

## National Judicial Academy

**P-1310: Seminar on Judicial Reasoning: Knowledge, Skills & Perspective Development**  
**15<sup>th</sup> – 16<sup>th</sup> October, 2022**

**Programme Coordinator** : Ms. Shruti J. Eusebius and Ms. Nitika Jain

**No. of Participants** : 46

**No. of forms received** : 45

<b>I. OVERALL</b>				
<b>PROPOSITION</b>	<b>To a great extent (%)</b>	<b>To some extent (%)</b>	<b>Not at all (%)</b>	<b>Remarks</b>
a. The objective of the programme was clear to me	<b>88.89</b>	<b>11.11</b>	-	2. Made myself clear of the subject. 14. Speeches were co-operative and interactive. 28. Constitutional morality must be adhered. A trial court is not an exception for this principle.
b. The subject matter of the programme is useful and relevant to my work	<b>91.11</b>	<b>8.89</b>	-	2. Very much useful and relevant to my work.
c. Overall, I got benefited from attending this programme	<b>91.11</b>	<b>8.89</b>	-	2. Certainly.
d. I will use the new learning, skills, ideas and knowledge in my work	<b>84.44</b>	<b>15.56</b>	-	2. In all certainty 20. Groom my judicial work.
e. Adequate time and opportunity was provided to participants to share experiences	<b>86.36</b>	<b>13.64</b>	-	2. Programme ought to have been of five days to share more experiences. 28. Remain thirsty.
<b>II. KNOWLEDGE</b>				
<b>PROPOSITION</b>	<b>To a great extent (%)</b>	<b>To some extent (%)</b>	<b>Not at all (%)</b>	<b>Remarks</b>
The programme provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	<b>88.89</b>	<b>11.11</b>	-	-

b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>77.27</b>	<b>22.73</b>	<b>-</b>	
c. Up to date	<b>88.64</b>	<b>11.36</b>	<b>-</b>	<b>-</b>
d. Related to Constitutional Vision of Justice	<b>95.45</b>	<b>4.55</b>	<b>-</b>	<b>-</b>
e. Related to International Legal Norms	<b>51.16</b>	<b>34.88</b>	<b>13.96</b>	<b>-</b>

### III. STRUCTURE OF THE PROGRAMME

<b>PROPOSITION</b>	<b>Good (%)</b>	<b>Satisfactory (%)</b>	<b>Unsatisfactory (%)</b>	<b>Remarks</b>
a. The structure and sequence of the programme was logical	<b>93.33</b>	<b>6.67</b>	<b>-</b>	7. It should be carried out with the same spirit.
b. The programme was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>81.82</b>	<b>18.18</b>	<b>-</b>	<b>-</b>
(ii) Interactive sessions were fruitful	<b>95.56</b>	<b>4.44</b>	<b>-</b>	39. Due to shortage of time, all participants could not participate.
(iii) Audio Visual Aids were beneficial	<b>65.91</b>	<b>29.55</b>	<b>4.54</b>	11. Certain PPT presentation were not set on full screen mode which makes for a minimized view, otherwise everything was very good. 20. Lacking. 33. Not visible/readable from seating position. Side wall TVs should be positioned in oblique angle.

### IV SESSIONS WISE VETTING

<b>Parameters</b>				
<b>Session</b>	<b>Discussions in individual sessions were effectively organized</b>		<b>The Session theme was adequately addressed by the Resource Persons</b>	
	Effective and Useful (%)	Satisfactory (%)	Effective and Useful (%)	Satisfactory (%)
1	<b>100.00</b>	<b>-</b>	<b>97.44</b>	<b>2.56</b>
2	<b>90.70</b>	<b>9.30</b>	<b>94.59</b>	<b>5.41</b>

3	<b>93.02</b>	<b>6.98</b>	<b>94.59</b>	<b>5.41</b>
4	<b>100.00</b>	-	<b>100.00</b>	-
5	<b>95.24</b>	<b>4.76</b>	<b>97.30</b>	<b>2.70</b>
<b>V. PROGRAMME MATERIALS</b>				
<b>PROPOSITION</b>	<b>To a great extent (%)</b>	<b>To some extent (%)</b>	<b>Not at all (%)</b>	<b>Remarks</b>
a. The Programme material is useful and relevant	<b>88.37</b>	<b>11.63</b>	-	2. The programme material is most useful and relevant for my judicial work. 33. Yet to be studied from Pen Drive.
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>86.05</b>	<b>13.95</b>	-	2. Contents are quite updated and reflect recently developed case laws. 33. Yet to be studied from Pen Drive.
c. The content was organized and easy to follow	<b>83.33</b>	<b>16.67</b>	-	33. Yet to be studied from Pen Drive.

<b>VIII. GENERAL SUGGESTIONS</b>	
1. Three most important learning achievements of this Programme	<p>1. I Came to understand how to maintain honesty &amp; integrity of judicial system, since the litigants are having faith in our system.</p> <p>2. Constitutional values &amp; its vision on judicial reasoning while deciding cases. Learnt that there are several bias, prejudices and constraints we judges have while performing the judicial work.</p> <p>3. Learning about the constitutional morality; Learning about the main elements for good judgments; Learning about logical reasoning.</p> <p>4. I am very glad that NJA gave chance for me is participating in this seminar. When I have initially seen the programme schedule, I thought the theme of all the session almost one and the same. But when I started involving in each session, I could understand that each session has its different prospect and really made me think and made me think about my work and I started thinking whether I am doing my work as the resource persons now suggesting. Really very good schedule and very much useful while preparing judgements. This session also made me aware what actually bias is. My Study about word "Bias" is now completely changed and it rejuvenated my brain. Thank you NJA.</p> <p>5. Managing the court &amp; lawyers; Art of judgment writing; Judicial reasoning and decision making keeping in view the needs of the society and to do social justice.</p> <p>7. 1. Social cohesion, culture and law have been experienced; 2. Don't show that judge is divine rather he is accountable and let the people be thought of; leave ego/bias while holding dais hearing and deciding the case; 3. Clarity of objective as to why joined judiciary and firm conviction.</p> <p>8. 1. Personality development; 2. Judgment writing skills; 3. Moral values while dealing with everyday cases.</p>

9. The requisite qualities of a good judge; 2. The behaviour of a judge; 3. The art of writing of judgement.

10. Application of constitution in interpretation of statutes; Opportunity of internal reflection on bias; Necessity of clarity of logic behind reason in judgment writing.

11. 1. The seminar was like a holistic education on judging, at least on my part; 2. The seminar was safe space for exchange of info, ideas and even issues and challenges concerning ground realities of judicial system; 3. Theme of seminar was, as I thought initially, not that important/relevant to a mere JMFC, but I was gladly wrong.

12. *Session 2: Subjectivity, Objectivity, Rationality in Decision-Making Process; Session 3: Interference of Personality in Judicial Reasoning and Session 4: Constitutional Morality in Judicial Reasoning.*

13. 1. Self-introspection with respect to the way of working while performing judicial functions; 2. Got to meet officers from different states and to understand their working; 3. Helped to know and understand the actual role of judicial officers and prejudices and biases having effect on judicial decision making.

14. 1. Judicial temperament; 2. Neutrality during hearing and judgement; 3. Morality while adjudicating.

15. 1. Understanding the concept of sub-conscious bias; 2. Constitutional morality and its applicability in dispensation of justice; 3. Things to be thought in mind while writing judgements.

16. 1. Subjectivity and rationality in judicial decision making; 2. Constitutional morality and economic and social justice in judicial reasoning; 3. Art of judgement writing application of logic and reasoning in judicial decision making.

17. 1. Court management & Bench Bar relation; 2. Biasness at the time of passing order/Judgment; 3. Art of Judgment writing.

18. 1. How to deal with the Advocate who are asking the adjournments without sufficient reason; 2. How to write good judgements without my bias; 3. Will help us to apply the same in practical.

19. Benefitted to know different perspectives from worthy eminent speakers. Different aspects of constitution discussed.

20. Interaction with such a high dignitaries is an honour and enlightened us a lot; Subject was such, which we do not generally come across in daily work so could not reconsider deeply. Got an opportunity to gain having on the subject.

21. 1. Effective participation of the participants; 2. Interaction with resource persons; 3. Contact with judicial officers of different parts of nation.

22. Constitutional morality in judgment writing.

23. 1. Self-evaluation process; 2. How to overcome bias; 3. To adopt & follow constitutional morality.

24. Overall experience has been very enriching; It has a very positive impact on my personality both as an individual and as a judge. It has refined my thought process; Will help me in grappling with the psychological problems faced by a judge in an efficient manner and rationalize my thinking to reach a logical conclusion.

25. 1. How to arrange my ideas at the time of writing judgement; 2. How I should conduct myself in court i.e. attributes of a good judge & elements of judicial behaviour; 3. How to use logic in judicial reasoning. It may be helpful in clearing doubts and arrive at a just conclusion besides appreciation of evidence.

26. 1. Managing the court time & docket; 2. Internal & External constraints in judging; 3. Bench & Bar relation & Inter court sensitivities.

	<p>27. 1. Meeting &amp; conversation amongst many learned person/officers; 2. Different experiences of their court working; 3. Discussions of resource persons.</p> <p>28. 1. Personal biases and personal philosophy must be kept aside while adjudicating the matters; 2. BAR should be given equal space in justice delivery system. “BAR” must not be under mined; 3. Only after getting mastery on facts of a particular case and corresponding laws a judgment should come out in lucid language preferably in a practical manner.</p> <p>29. 1. Rationality in judicial decision making; 2. Neutrality in judging; 3. Attitude to be a good judge.</p> <p>30. 1. Attitude to be a good judge. Judicial behaviour &amp; ethical conundrums; 2. Neutrality in judging; 3. Personality as unconscious bias, addressing bias.</p> <p>31. Skill in drafting judgment.</p> <p>32. Judgement writing.</p> <p>35. 1. The first day i.e., the seminar held on 15<sup>th</sup> Oct., was such a nice one that I will be able to conduct my court proceedings in a better manner; 2. I have learnt that individual philosophy should not influence our decision making; 3. We should bend the law but not break the law in order to deliver justice.</p> <p>36. Need for reflection time to time understanding one-self or its need. Constitutional vision as a grundnorm.</p> <p>37. 1. An insight into revision constitution of India; 2. The learnings imparted by Hon’ble Mr. Justice Devan Ramachandran were quite helpful and inspiring; 3. A broad vision and inspiration for self-introspection at regular times.</p> <p>38. Such Knowledge about approach of logical reasoning when necessary in judgments.</p> <p>39. More learned would be more sober. Though we are of different cadres and from different states, I felt all are treated equally as the members of Indian Judiciary. Thought provoking discussions.</p> <p>40. 1. More clarity and clear perception; 2. More balanced and wider approach; 3. More updated.</p> <p>41. Overall most- <b>Session 1: Qualities, Attitude and Skills for Effective Judging; Session 3: Interference of Personality in Judicial Reasoning and Session 5: Logic in Judicial Reasoning.</b></p> <p>42. 1. Idea of constitutional morality and its scope in application in subordinate judiciary; 2. Idea of giving precedence to collective beliefs i.e. statues/Laws to individual beliefs/morality in such clear and self-explanatory words; 3. Sensitization with small traits/habits connected with bias and pre-conceived notions.</p> <p>43. The topic “elements of judicial behaviour &amp; ethical conundrums, Addressing personality as unconscious bias and Internal &amp; External constraints in judging” The most important &amp; eye opener.</p> <p>44. 1. Court management; 2. How to maintain bar &amp; bench relation; 3. Writing a good judgement.</p> <p>45. 1. Came to know about various bias (es) of which I was certainly ignorant; 2. Follow the constitutional mandate; 3. Impact of personality in deciding.</p>
<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. Not only the particular session on programme. All the sessions are very useful and though provoking.</p> <p>2. Entire programme was useful and it is difficult to comment which part of the programme can be said to be more useful. But still I would say that the most useful</p>

part was that of interference of personality in judicial reasoning since till date I was personally not aware of it.

3. **Session 4: Constitutional Morality in Judicial Reasoning and Session 5: Logic in Judicial Reasoning.**

5. **Session 3: Interference of Personality in Judicial Reasoning-** because it guided us to understand the various factors which interferes in judicial reasoning.

6. Judicial reasoning and morality in courts. The session gave a clear idea to write judgement with the evidence on hand and how to give decision with logical reasoning.

7. **Session 5: Logic in Judicial Reasoning –** Logic & reasoning is the basic structure of the judgment; it is paramount; needs to be addressed.

8. All the sessions are useful as most of the concepts are cleared.

9. The whole programme is wonderful for me, it is a great asset to me for my future guidance.

10. Compartmentalization of programme would be illogical as the programme aims for achieving holistic goal. Moreover, every part of the programme is related to other.

11. Each of the sessions, esp. when the Hon'ble HC judges drew examples from their own experience relevant to the topic/s at hand.

13. Every part of the programme was enlightening specially sessions.

14. **Session 2: Subjectivity, Objectivity, Rationality in Decision-Making Process –** It was very interactive views sharing session.

15. The discussion about bias being inculcated. And the same shall be useful in court functioning and it shall help in avoiding bias in any kind of situation.

16. **Session 2: Subjectivity, Objectivity, Rationality in Decision-Making Process –** because it deals with the objectivity and neutrality in judging, art of judgement writing and specially subjectivity and reasoning in judicial decision making which are most useful for me.

17. Art of writing judgment.

18. Interference of personality in judicial reasoning.

19. **Session 2: Subjectivity, Objectivity, Rationality in Decision-Making Process; Session 3: Interference of Personality in Judicial Reasoning and Session 5: Logic in Judicial Reasoning-** Were more useful. They prompted me to introspect & realise the actual purpose of this programme vis-à-vis the work I perform. It added to my knowledge it gave me the ideas to improve my functioning & make me more sensitive.

20. Last part. It is directly connected with our daily works.

21. Constitutional morality law and justice. Law of procedure is always meant for aid of justice.

22. All.

23. **Session 4: Constitutional Morality in Judicial Reasoning-** It will definitely widen the thought of all participants.

24. Interactive sessions because they churn our thought process, bring forth some untouched aspects regarding the issue at hand and provide logical and pragmatic solutions to some long bothering issues both legal and psychological.

25. Being a trial court judge I found session on art of judgment writing and logic in judicial reasoning most useful. Reasoning is the basic structure of judgement. These

	<p>sessions gave valuable insight into how to arrange ideas at the time of writing judgements and articulate judgement. Reasoning must be in comprehensive language.</p> <p>26. Interaction with resource person.</p> <p>27. <b>Session 5: Logic in Judicial Reasoning</b>- It is very useful in daily court working.</p> <p>28. Particularly <b>Session 1: Qualities, Attitude and Skills for Effective Judging and Session 3: Interference of Personality in Judicial Reasoning</b> – dated 15<sup>th</sup> October, 2022.</p> <p>29. 1. Unconscious bias; 2. Constitutional morality; 3. Internal constraints in judging.</p> <p>30. 1. Neutrality in judging; 2. Unconscious bias, addressing bias; 3. Administrative skill; 4. Outstanding discussion in context with judicial decision making process.</p> <p>31. Academic programme may be extended for more than two days.</p> <p>32. Judgment writing followed by evidence Act.</p> <p>33. <b>Session 2: Subjectivity, Objectivity, Rationality in Decision and Session 4: Constitutional Morality in Judicial Reasoning.</b></p> <p>35. <b>Session 2: Subjectivity, Objectivity, Rationality in Decision-Making Process; Session 3: Interference of Personality in Judicial Reasoning</b>- seminar held on 15.10.2022.</p> <p>36. Sessions dealing with ‘bias’ its elimination as well as constitutional morality as the same has more practical bearing.</p> <p>37. Sessions of Hon’ble Mr. Justice Devan Ramachandran.</p> <p>38. Judicial reasoning.</p> <p>39. Interactive sessions- Because, I wondered different notions, different concepts/ thoughts lead to almost common inference.</p> <p>40. Interactive session and the informal atmosphere. The encouraging stance of Hon’ble Speakers to put out our views/doubts/suggestions helped a lot.</p> <p>41. Overall.</p> <p>42. <b>Session 1: Qualities, Attitude and Skills for Effective Judging; Session 3: Interference of Personality in Judicial Reasoning.</b></p> <p>43. The entire programme was useful but the topic of personality as unconscious bias &amp; internal &amp; external constraints in judging were most useful.</p> <p>44. Vision of justice and constitutional morality; Important part is doing the justice by interpreting law.</p> <p>45. All were useful.</p>
<p>3. Does the programme need further modulations or change</p>	<p>1. All is well, thus, no comments please.</p> <p>2. Yes deeper and thorough study of subjects of seminar.</p> <p>3. Duration of the programme should be more.</p> <p>6. No. The programme is very good.</p> <p>11. As Hon’ble Justice Vibhu Bhakru said- more programmes on specified subjects of constitution &amp; constitutional law may be conducted for district judiciary.</p> <p>13. The programme is beautifully designed.</p> <p>14. It was nice.</p>

	<p>15. It is agreed that hearing is the cardinal principle of justice but it is suggested that hearing is to be done in a stipulated period keeping in mind the huge numbers of cases filed in a day and also the constant pressure of disposal.</p> <p>17. Stepwise guidelines may be added in art of writing judgment.</p> <p>19. More practical experience by senior judges can be shared to enlighten. As participants more opportunity for participant to share best practices can be added. One complete session on this aspect can be added.</p> <p>27. Yes, I think.</p> <p>28. This is specifically for session-5 in which I remained in waiting to be guided by Justice A. Kureshi. In fact this session-5 on 16<sup>th</sup> Oct. 2022 was a monologue.</p> <p>32. Yes.</p> <p>33. Programme for trial court judges must be organized frequently.</p> <p>35. No. It's perfect.</p> <p>36. Some more material and discussion on global trends as to evolution of constitutional morality and its applicability, its interplay with the indigenous legal system.</p> <p>37. Time period of two days is insufficient for such in depth deliberation. Minimum three days workshop/ deliberations should be organized.</p> <p>38. None.</p> <p>39. If the seminar was for at least for the period of one week, I might have been more benefited. However, grateful to NJA for providing an opportunity.</p> <p>42. Scope of improvement is always there, though I don't have any specific suggestion in mind. If it strikes my mind later, I will convey the same.</p> <p>43. No need for further modulation. Only duration of programme should be increased preferably up to 3 days.</p> <p>44. Yes of course let it be more in the shape of a dialogue.</p> <p>45. Everything had been properly planned so no change is suggested.</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. I am glad and honored to be part of this two days programme. I never thought that, I could meet the people from, every part of India gathered under one roof. Here things changed. I wondered and surprised that the participants who are coming from state of Jammu &amp; Kashmir and also from eastern part of India.</p> <p>2. 1. The programme should be spread over five days with deep study of the subjects of seminar; 2. Discussion of various internal &amp; external factors influencing judges while deciding cases with inputs to remove the short comings due to such factors.</p> <p>4. I would like to suggest that NJA may focus on the problems which are faced by trial courts i.e., from the level of Magistrate courts in a practical way but not in a hypothesis way.</p> <p>7. Not required, everything was up to my satisfaction.</p> <p>13. All the services are more than satisfactory.</p> <p>14. It is suggested that the session routine and time schedule are to be communicated to the candidates through the Hon'ble courts of different states.</p> <p>15. 1. Time may be given to the trainees to speak about their own views for about a period of 5/10 minutes and the same may be intimated before hand; 2. The programme may be further devised in such a way that participants gets to debate with each other on a relevant point.</p> <p>16. NA. As NJA is serving very well.</p>



17. Good quality of hand bag with good quality of pen and a list of participants to be provided in the 1<sup>st</sup> session/before starting session.
19. A cultural session in the evening can be organized to give a platform to the participants to open up in interactions.
21. Two days seminar is very short duration. It could be arranged for at least for a week or 5 days so as to learn more and discuss with resource persons who are eminent legal expert from different part of the nation.
22. Protocol officer Mr. Salman Khan needs to be counselled of protocol arrangement should be improved.
24. Kindly increase the duration of such programmes.
25. By holding training programme under special Act POCSO Act.
27. Matter relating to practical aspect in court working may be added.
28. Adequate time and opportunity may be provided to share experiences.
29. I think one and half days are not sufficient. At least three days should be given for this programme.
32. Some more topic are necessary regarding evidence Act, CPC, WPC and TP Act.
33. A facility for clearance of doubts on any question at least by email or Whatsapp be provided to participant trial court judges.
36. It would be grateful if the study material is shared at least 08 days earlier, so as to equip oneself and be more participatory in the course & discussion.
37. Some lectures on jurisprudence and practical insight to ground realities of judicial working at grass root level is required to be understood and deliberated state wise so that pendency can be decreased overall.
41. Very effective & useful.
42. By extending the durations of programmes.
43. The duration of programme should be increased to 3 days at least so that the participants may get chance to interact with each other & share personal experiences of the court one session should be dedicated for interaction with participant & for clearing doubts if any.
44. Share the study material in advance; One topic should always be dedicated regarding the research being done in NJA or other law institutions.
45. 1. The programme may be extended for one day i.e. three days in total. On the second day, all the judicial officers can be taken together for effective interaction, which would result in sharing best practices; 2. Any practical activity can be added in the shape of a preposition in which each may get an opportunity to participate.