

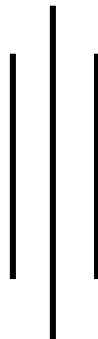


NATIONAL JUDICIAL ACADEMY INDIA

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**NATIONAL SEMINAR FOR PRINCIPAL DISTRICT AND
SESSIONS JUDGES ON LEADERSHIP SKILLS**

28th and 29th August, 2021



Programme Coordinator

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The National Judicial Academy, Bhopal organized a two day online National Seminar for Principal District and Sessions Judges on Leadership Skills on 28th and 29th August, 2021 which was attended by 38 participants. The seminar sensitized the participants on intricacies of leadership in administration of court. The seminar also facilitated discussions on methods to interact with various stakeholders so as to enhance the trust and confidence in the justice system and also involved discussion on time management, court and case management, staff management and team building.

SESSION 1

LEADERSHIP SKILLS: ORGANIZATIONAL EFFICACY AND PERFORMANCE

The session commenced with emphasis that a Principal District Judge (PDJ) should lead from the front and should strive to enhance the image of the judiciary. It was stated that on the administrative side the leadership skills for management of judicial officers and court staff are quite significant. It was opined that it is the responsibility of the district judge to manage officers and take aid of technology so that the overall efficiency of the system is improved. A Principal District Judge apart from undertaking a variety of responsibilities within the district should identify capabilities of the court staff and judicial officers and appoint them in appropriate departments for harnessing their talent. It was opined that the PDJ should be akin to '*karta*' of a family and should look after the junior officers and lead the judicial workforce of the district. It was opined that judicial culture should also be inculcated in the staff through regular trainings. Furthermore, it was stated that skills of leadership are acquired over through experience and not overnight. It was stated that PDJ must observe utmost discipline and punctuality in court. He should appreciate the work of his junior

officers so as to motivate and inspire them. The PDJ should undertake a mentoring role and should also be readily accessible to the judicial officers of his district. It was also suggested that the PDJ should visit the courtrooms of junior officer for understanding their issues and grievances. It was stated that a PDJ should be an effective leader having good communication skills which includes non-verbal communication and actions. It was highlighted that the task of a leader includes building a team and establishing goals including short term and long term targets to be achieved. It was also highlighted that conflict management is also an important task which includes resolution of conflict between bar and bench apart from conflicts between the ranks. The PDJ should also have good professional rapport with police apparatus which would smoothen various administrative tasks. It was highlighted that creation of trust among the cadre is also of utmost importance and decisions should be consistent and should be delivered without bias or favor. It was opined that the PDJ should not only lead during his tenure but should endeavor to create future leaders.

SESSION 2

DEVELOPING EFFICIENT JUDICIAL SYSTEM: STRATEGIES TO ACHIEVE ORGANIZATIONAL GOALS

The session was initiated by discussion on the scope of the term “efficient judicial system” and its attributes. The ‘International Framework for Achieving Court Excellence’ was focused upon which includes- equality before law; fairness; impartiality; independence; competence; integrity; transparency; accessibility; timeliness and certainty. The seven areas of Court Excellence sought to be achieved under the framework were also discussed. Thereafter, the National Court Management System (NCMS) was also discussed in brief. It was stated that developing efficient judicial system involves performance measurement and performance improvement and it can be

measured through the technique of QRT i.e. quality, responsiveness and timeliness. Furthermore certain performance standards for performance assessment were discussed i.e. expeditious justice; quality justice; availability of human and material resources; adherence to court values; public trust and confidence. It was suggested that objections should be dealt at the earliest opportunity and should not left for determination later. It was also suggested that Hot Tubbing method for expert evidence could be utilized by the judges. It was also advised that the grouping of cases should be undertaken for expeditious disposal. It was advised that the judges should innovate methods to curtail frivolous and lengthy oral arguments and presiding judge should direct advocates to file written arguments. It was also suggested that the judges should refrain from writing lengthy judgments and should be consistent in their decisions. It was stated that the judges should work for full day in court and should not unnecessarily rise from the bench early except for exigent circumstances. It was stressed that judicial procrastination also results in backlog and therefore, the judgment should be delivered as quickly as possible.

SESSION 3

EFFECTIVE MANAGEMENT OF STAKEHOLDERS IN JUSTICE DELIVERY SYSTEM

It was opined that state is must ensure a robust and fair justice system and everybody should be provided equal opportunity for access to justice. The difference between leader and manager was focused upon and it was opined that the Principal District Judge should strive for maximum output and should also innovate new methods for effective management and improvement of the judicial system. The role of district judiciary for providing justice at grass root level was highlighted and

it was stated it can be achieved by involving all the stakeholders. It was stressed that effective coordination and cooperation among various stakeholders is required for improving the justice delivery system. It was stated that management of stakeholders is the harmonization and integration of activities and responsibility of stakeholders to ensure that the resources of each agency involved in the administration of justice are efficiently used in pursuit of the justice delivery. It was further stated that management of stakeholders involves identifying stakeholders; assessing their role, powers and expectations and thereafter engaging and communicating with the stakeholders in a manner such that the entire system is benefited. The key internal stakeholders which were identified were judges, court staff, investigation agency, prosecution, advocates and prison officials who were also considered as duty holders. It was opined that maintenance of cordiality and bonhomie with colleague judges is important and the Principal District Judge should motivate them to maintain highest standards of honesty, punctuality, impartiality, independence. It was also opined that the judge should be easily accessible to his junior officers and should endeavor to provide prompt solution to their grievances .The importance of the court staff and the registry was also highlighted and it was stated that their cooperation is very important for efficient functioning of the system. It was opined that section 350 of the Code of Criminal Procedure can be invoked if the investigation agencies fail to appear before the court without just cause. In relation to the prosecutors it was opined that there should be effort for gradual improvement in the quality of prosecution and they should be provided requisite support for discharging their duties fearlessly. It was also highlighted that the bar has a prominent role to play in the system of administration of justice and mutual respect is necessary for maintenance of cordial relations between bench and bar. It was stressed that the judges should be polite but firm with lawyers and they should exhorted to perform their duty as officers of the court diligently. The key external

stakeholders were also delineated and it was stated that it includes the court users i.e. litigants, victims, accused and witnesses; civil society; academia and media. It was emphasized that the victim and accused should be protected from any kind of misbehavior or harassment. There should be quick completion of the examination of witnesses and must not be unduly harassed by requirement of multiple court appearances. It was also stressed that judges should not be affected by populist demands or media reports. It was also impressed upon that there should be more involvement of the academia in research with respect to various aspects of judicial functions so that the judicial system is strengthened further. Lastly, it was stated that it is important that the energy and efforts of various stakeholders are integrated for enhancing efficiency of the judicial system. It was suggested that mutual legal assistance between judges of various states should be enhanced for expeditious service of summons across state jurisdictions.

SESSION 4

ORGANIZING THE DOCKET FOR EFFECTIVE CASELOAD MANAGEMENT

It was highlighted that expeditious disposal of cases is the most important aspect of caseload management since docket explosion is the biggest problem faced by courts. It was stated that management involves effective use of resources. The Consultation Paper on Case Management prepared by committee headed by Justice M. Jagannadha Rao and the Lord Woolf's Interim Report on 'Access to Justice' were also discussed in brief. It was opined that judges should strive to identify cases for reference to mediation between parties whenever resolution or compromise is feasible. The increased use of Alternative Dispute Resolution (ADR) was highlighted to reduce the docket. It was stressed that the framing of issues and charges are very important and judges must be cautious because if framing is done properly then many irrelevant things are excluded at the inception and prevents wastage of judicial time. It was highlighted that physical verification of

cases should be undertaken at regular intervals by the judges. It was also suggested that the cases should be divided into various types and further subdivided into various stages of the trial. It would aid in ascertaining the stage at which cases are stuck and would assist in devising methods to overcome the bottlenecks. Further, it was advised that a judge should not allow adjournments on frivolous grounds after commencement of trial. It was also suggested that the concept of “Special List” which is followed in several states can be emulated which would help in court management. The practice of Masters (retired District Judges) undertaking recording of evidence which is followed in Tamil Nadu was also discussed wherein after recording of evidence the case goes back for final hearing before the concerned judge. It was also suggested that the victim examination should be undertaken at the beginning of the day before crowding of court. The Principal District Judges should also monitor pending cases of judges in their district so that appropriate initiatives can be undertaken to reduce backlogs. Moreover, it was opined that the Principal District Judge should ensure equitable distribution of cases amongst the judicial officers.
