

National Judicial Academy

SE-02: Training Programme for Bangladesh Judges & Judicial Officers

17th – 21st October, 2022

Programme Coordinator : Prof. S.P. Srivastava and Mr. Prasadh Raj Singh

No. of Participants : 50

No. of forms received : 50

I. OVERALL				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The objective of the programme was clear to me	98.00	2.00	-	-
b. The subject matter of the programme is useful and relevant to my work	86.00	14.00	-	-
c. Overall, I got benefited from attending this programme	96.00	4.00	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	88.00	12.00	-	-
e. Adequate time and opportunity was provided to participants to share experiences	52.00	48.00	-	1. Duration of session should be increased. 3. Overall the objective of the programme was clear & I got benefited & useful to my work. 4. It should be enhanced a bit. 11. Class duration is to extended. 21. To some extent. Time constraint was an issue. 22. Due to shortage of time, the resource person could not complete their sessions and we cannot put all the questions coming to our mind.
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	89.58	10.42	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	87.76	12.24	-	-
c. Up to date	95.83	4.17	-	-
d. Related to Constitutional Vision of Justice	87.76	12.24	-	-
e. Related to International Legal Norms	48.00	52.00	-	-
III. STRUCTURE OF THE PROGRAMME				
PROPOSITION	Good (%)	Satisfactory (%)	Unsatisfactory (%)	Remarks
a. The structure and sequence of the programme was logical	79.59	20.41	-	15. Some resource persons should be given more time to explain their topic. 50. Should avoid long classes.
b. The programme was an adequate combination of the following methodologies viz.				
(i) Group discussion cleared many doubts	50.00	45.65	4.35	1. Not enough time for group discussion. 32. There was no group discussion. 42. We have no group discussion.
(ii) Case studies were relevant	65.31	34.69	-	-
(iii) Interactive sessions were fruitful	64.58	35.42	-	-
(iv) Simulation Exercises were valuable	57.45	40.43	2.12	-
(v) Audio Visual Aids were beneficial	70.21	29.79	-	1. Audio visual method used less.
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	93.62	6.38	92.86	7.14

2	87.23	12.77	82.50	17.50
3	93.62	6.38	92.50	7.50
4	95.65	4.35	92.31	7.69
5	89.36	10.64	92.50	7.50
6	82.98	17.02	84.62	15.38
7	91.49	8.51	95.00	5.00
8	89.36	10.64	95.00	5.00
9	91.30	8.70	89.47	10.53

V. PROGRAMME MATERIALS

PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The Programme material is useful and relevant	90.00	10.00	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	82.00	18.00	-	-
c. The content was organized and easy to follow	86.00	14.00	-	-

VIII. GENERAL SUGGESTIONS

1. Three most important learning achievements of this Programme	<p>1. Got comparative idea; Practical knowledge which will increase skills.</p> <p>2. 1. Knowing Indian constitution; 2. Organizational structure and jurisdiction; 3. Concept of evidence Act.</p> <p>3. 1. System; 2. Resource person knowledge, skills and ideas; 3. Landmark judgement.</p> <p>4. Interpretation of the constitution & law.</p> <p>5. 1. Role and responsibility of Indian judiciary to protect the Indian constitution; 2. How to develop the judgement writing skills; 3. The Indian experience of e-courts.</p> <p>6. 1. E-courts; 2. Judgement writing skill; 3. Court management.</p> <p>9. Opened a new vista of knowledge, changed my outlook.</p> <p>10. Rationale of precedent. Re-engineering judicial processes through ICT, Human Rights; Fair and impartial investigation.</p>
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	<p>11. Importance of constitutional law in lower courts; Necessity of e-judiciary; Judgement writing skills.</p> <p>12. I am a judge of Nari-o-Shishu Nirjan Daman Tribal in Narshingdi. The class of Ms. Nisha Menon on DNA class in very fruitful.</p> <p>13. Judicial skills, legal reasoning and knowledge sharing.</p> <p>15. Bangladesh and India shares the same judicial system. How India developed in digitalizing court is really appreciate. Landmark cases and forensic matter is also appreciated.</p> <p>16. 1. The way to develop e-judiciary system; 2. Constitutional development; 3. Elements of judicial behaviour.</p> <p>17. Knowledge is power.</p> <p>18. 1. Justice Mr. A.P. Sahi has a pleasing of personality; 2. Maximum guest judges were very learned and I came to know how to apply quick justice; 3. Timing in every scope of life.</p> <p>19. 1. Standard proof; 2. Law is good, but justice is better.</p> <p>20. 1. Separation of power, but not objective; 2. Clarification of provisions of constitution, Cr.PC. Penal code, Evidence Act. Fair Trial etc.; 3. E-court & e-judiciary and case management; 4. Freedom cannot be taken away by law as human had already.</p> <p>21. The most important learning achievement is law is good; but Justice is better. The way Justice Sahi Sir organizes the session, each and every aspects of court area in covered.</p> <p>22. Achieving valuable academic and practical knowledge by discussions on the most important legal topics, i.e., Constitutional development, Access to Justice, performance of judicial responsibility with the highest integrity equality and Impartiality. Appreciation of evidence within a very short span of time. 1. Explanation and clarification of every session by Hon'ble Mr. Justice A.P. Sahi Sir (Director of NJA); 2. Comparative, interactive sessions in the light of two legal system both in India and Bangladesh by the most talented, truly brilliant and outstanding resource persons.</p> <p>23. 1. Presentation of Director, NJA is extraordinary; 2. Comparative judicial advances and Sharing of common experiences; 3. Clarity of concepts.</p> <p>25. 1. Law is living and it is continually getting changes; 2. Appreciation of evidence and shifting of burden of proof; 3. Use of ICT to modernize the judicial system.</p> <p>27.1 Mesmerizing eloquence of Mr. Justice A. P. Sahi. 2. Digital Evidence. 3. Appreciation of evidence.</p> <p>28. 1. Appreciation of evidence. 2. Knowledge in relation to electronic evidence. 3. Knowledge in relation to forensic evidence.</p> <p>29. 1. E-Court. 2. Forensic Science. 3. Ratio of a precedent.</p> <p>30. 1. How can I assess witnesses more effectively. 2. Judges should not be robotic but he should also be able to cry. 3. Gathering more knowledge about sensitivity in judgement.</p> <p>31. Ethics, Neutrality, Electronic and Forensic evidence.</p> <p>32. 1. The clarity of knowledge. 2. The philosophy lying behind. 3. The methodology analysis.</p>
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	<p>33. 1. Digitalization of the case management. 2. Humanitarian interpretation of law. 3. Assessment of the evidence.</p> <p>34. 1. Professionalism. 2. Acquainted with subjective matters.</p> <p>35. Professionalism through the resource person. 2. Depth of knowledge and comparison with Bangladesh & Indian laws & practice.</p> <p>36. 1. Cordial discussions made by all resource persons. 2. In depth knowledge in every topic. 3. Justice, emotional & ethical environment in law & justice.</p> <p>37. Art & skills of writing good judgment. Ethics, morality Professionalism of a judge, effective use of precedent in judgement.</p> <p>38. Achieved knowledge on the topic of e-court and the Indian experience, The judicial culture of the nation India as well as judicial behaviors ethics.</p> <p>39. About electronic and forensic evidence and re- engineering judicial processes.</p> <p>40. 1. A judge is supposed to see and hear what he has not actually seen or heard respectively. 2. Judgement is for the public/litigant’s consumption so it should be understandable. 3. Clarity of mind and brevity of facts are important elements for writing a good judgement.</p> <p>41. Knowledge of Indian constitutional personal ethics and case management.</p> <p>42. To increase ethics issue & contemporary laws.</p> <p>43. 1. A just judge can apply an unjust law in a manner that ensures justice. 2. No sacrifice of justice by expediency. Law is good but justice in better. 3. New dimension of court and case management & appreciation of digital evidence, forensic evidence and so forth.</p> <p>44. On diversity of electronic evidence, forensic evidence and Indian judiciary.</p> <p>45. To be acquainted with electronic evidence, re-engineering judicial process through ICT and landmark judgement.</p> <p>46. Learnt about relevant laws and discussions punctuality and discipline.</p> <p>47. Constitutional safeguards of constitution, using ICT in court administration and how to ensure complete justice in criminal and civil cases.</p> <p>49. 1. Decorum. 2. Judicial skill. 3. Identify myself in international arena.</p> <p>50. 1. Learnt about Indian judiciary. 2. Elements of judicial behaviors. 3. Electronic evidence.</p>
<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. The knowledge and experience shared by the Lord’s of Apex court judges.</p> <p>2. Discussion on evidentiary presumption and onus and burden of proof.</p> <p>3. Electronic evidence, IT law and DNA profiling.</p> <p>4. Sessions on ICT.</p> <p>5. The session on electronic evidence conducted by Mr. Harold D’Costa, because the relevance and admissibility of electronic evidence in trial is new one for me.</p> <p>6. Interaction with the resource persons. They are just heaven of knowledge.</p> <p>9. Directors co-ordination and comments.</p> <p>10. Criminal justice Administration and human rights because of “Bail Jurisprudence”.</p> <p>11. Court and case management as it is very much relevant to reduce the huge backlog.</p>

12. Elements of judicial behavior: Ethics, Neutrality and professionalism. This class in very necessary for all judges.

13. Legal analysis.

15. 1. Re-engineering judicial process; 2. Forensic evidence/DNA profiling.

16. The most useful part of this programme is the legal explanation which was given by Hon'ble Mr. Justice A.P. Sahi Sir after every session.

17. Electronic evidence- because it is new to me.

18. I enjoyed all sessions. Because in every sessions I improved myself.

19. Evidentiary standards, Reverse burden of proof, ethics, neutrality and professionalism.

20. Because, ultimate goal of judiciary is to establish justice.

21. The pleasing attitude of the resource persons and the effort to find the truth of any litigation is the best part I have keep in my heart & brain as well.

22. Learning the Indian Supreme Court contribution on the compensation of victim of false prosecution.

23. Forensic medicine class and electronic evidence, presented with the modern advances.

25. Evidentiary presumption: Onus & burden of proof.

26. After every session Justice Sahi give a finishing touch and short discussion about the subject which is most useful to participants.

27. Forensic evidence in criminal trials, DNA profiling.

28. I have immensely, benefited. Have found the session dealing with electronic evidence most useful. This session was provided me with new exciting knowledge.

29. Elements of judicial behaviors which will help me to anchor judicial functions in the principle of neutrality.

30. Discussion on evidence Act and others related to this because as a judge till today (basically as a law student) I have a lot of question relating to this act and this training helped in answering some questions.

31. Electronic evidence.

32. Final touch that Hon'ble Director Sir. Gave after very session was simply splendid.

33. Digitisation of case management because of the changing demands.

34. Professionalism practiced here in every aspect.

35. Comparative analysis of Bangladesh & India penal laws and justice delivery systems. Recreational activities were more fruitful.

36. Including ethical human-rights aspects with the technical and procedure matter in the course.

37. *Session-9 Electronic Evidence: New Horizons, Collection, Preservation and Appreciation-* This is really a need in present and future judiciary.

38. Principles of evidence evidentiary presumptions as well as electronic evidence.

39. *Session-9 Electronic Evidence: New Horizons, Collection, Preservation and Appreciation.*

	<p>40. Judging skills crafts Art and science of drafting judgements this part of the programme is very useful because it will guide us to write a good judgement.</p> <p>41. Forensic evidence in civil and criminal trials. DNA profiling. It will help us to come to the right decisions.</p> <p>42. Electronic evidence & DNA analysis classes were more beneficial.</p> <p>43. The interactive part of every sessions has been most useful to me since through exchange of views with the resource persons we would fairly reach to satisfactory conclusion on numerous gray areas of laws.</p> <p>44. Forensic evidence new horizon collection preservation and appreciation. Using advanced technology to collect evidence.</p> <p>45. <i>Session-9 Electronic Evidence: New Horizons, Collection, Preservation and Appreciation; Session-7 Principles of Evidence: Appreciation in Civil and Criminal Cases; Session-10 Forensic Evidence in Civil and Criminal Trials: DNA Profiling; Session-8 Evidentiary Presumptions: Onus and Burden of Proof; Session-5 Judging Skills: Art, Craft and Science of Drafting Judgments.</i></p> <p>46. Excellent presentation.</p> <p>47. All sessions, as well as the outing to visit the District courts.</p> <p>49. Clarifying Laws, Rules, Articles, provisions and specially the precedents also. Because we have learned here that all decisions of the High Court are not mandatory.</p> <p>50. <i>Session-4 Elements of Judicial Behaviour: Ethics, Neutrality, and Professionalism.</i></p>
<p>3. Does the programme need further modulations or change</p>	<p>1. It might include classes on juvenile matters and ADR/Mediation.</p> <p>4. Some more time should be allowed for questioning.</p> <p>5. The programme may be extended.</p> <p>6. Time allocation should be increased.</p> <p>11. Yes. Time duration is to be enhanced.</p> <p>12. We need a session of juvenile delinquency class, juvenile offence, suggestion.</p> <p>13. To some extent.</p> <p>15. Some important topic needs more time.</p> <p>16. Session on ADR and sessions on legal aid may be included.</p> <p>17. I don't think so.</p> <p>19. Programme may be extended by 15 days.</p> <p>20. To some extent.</p> <p>21. To some extent the resource person can emphasise on practical use of digital evidence in courts can be made. Specially Ms. Nisha Menon Madam.</p> <p>22. The programme should have classes on terrorism and anti-corruption cases in the light of case laws.</p> <p>23. More time for forensic medicine and electronic evidence, course duration to be extended.</p> <p>25. 1. Duration of some sessions may be extended; 2. Electronic evidence, Re-engineering judicial processes through ICT ratio of precedents.</p>

	<p>26. If the duration of the programme is extended to 2/3 days the whole programme will be more fruitful.</p> <p>27. It's really outstanding.</p> <p>28. The programmes requires further extension to address the issues already included more effectively and efficiently.</p> <p>29. Yes, I topic on framing of change may be added.</p> <p>30. This training may include a topic on gender based violence cases.</p> <p>31. Need more field visit.</p> <p>33. Yes.</p> <p>34. Within the time constrain its ok.</p> <p>35. The duration need to be enhanced.</p> <p>37. To some extent.</p> <p>39. Its ok.</p> <p>42. No. because the programme in very much timely & scientific.</p> <p>43. Formal lecture may be reduced in terms of length and instead informal session may be arranged to provide opportunity to the participants directly interact with the resource persons.</p> <p>44. Some session such as e- judiciary related sessions may be included.</p> <p>45. I should suggest for more practical subject oriented sessions like evidence, burden of proof, writing judgement and to lessen theoretical aspects like constitutions and human right issues.</p> <p>47. Good enough to me.</p> <p>49. If possible, every class lecture sheet can be hand over before starting the sessions to all participants.</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. The programme length should be increased here. (15 days minimum).</p> <p>2. Some, Interactive sessions can be added.</p> <p>4. Some more time should be allowed for questioning.</p> <p>5. Time schedule for resource person should be increased.</p> <p>6. Time schedule for resource persons should be increased.</p> <p>9. Upto date changes in Indian law should be kept in the course.</p> <p>11. Duration of the programme may be increased.</p> <p>12. Everything is ok & outstanding.</p> <p>13. NJA may introduce online or virtual interaction with the trainees and may facilitate for free access to the e-library.</p> <p>15. District judiciary can be included to share their experiences in dealing with day to day problems in the court rooms.</p> <p>16. During continuance of each session power point presentation may be displayed.</p> <p>17. Everything is alright to me.</p> <p>18. AC transportation may be provided.</p> <p>19. Excellent programme, which is beneficiary for me.</p>

20. 1. Period of training may be extended upto 7 days; 2. Group discussions, case studies, interactive sessions may be included.
21. NJA is best. No suggestions.
22. With the continuation of any session, NJA should supply the course materials (Specially the slides of Power Point) to the participants with hard copies so that the participants can be more attentive.
23. 1. Fixing programme before hand and informing the participant on time; 2. Training period may be extended if possible; 3. Visit to District Court, CJM Court, one High Court and one Supreme Court and one Law University and one bar may be added. A village visit and mobile court may also be added as part of the visit; 4. Time of normal courts and special court may be discussed; 5. An investigation agency may be added for practical visit.
25. 1. Prior arrangement & notification to the trainees so that they can have time to prepare properly; 2. Extension of duration of programme/session involving more issue dealt in district level court; 3. Visit to some more legal institution i.e., HC Division & Supreme Court and glimpse of actual functioning.
26. More slide shows needed to help understand the subject.
27. More topics may be incorporated.
28. Please do consider incorporating some selected judicial practices/examples of the USA to expand the horizon of thoughts of the participants.
30. I think undoubtedly NJA is a great place to learn. You may expand your programme schedule by including more topics.
31. Longer training period is necessary.
32. It would be effective if NJA could supply us the hard copies of reading materials.
34. Session time was not sufficient to ensure interactive way.
35. Some sessions among the participants can be made effective by including group work reviews etc.
36. All the courses are based on lecture some more effective and interactive measures can be taken.
37. May invite more district judges. May introduce more interactive session, may include group discussions over some real cases.
38. The service of NJA is high standard.
39. More time needed for interaction.
40. Before starting the training if hard copy of the course material on important topics can be supplied to the participants to make the training programme more effective.
41. Duration should be extended.
42. Everything is excellent, we learn many things from NJA. Course duration should be extended.
43. 1. Duration of the training should be extended. 2. Apart from lecture workshops seminars, case studies, audio visuals, may be included to make the training programme more participatory. 3. More time should be allotted to see and learn about the locality people its history cultures etc. 4. Transport facilities should be improved.
44. Duration of the course and number of the judges should be doubled.

	<p>45. More judges and participants could be invited instead of pure academics.</p> <p>46. Programmes can be made more effective if the period of training programme is extended for 15 days.</p> <p>47. Some books could be supplied to the participants, such as Indian constitution, ICT Act etc.</p> <p>49. Hospitality of NJA is excellent. Yet if possible participants may be served with own country food.</p> <p>50. Some classes may be shifted to evening to keep some free time after lunch at least in the first two days – to get relief from jet lag. Please add some session on environment, money laundering and human trafficking.</p>
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