

National Judicial Academy

P-1271: Workshop on Cybercrimes and Electronic Evidence for Additional District Judges
27th – 28th November, 2021

Programme Coordinator : Ms. Ankita Pandey and Mr. Krishna Sisodia, Faculty
No. of Participants : 40
No. of forms received : 13

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	91.67	8.33	-	
b. The subject matter of the program is useful and relevant to my work	91.67	8.33	-	
c. Overall, I got benefited from attending this program	91.67	8.33	-	
d. I will use the new learning, skills, ideas and knowledge in my work	91.67	8.33	-	
e. Adequate time and opportunity was provided to participants to share experiences	75.00	25.00	-	
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	100.00	-	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	100.00	-	-	-
c. Up to date	100.00	-	-	-
d. Related to Constitutional Vision of Justice	75.00	25.00	-	-

e. Related to International Legal Norms	66.67	33.33	-	-
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	100.00	-	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	100.00	-	-	-
(ii) Interactive sessions were fruitful	83.33	16.67	-	-
(iii) Audio Visual Aids were beneficial	100.00	-	-	-
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	100.00	-	100.00	-
2	100.00	-	100.00	-
3	100.00	-	100.00	-
4	100.00	-	100.00	-
V. PROGRAM MATERIALS				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	100.00	-	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	100.00	-	-	-
c. The content was organized and easy to follow	100.00	-	-	-

VIII. GENERAL SUGGESTIONS

<p>1. Three most important learning achievements of this Programme</p>	<p>1. 1. How to deal with electronic evidence; 2. Recent case law on electronic evidence; 3. Latest update and approach on section 65-B of evidence Act.</p> <p>2. 1. Ideas about developments and present status of our laws in this field; 2. Ideas about the legal requirements to meet the ever changing technological threats/developments; 3. Concepts that even the encrypted messages or files can be modified and therefore strict proof of the content is required.</p> <p>3. 1. Digital forensics; search and seizure of electronic records; Contours of section 65-B in light of Arjun Panditrao Khotkar vs Kailash Kushnrao Goruntuyal; 3. Determination of parties, place of commission and place of suing.</p> <p>4. 1. The session of Shree Pavan Duggal and Shree Sidharth Luthra advocates were tremendous and very knowledgeable; 2. The presentation of Hon'ble Justice Vijayaraghavan was very fruitful and 3. The PPT of Mr. Harold D'Costa was tremendous.</p> <p>5. 1. Updation in cyber law; 2. Recent views of the Apex court; 3. How to deal with the cyber cases in court during trial.</p> <p>6. 1. Best application of existing provisions; 2. Precautions and measures that to be taken into consideration in of admitting electronic evidence; 3. Securing the digital data of courts.</p> <p>7. Since computer output is document, it is difficult to prove the contents when the victim has no role in its making. There is no presumption that in electronic evidence the contents are true.</p> <p>8. Overview of cyber-attack and its ill consequences; Precautions and care to be taken in such cases; Relevancy, authenticity and admissibility of electronic evidence.</p> <p>9. 1. The utility of section 65-B IEA, 1872 has outlived its life and the perspective on electronic evidence requires a revisit; 2. Problems about jurisdiction in cases involving electronic transactions; 3. Cyber security measures required in courts.</p> <p>10. 1. Consent of capture the photograph does not amount of consent of sharing the photography; 2. Judiciary is data goldmine & we have to protect it; 3. Electronic evidence of Arjun Panditrao Khotkar case.</p> <p>11. Improve knowledge of cyber-crime; It well ready help in court work.</p> <p>12. Found the material and discussion very useful on each topic; Gained knowledge of latest and settled law on the topic.</p> <p>13. Form is not in NJA format.</p>
<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. Session of Mr. Pavan Duggal was most useful because it was related to our day to day problems in court.</p> <p>2. Entire programme is found most useful as till date no such case has been dealt by me and I am new to this field.</p> <p>3. Relevancy, authenticity and admissibility of electronic records.</p> <p>4. Session 1: Cyber Crimes: Role of Courts and Session 2: Jurisdictional Issues in Adjudication of Cybercrimes- Shree Pavan Duggal and Shree Sidharth Luthra were genius. Session 3: Admissibility and Appreciation of Electronic Evidence-of Hon'ble Justice Vijayaraghavan & Mr. Harold D'Costa was very useful.</p> <p>5. All sessions are useful as these are inter related.</p>

	<p>6. All the sessions, but in specific the discussion as to admissibility and appreciation of electronic evidence is found extremely useful. It help us long way meeting pressing priorities in adjudicating the cases with crucial electric evidence.</p> <p>7. <i>Session 3: Admissibility and Appreciation of Electronic Evidence.</i></p> <p>8. Determination of parties, place of commission and place of suing as well as contour of section 65B.</p> <p>9. Parts which dealt with section 65-B, IEA, 1892 were practically relevant and useful to us as judges.</p> <p>10. Discussion over electronic evidence.</p> <p>11. Session of Mr. Harold D’Costa well very interesting and informative. Learn new techniques.</p> <p>12. All session were useful; My doubts on various points relating to electronic evidence cleared & the same will be very helpful on the same will be very helpful on dispensation of justice.</p> <p>13. Form is not in NJA format.</p>
<p>3. Does the programme need further modulations or change</p>	<p>1. None.</p> <p>2. As such no change is required, but separate time/session can be given for question answering, as practical problems faced by us can be discussed.</p> <p>3. None.</p> <p>4. Time span should be increased.</p> <p>5. No, there is no need of any changes or further modulations.</p> <p>6. Sessions time frame can be extended.</p> <p>7. No.</p> <p>8. No.</p> <p>9. I don’t think so.</p> <p>10. No.</p> <p>11. No.</p> <p>12. Programme is already well organized.</p> <p>13. Form is not in NJA format.</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. None.</p> <p>2. No suggestion, apart from the same given above.</p> <p>3. None.</p> <p>4. Such type of workshops should be organized in regular intervals and the PPT may kindly be provided to the participants through e-mail.</p> <p>5. The work of NJA has been serving better day to day. Organizing online programme is far better than physical attending which ended in unnecessarily harassment and wastes of time.</p> <p>6. Feeling privileged to be nominated for the workshop. The entire programme is very enlightening and like upgrading our academic skills; Reference material is very exhaustive and informative. A little earlier supply of material may be considered for better interaction.</p> <p>7. Nil.</p>

	<p>8. None.</p> <p>9. I think it will be better if offline training is started by the Academy.</p> <p>10. E-mail address of resource persons may be provided to remove future confusion from the subject expert.</p> <p>11. How to record evidence (Electronic) if CD, DVD's etc. produce in evidence that method be also included in training programme.</p> <p>12. Such workshops should be organized perpetually through virtual mode, as the same will be easy to attend and will also time and money saving.</p> <p>13. Form is not in NJA format.</p>
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