

SEMINAR FOR FOREIGN JUDGES [BANGLADESH] - (SE-03)

22nd to 25th November, 2021

Program Schedule

DAY	TIMING (IST)	SESSION	Proposed Theme	Resource Persons	
22nd November 2021 (Monday)					
DAY 1 Constitutional Bedrock & the Evolution of the Indian Judicial System OR The Indian Constitutional Experiment	10:00AM -11:30AM	SESSION 1	<p style="text-align: center;">Overview and Architecture of Indian Constitutional Arrangement</p> <p style="text-align: center;">Proposed Scope of Discussion</p> <ul style="list-style-type: none"> ● Overarching Values of the Constitution as enshrined in the Preamble ● Basic Structure of the Constitution ● Constitution as a Social Contract ● Indian Judiciary in the Constitutional Arrangement- Role & Responsibility ● Constitutional Vision of Justice 	Prof. M.P Singh Dr. Balram K Gupta	
	11:30AM - 12:00PM	Break			
	12:00PM - 01:30PM	SESSION 2	<p style="text-align: center;">Landmark Judgments: Celebrating Decadal Masterpieces</p> <p style="text-align: center;">Proposed Scope of Discussion</p> <ul style="list-style-type: none"> ● Important Contributions of the Constitutional Courts in the Last Decade ● Changing Gears- Building on the Constitutional Edifice through Judgments (Including Judgments on Privacy, NOTA, Aadhaar, Article 377, NJAC, decriminalization of politics etc.) 	Prof. BT Kaul Dr. Kiran Rai	
	1:30PM - 02:30PM	Lunch			
	2:30 PM – 4:00 PM	SESSION 3	<p style="text-align: center;">Indian Judiciary and Tryst with Novelty: Aligning with Global Standards by Raising the Bar</p> <p style="text-align: center;">Proposed Scope of Discussion</p> <ul style="list-style-type: none"> ● Novel Approaches & Best Practices <ul style="list-style-type: none"> ○ Striking a Balance between Adversarial & Inquisitorial Approaches ○ Family Courts ○ Enabling Access to Justice through Lok Adalats, Legal Services Authorities, Gram Nyayalayas ○ Public Interest Litigation 	Prof. M.P Singh Prof. BT Kaul	

23rd November 2021 (Tuesday)

DAY 2

Being A Judge: Judicial Qualities, Attitudes & Skills

10:00AM -11:30AM	SESSION 4	<p align="center">Elements of Judicial Behaviour: Ethics, Neutrality and Professionalism</p> <p align="center">Proposed Scope of Discussion</p> <ul style="list-style-type: none"> ● Being a Judge in a Democracy <ul style="list-style-type: none"> ○ Professionalism ○ Contest between the institutional requirement of judicial sobriety and the transition to openness owing to media attention ○ Anchoring judicial function in the principle of neutrality ● Oscillatory Choices Between Adversarial & Inquisitorial Dichotomy ● Ethical Conundrums in Judicial Sphere & Possible Solutions ● 	<p align="center">Justice G. Raghuram Justice Ved Prakash Sharma</p>
11:30AM – 12:00PM		Break	
12:00PM - 1:30PM	SESSION 5	<p align="center">Judging Skills: Art, Craft and Science of Drafting Judgments</p> <p align="center">Proposed Scope of Discussion</p> <ul style="list-style-type: none"> ● Judgments as the Voice of the Court (as the Main Deliverable) ● Significance of Reasoning in Judgments & Orders ● Sensitivity in Judgments <ul style="list-style-type: none"> ○ Gender Sensitivity in Judgments & Orders <ul style="list-style-type: none"> - Language - Eliminating Bias, Stereotypes & Prejudices - Restorative Justice Measures ○ Appropriate approach in cases involving Vulnerable/ Disadvantaged Groups 	<p align="center">Justice G. Raghuram Mr. Ramakrishnan Viraraghavan</p>
1:30PM - 02:30PM		Lunch	
2:30 PM – 4:00 PM	SESSION 6	<p align="center">Judge as the Master of the Court: Court & Case Management</p> <p align="center">Proposed Scope of Discussion</p> <ul style="list-style-type: none"> ● Bottlenecks in Judicial Administration ● Best Practices for Effective Disposal of Cases ● Courtroom Management – Challenges & Possible Solutions ● Role of a Judge in Streamlining Court & Case Management 	<p align="center">Justice R C Chavan Justice Ved Prakash Sharma</p>

24th November 2021 (Wednesday)

DAY 3

Responding to the Modernization & Contemporary Needs: The Changing Contours of the Indian Judiciary

10:00AM -1130AM	SESSION 7	Alternative Dispute Resolution Proposed Scope of Discussion <ul style="list-style-type: none">● ADR as a tool to conserve judicial resources & to ensure speedy justice● ADR Mechanisms under Section 89 Civil Procedure Code, 1908● Referral of Cases for Settlement -<ul style="list-style-type: none">○ Suitable Cases○ Procedure for Referral○ Appropriate Stage for Referral○ Recognition of Outcome by Court	Mr. Santhaan Krishnan Mr. Brian Speers
11:30AM – 12:00PM	Break		
12:00PM - 1:30PM	SESSION 8	Re-engineering Judicial Processes through ICT Proposed Scope of Discussion <ul style="list-style-type: none">● e-Judiciary – The Indian Experience● Striking a balance between Transparency & Confidentiality- The Indian e-Judiciary Account● e-Judiciary & Data Protection – Vulnerability Assessment of Judicial Institutions	Mr. Atul Kaushik Mr. Harold D’Costa
1:30PM - 02:30PM	Lunch		
2:30 PM – 4:00 PM	SESSION 9	Electronic Evidence: New Horizons, Collection, Preservation and Appreciation Proposed Scope of Discussion <ul style="list-style-type: none">● Settling, Resettling & Unsettling: Evolutionary Process of the Law on Electronic Evidence● Evolving Nature of Electronic Evidence● Challenges in Collection & Preservation of Electronic Evidence	Mr. Debashis Nayak Mr. Harold D’Costa

25th November 2021 (Thursday)

DAY 4 Embracing the Changing Dimensions of Novel Social Contract: An Anabolic Response by the Indian Judiciary	10:00AM -11:30AM	SESSION 10	Transition to a Gender Just Society : Jurisprudential Developments Proposed Scope of Discussion <ul style="list-style-type: none">● Major Legislations on Gender based Issues● Notable Judgments on Gender based Issues (Including Shayara Bano, Joseph Shine, Indian Young Lawyers Association, Suchita Srivastava, Laxmi v. UOI, Aparna Bhat, Patan Jamal Vali, judgments on 498A IPC etc.)	Dr. Justice Shalini S. Phansalkar Joshi Prof. V. K Dixit
	11:30AM – 12:00PM	Break		
	12:00PM - 1:30PM	SESSION 11	Child-centric Jurisprudence in India Proposed Scope of Discussion <ul style="list-style-type: none">● Notable legislations on Child Rights & Child Welfare● Recent developments in law● Notable Judgments	Justice S. Vimala Ms. Geeta Ramaseshan
	1:30PM - 02:30PM	Lunch		
	2:30 PM – 4:00 PM	SESSION 12	Principles of Evidence: Appreciation in Civil and Criminal Cases Proposed Scope of Discussion <ul style="list-style-type: none">● Evidentiary Standards● Adaptation in Evidentiary Standards to meet Present Challenges<ul style="list-style-type: none">○ Evidentiary Standards in POCSO Cases○ Appreciation of Evidence in Sexual Offences○ Evidentiary Standards in IT Law● Reverse Burden of Proof<ul style="list-style-type: none">○ POCSO Act○ NDPS Act○ PMLA	Dr. Justice Shalini S. Phansalkar Joshi
	Audit of the Course by Participants			

Mentor – Prof. S.P. Srivastava

Coordinators – Sumit Bhattacharya & Dr. Sonam Jain, Research Fellow, National Judicial Academy

Email - sumit.nja@gmail.com, sonamjainnija@gmail.com

Phone - +91 9425647829 , +91 7587950836