

National Judicial Academy

P-1304: Orientation Course for Newly Elevated High Court Justice
10th – 11th September, 2022

Programme Coordinator : Mr. Yogesh Pratap Singh and Ms. Nitika Jain

No. of Participants : 31

I. OVERALL				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The objective of the programme was clear to me	96.43	3.57	-	-
b. The subject matter of the programme is useful and relevant to my work	81.48	18.52	-	24. As a newly elevated High Court Judge, immensely benefitted from the deliberations and also the study material.
c. Overall, I got benefited from attending this programme	82.14	17.86	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	88.89	11.11	-	-
e. Adequate time and opportunity was provided to participants to share experiences	76.92	23.08	-	-
II. KNOWLEDGE				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
The programme provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	92.59	7.41	-	13. Very useful.
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	80.00	20.00	-	13. Highly relevant and elaborate. 21. Very relevant and important case laws were discussed.
c. Up to date	84.62	15.38	-	13. Latest.

d. Related to Constitutional Vision of Justice	84.62	15.38	-	13. 100%.
e. Related to International Legal Norms	43.48	56.52	-	13. Not very much.
III. STRUCTURE OF THE PROGRAMME				
PROPOSITION	Good (%)	Satisfactory (%)	Unsatisfactory (%)	Remarks
a. The structure and sequence of the programme was logical	96.15	3.85	-	13. Highly. 21. Of course very effective.
b. The programme was an adequate combination of the following methodologies viz.				
(i) Group discussion cleared many doubts	65.00	35.00	-	-
(ii) Case studies were relevant	90.48	9.52	-	-
(iii) Interactive sessions were fruitful	73.91	26.09	-	-
(iv) Simulation Exercises were valuable	66.67	33.33	-	-
(v) Audio Visual Aids were beneficial	56.25	43.75	-	-
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	88.46	11.54	95.65	4.35
2	91.67	8.33	95.24	4.76
3	83.33	16.67	95.24	4.76
4	90.91	9.09	100.00	-
V. PROGRAMME MATERIALS				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The Programme material is useful and relevant	92.86	7.14	-	-
b. The content was updated. It reflected recent case laws/ current	85.19	14.81	-	-

thinking/ research/ policy in the discussed area				
c. The content was organized and easy to follow	92.59	7.41	-	-

VIII. GENERAL SUGGESTIONS	
1. Three most important learning achievements of this Programme	<p>1. 1. Scope and extent of writ jurisdiction; 2. Legitimate exercise of the jurisdiction; 3. Exercise of power to serve rule of law.</p> <p>2. 1. Alternative remedy; 2. SUO MOTU cognizance; 3. Moulding relief.</p> <p>3. I may express in the striking remarks of speakers, which I may quote:- “Will” of the people has to be constitution and not the view of majority; Rule of law/ due process/process of law. Fundamental values embedded in constitution cannot be compromised.</p> <p>4. None.</p> <p>5. Good experience. Update/ Enhanced legal constitutional knowledge.</p> <p>6. None.</p> <p>7. None.</p> <p>8. Development of law in the subject matter.</p> <p>9. 1. Got to know as to how to cope with constant changing scenario by use of Article 226; 2. Extent of Suo Motu powers; 3. Learnt about the expect of moulding the relief.</p> <p>10.1. Judicial review of legislative action; 2. Judicial Restraint, Activism and Overreach: Evolving Jurisprudence; 3. Moulding of relief under writ jurisdictions.</p> <p>11. 1. Scope and extent of writ jurisdiction of Article 226 of the constitution of India; 2. Not to limit of mandamus to statute; 3. Evolving jurisprudence of judicial activism and overreach.</p> <p>12. 1. Judicial review- principles of legislative action; 2. Judicial activism a critical approach; 3. Judicial review of administrative actions.</p> <p>13. Up to date.</p> <p>14. Got chance to learn & follow the views of top dignitaries; Feeling enriched with knowledge; Got updated to some extent.</p> <p>15. 1. Principle of moulding of relief application and scope; 2. Judicial review of legislative process in Indian constitutions; 3. Limitation of the principle of judicial review.</p> <p>16. 1. Developed new ideas; 2. Wonderful experience of listening to RPs; 3. Interaction with fellow judges.</p> <p>17. Scope & limitation of writ petition and moulding of relief.</p> <p>18. 1. Memory refreshed; 2. Added value to my thinking.</p> <p>19. 1. Keep your mind open to accept new thoughts; 2. Law can never be static; 3. Got to know the perspective of the executive.</p>

	<p>20. 1. Contours of writ jurisdiction; 2. Limitations of judicial review of legislative actions and administration actions; 3. Contours of SUO MOTU powers & activism; 4. Moulding the relief, Humility, sense of justice.</p> <p>21. 1. The rudimentary aspects of the writ jurisdiction; 2. New facet of the writ as per Article 226; 3. Changed situation for adaptability.</p> <p>22. 1. Article 226 of constitution; 2. Principles of judicial activism; 3. Suo Motu actions of Judges.</p> <p>23. None.</p> <p>24. None.</p> <p>25. 1. Scope of judicial review of legislative action and the changes in law thereto; 2. The protocol of moulding relief; 3. Judicial over, reach & under, reach.</p> <p>26. As newly elevated judges it has given us an extensive and intensive canvas of issues, powers, limitation, rights and duties.</p> <p>27. None.</p> <p>28. 1. Clarity of concepts; 2. Application of Law; 3. Awareness of the concepts for dispensation & justice.</p>
<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. Practical aspects of exercising writ jurisdiction.</p> <p>2. Judicial restraint, activism and over-reach evolving jurisprudence; The subject clarified some doubts and it was very educative.</p> <p>3. All programmes were informative but the one which I could more relate to one delivered by Senior Advocate Mr. C Aryama Sundaram.</p> <p>4. Session 4: Judicial Restraint, Activism and Overreach: Evolving Jurisprudence; Session 5: Moulding of Relief under Writ Jurisdiction.</p> <p>5. Session 1: Writ Jurisdiction: Scope and Extent under Art. 226 of the Constitution.</p> <p>6. None.</p> <p>7. None.</p> <p>8. Session 4: Judicial Restraint, Activism and Overreach: Evolving Jurisprudence.</p> <p>9. Discussion on judicial review of legislative & Administrative actions, as it is the most difficult aspect which was made clear by the experts.</p> <p>10. All.</p> <p>11. The scope and extent of writ jurisdiction under Article 226 of the constitution of India, because enlightened that mandamus should not be limited to the statute and how to distinguish between right cause and the wrong cause.</p> <p>12. Exercise of powers under Article 226 and moulding of relief.</p> <p>13. Article 226, Article 14,19,21, Article 142, S. 482 Cr. PC, S.151 Cr. PC.</p> <p>14. Session 1: Writ Jurisdiction: Scope and Extent under Art. 226 of the Constitution and Session 2: Judicial Review of Legislative Action.</p> <p>15. All parts of the programmes.</p> <p>16. Session 4: Judicial Restraint, Activism and Overreach: Evolving Jurisprudence.</p> <p>17. Session 4: Judicial Restraint, Activism and Overreach: Evolving Jurisprudence.</p> <p>18. Session 5: Moulding of Relief under Writ Jurisdiction.</p> <p>19. Found all the parts very useful.</p>

	<p>20. Every session is enlightening and distinct in its own way and therefore all sessions were useful vis-à-vis the judicial role that I should play.</p> <p>21. Over all.</p> <p>22. Session 5: Moulding of Relief under Writ Jurisdiction.</p> <p>23. None.</p> <p>24. The entire programme was extremely useful. Thanks to Hon’ble Justice Sahi and his Lordship’s team.</p> <p>25. Judicial review.</p> <p>26. The scope of Article 226 - particularly on expectations, from the judiciary and new challenges.</p> <p>27. None.</p> <p>28. Session 5: Moulding of Relief under Writ Jurisdiction- It has immense application in the current scenario prevalent in the courts of law.</p>
<p>3. Does the programme need further modulations or change</p>	<p>1. Perfectly structured.</p> <p>2. More time may be allotted for the topic on Session 4: Judicial Restraint, Activism and Overreach: Evolving Jurisprudence.</p> <p>3. None.</p> <p>4. None.</p> <p>5. Yes.</p> <p>6. None.</p> <p>7. None.</p> <p>8. None.</p> <p>9. Presently it is great.</p> <p>10. No.</p> <p>11. None.</p> <p>12. No.</p> <p>13. Comparative Judgements & ratio across the world.</p> <p>14. None.</p> <p>15. Satisfactory.</p> <p>16. Yes, group discussion should take place.</p> <p>17. Duration may be more sharing of views of participants (Group Discussion).</p> <p>18. Yes.</p> <p>19. The programme is well planned.</p> <p>20. No.</p> <p>21. Its fine.</p> <p>22. Not Necessary.</p> <p>23. None.</p> <p>24. None.</p> <p>25. More time needed.</p>

	<p>26. May be provided materials being cited by speakers during the session as handouts for quick reference.</p> <p>27. None.</p> <p>28. Must include some more time for Q&A/Discussion.</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. More practical inputs can be infused.</p> <p>2. No suggestion everything was taken care of.</p> <p>3. No suggestions.</p> <p>4. Keep on gaining new standards.</p> <p>5. Before calling the participants Pre-Interaction should be conducted to ascertain their requirements.</p> <p>6. None.</p> <p>7. None.</p> <p>8. If the material is emailed much prior so participants may be aware & read it before the programme.</p> <p>9. Should keep enough time for discussion with experts.</p> <p>10. No.</p> <p>11. None.</p> <p>12. Programme most effectively, prepared and executed.</p> <p>13. Visionary Hon'ble Director, improving the quality & updating.</p> <p>14. Direct connecting of flight may be provided from all the High Court places/cities to avail maximum chances to attend such seminars.</p> <p>15. To date all the programmes and arrangements are excellent.</p> <p>16. None.</p> <p>17. None.</p> <p>18. Sitting judges & retired judges should be requested to share their experiences as to how they had handled situations & approached issues.</p> <p>19. None.</p> <p>20. Present arrangement is adequate.</p> <p>21. Excellent in all respects.</p> <p>22. Please carry on similar programmes.</p> <p>23. None.</p> <p>24. None.</p> <p>25. Continuity is required.</p> <p>26. My experience was extremely satisfying on all points. I am a believer in continuing education throughout our lives, so the NJA is a fabulous institution during this career. I look forward to many visits in the future.</p> <p>27. None.</p> <p>28. None.</p>