.
30. Physical hearing.
31. The concepts should be presented on the online presentations platforms and time duration should be increased.
32. Everything was fine.
33. None.
34. Participant did not comment.
35. NJA is doing its programme effectively and serving its purpose nicely.
36. Very-very good and the programme be continued so that all the Judicial Officers may get more knowledge from the workshop. Time slot for appreciation of evidence may be increased to one hour.
37. One speaker for one session. More time to put questions to the speaker.
38. Programme should be on the subjects which are timely required.
39. Participant did not comment.
40. Participant did not comment.
41. Sending provided material through mail, on latest enhancements with practical approves.