

National Judicial Academy

SE-07: Training Programme for Bangladesh Judges and Judicial Officers
16th – 20th January, 2023

Programme Coordinator : Mr. Rajesh Suman & Ms. Paiker Nasir

No. of Participants : 49

No. of forms received : 48

I. OVERALL				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The objective of the programme was clear to me	100.00	-	-	24. Detailed idea discussed.
b. The subject matter of the programme is useful and relevant to my work	93.75	6.25	-	24. Detailed idea discussed.
c. Overall, I got benefited from attending this programme	97.92	2.08	-	24. Detailed idea discussed.
d. I will use the new learning, skills, ideas and knowledge in my work	85.42	14.58	-	24. Detailed idea discussed.
e. Adequate time and opportunity was provided to participants to share experiences	51.11	46.67	2.22	-
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	89.36	10.64	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	91.49	8.51	-	-
c. Up to date	93.48	6.52	-	-
d. Related to Constitutional Vision of Justice	97.87	2.13	-	-
e. Related to International Legal Norms	61.70	38.30	-	-

III. STRUCTURE OF THE PROGRAMME				
PROPOSITION	Good (%)	Satisfactory (%)	Unsatisfactory (%)	Remarks
a. The structure and sequence of the programme was logical	68.09	31.91	-	-
b. The programme was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	78.72	21.28	-	-
(ii) Interactive sessions were fruitful	93.83	31.91	4.26	-
(iii) Audio Visual Aids were beneficial	64.44	31.11	4.45	42. Kindly use bigger projector to be more audible and visible.
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	89.58	10.42	94.74	5.26
2	81.25	18.75	91.89	8.11
3	85.42	14.58	97.22	2.78
4	97.92	2.08	97.22	2.78
5	91.49	8.51	97.22	2.78
6	89.58	10.42	91.67	8.33
7	87.50	12.50	89.19	10.81
8	89.36	10.64	91.67	8.33
9	93.75	6.25	89.19	10.81
10	85.42	14.58	83.78	16.22
11	75.00	25.00	83.78	16.22
12	75.00	25.00	75.68	24.32
13	79.17	20.83	81.08	18.92
14	77.78	22.22	69.44	30.56

15	72.73	27.27	64.86	35.14
V. PROGRAMME MATERIALS				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The Programme material is useful and relevant	93.62	6.38	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	91.49	8.51	-	-
c. The content was organized and easy to follow	91.30	8.70	-	-

III. GENERAL SUGGESTIONS	
1. Three most important learning achievements of this Programme	<p>1. Interpretation, bridge of law in writing judgement; Use and access of IT in judicial work; Judgment & landmark judgment.</p> <p>2. 1. How to be a master of the court; 2. In deciding cases I have to look what that in not said and what that is not disclosed to me; 3. On doing trial and dispensing justice I am standing on trial.</p> <p>3. Learnt a lot about the appreciation of evidence; Learnt about comparative application relating case laws in related field; Learnt about the electronic evidence.</p> <p>4. 1. Learnt more about substantive and procedural laws of India; 2. Learnt practical application of laws of India in court; 3. Learnt comparative application of case laws in relevant field.</p> <p>5. Indian legal affairs as a whole. Deep analysis and way of appreciating evidence. Uses of technological aspects and many more.</p> <p>6. 1. Learnt about constitutional vision of justice and how to apply judicial mind in different cases. 2. Learnt about differences and upgradation of e-judiciary in Bangladesh. 3. Learnt about practical experiences of resource persons.</p> <p>7. 1. Constitutional vision of justice and role of the courts in India & Bangladesh. 2. Better appreciation of evidence; 3. I must remember the words “As I sit at trial, I stand at trial.”</p> <p>8. 1. Constitutional vision of justice and role of the courts in India & Bangladesh. 2. Appreciation of evidence; 3. The sentence, “As I sit at trial, I stand at trial.”</p> <p>9. 1. Knowledge enhancement; 2. Skill development; 3. Improvement of efficiency.</p> <p>11. Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation. Session 10: Forensic Evidence in Civil and Criminal Trials and Session 13: Re-engineering Judicial Processes through ICT.</p> <p>12. 1. Cleared confusions on some area of law. 2. Created a sense of responsibility to realise law. 3. Expanded the approach and extended the vision over profession.</p> <p>14. To be more cautious in analysing the facts and evidences, to be more aware of the laws and getting updated to be more laborious in increasing my skills.</p>

	<p>15. Dynamic, illustrative and effective knowledge.</p> <p>16. 1. Comparative study of law of Bangladesh and India; 2. Practical knowledge regarding Appreciation of evidence; 3. Advanced knowledge on admissibility of electronic evidence.</p> <p>18. Practical oriented; Relevant; Fruitful.</p> <p>19. To exchange views of laws between India and Bangladesh are easily relatable and determine to apply and appreciation in our country to dispose the cases as early as possible.</p> <p>20. 1. Information; 2. Case laws; 3. E-Judiciary.</p> <p>21. Effective judgement writing; How to deal with litigants lawyer in court in a great way; How to think as judge.</p> <p>22. 1. Got the opportunity to compare our legal system with India; 2. Interact with the eminent jurists.</p> <p>24. Available persuasive precedents. Changing jurisprudence looked into. Judicial temperament to be constant during trial/hearing.</p> <p>25. 1. Adjudication system of India. 2. Indian Supreme court. 3. About the constitutional rights of the people of India.</p> <p>26. Use of ratio-decidenti in practical.</p> <p>27. 1. The session elements of judicial behaviour: Ethics, Neutrality and professionalism. 2. The evidence Act and 3. Criminal Justice Administration.</p> <p>28.1. Learnt about laws and constitution of India comparison with Bangladesh; 2. Taught about practical things in court of India; 3. Gather knowledge for applying judicial mind and e-judiciary of Indian courts.</p> <p>29. 1. I have learnt about Indian Judiciary System. 2. To know about court and case management is great achievement from this training. 3. I have learnt about principles of evidence in both cases.</p> <p>31. 1. Event to interact with the faculty members; 2. Exploring legal avenues; 3. Building relation between the two judicial systems.</p> <p>32. 1. Judges should always be craving to find out and reach to the truth and ensure justice. 2. Everyday judges sit on trial they stand on trial.</p> <p>33. Practicality to legal problem in solution; Thought provoking speech of speakers; Constitutional mandate and legal system of both countries.</p> <p>34. Able to learn how much caution should be taken to use electronic evidence at the trial procedure in and able to learn about constitution and landmark judgement which will be helpful in future time.</p> <p>35. Case studies and the principles of law set by Indian Apex Court will help to write judgments.</p> <p>36. To come across the wisdom of the great justice and resource persons.</p> <p>37. 1. Comparison and correlate legislation of India with Bangladesh. 2. Very practical lessons from resource person. 3. Important and useful reading materials.</p> <p>38. We have known the Indian jurist system. It was really helpful for us.</p> <p>39. 1. Knowledge gathered on recent case laws; 2. Guest speakers speaking skills motivated me. 3. Way of talking, way of delivering lecture.</p> <p>40. 1. Recent case knowledge; 2. Hospitality; 3. Laws.</p>
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	<p>41. 1. How to maintain time and to be punctual; 2. How to use digital evidence in the trial; 3. How to conduct with the learned advocates.</p> <p>42. 1. Extended meaning of judicial behaviour; 2. Significance of court management; 3. Use of Digital evidence.</p> <p>43. Constitutional discussions. Elements of fair trial. Digital evidence.</p> <p>44. 1. To be updated in IT knowledge. 2. In the time of discharging trial apply my conscious without fair, favour; 3. To be polite in the time of presiding over the court.</p> <p>45. 1. Overall management system of the Academy is good; 2. The way of attracting the attention of the participant is good. 3. Yoga.</p> <p>46. Justice for all. Comparative sense of law. Law is always a changing area.</p> <p>47. 1. Learnings on elements of judicial behaviour. 2. Judging skills and IT related staff.</p> <p>48. 1. How India has introduced the concept of reverse burden of proof into her statute. 2. The integration of technologies in the court system. 3. The steps India has taken to protect children from sexual offences.</p>
<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. Use and abuse of IT for the upcoming days. The changing situation of the society are facing more changed style of crime through IT, to overcome and control such situations through judgment we must be equipped and knowledge.</p> <p>2. First 10 sessions were most useful. There were directly connected with our day to day work.</p> <p>3. Session 6: Judge as the Master of the Court: Court & Case Management; Session 7: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 8: Evidentiary Presumptions: Onus and Burden of Proof and Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation – were excellent.</p> <p>4. Application of case laws of India to Bangladesh perspective. Because as a judge we can in prove our professionalism.</p> <p>5. To me, appreciation of evidences, cyber affairs were very useful and it would be more effective if some cases are illustrated.</p> <p>6. Session 4: Elements of Judicial Behaviour: Ethics, Neutrality, and Professionalism; Session 5: Judging Skills: Art, Craft and Science of Drafting Judgments; Session 6: Judge as the Master of the Court: Court & Case Management; Session 7: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 8: Evidentiary Presumptions: Onus and Burden of Proof and Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation.-Because it has cleared my doubts of judicial mind by thorough discussion on constitutional aspects and upgradation of evidence law.</p> <p>7. Session 4: Elements of Judicial Behaviour: Ethics, Neutrality, and Professionalism; Session 5: Judging Skills: Art, Craft and Science of Drafting Judgments; Session 6: Judge as the Master of the Court: Court & Case Management; Session 7: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 8: Evidentiary Presumptions: Onus and Burden of Proof and Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation. – Were most useful because of the contents and deliberations.</p> <p>8. Session 4: Elements of Judicial Behaviour: Ethics, Neutrality, and Professionalism; Session 5: Judging Skills: Art, Craft and Science of Drafting Judgments; Session 6: Judge as the Master of the Court: Court & Case Management; Session 7: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 8: Evidentiary Presumptions: Onus and Burden of Proof</p>

and **Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation.** – Were excellent.

9. Constitutional vision of justice. 2. Principles of evidence.

11. **Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation. Session 10: Forensic Evidence in Civil and Criminal Trials and Session 13: Re-engineering Judicial Processes through ICT.**

12. Comparative study and analysis over law between Bangladesh and India.

14. All the sessions were very effective to me.

15. Discussion of evidence Act. 1872 with evolutionary process of the law on electronic evidence vis-à-vis judicial pronouncements.

16. Exchange of views regarding the law of two countries and analysis of electronic evidence.

17. Every programme is useful because everything is relevant.

18. **Session 10: Forensic Evidence in Civil and Criminal Trials and Session 13: Re-engineering Judicial Processes through ICT.**

19. The most useful part of evidence Act due to proper use and appreciation to determine to right decision of the disposal of different type of cases in Bangladesh.

20. To bring Indian judges to the programme as resource persons.

21. Use of electronic evidence in court.

22. Case management in courts. We are facing huge over burden of cases. Without taking recourse of proper case management. Our judiciary will not be efficient one.

23. Electronic evidence: New horizon, collection preservation and appreciation. It will be most effective. Which we see is not perfect unless it is proved.

24. Electronic evidence: New horizon, collection preservation and appreciation. It has opened our eyes to the fact that there may be manipulation of electronic evidence for which it needs forensic test.

25. Sessions on evidence Act. and constitutional law. Because this will help me to evaluate evidence properly for taking decision in court.

26. Session on 1. Electronic Evidence; 2. Burden of proof and legal presumptions; 3. Law of precedent.

27. The class/Session relating evidence analysis, Evidentiary presumption: Onus and Burden of Proof- help me very much and it will be used in my court.

28. **Session 2: Indian Judiciary: Organizational Structure and Jurisdiction; Session 3: Constitutional Vision of Justice: Goals, Role, and Mission of Courts; Session 4: Elements of Judicial Behaviour: Ethics, Neutrality, and Professionalism; Session 7: Principles of Evidence: Appreciation in Civil and Criminal Cases; Session 8: Evidentiary Presumptions: Onus and Burden of Proof and Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation; Session 13: Re-engineering Judicial Processes through ICT**– First of all the resource persons are full with depth knowledge and their lecture was so mesmerizing and attractive.

29. **Session 1: Overview and Architecture of the Indian Constitutional Arrangement; Session 3: Constitutional Vision of Justice: Goals, Role, and Mission of Courts and Session 9: Electronic Evidence: New Horizons, Collection, Preservation and Appreciation;** - Before I did not know about false WhatsApp system, I have learnt about a fake WhatsApp ID. E-judiciary system.

31. The sessions on evidence Act and digital evidences.

	<p>33. Speakers speech and their enriched lectures.</p> <p>34. Electronic evidence.</p> <p>35. Principle of evidence: Appreciation in civil and criminal cases. The discussion will be very helpful for me in recording evidence and also to realise the importance of the stage.</p> <p>36. The interaction sessions and the discussion of Justice Sahi.</p> <p>37. Practical and vast knowledge of resource persons. Which I do believe will be very useful for me.</p> <p>38. The sessions on evidence analysis were more interactive and helpful. Practical sessions were fruitful for us.</p> <p>39. Sessions on different dimensions of evidence on principles of human rights.</p> <p>40. Constitutional description and discussions.</p> <p>41. Burden of proof session and session of precedent and case laws.</p> <p>42. 1. Burden of proof; 2. Ratio decidendi and stare decisis; 3. Constitutional Rights.</p> <p>43. Discussion regarding constitution.</p> <p>44. ICT & Digital court. It will help us how we may use technology properly in searching truth in our judicial system.</p> <p>45. All parts were especially effective and efficient.</p> <p>46. Discussion on doctrine of basic structure because it is hot cake of legal dispute.</p> <p>47. The classes on constitution, art of delivering justice, Case management, Evidence and IT related lectures because they are so related with my job.</p> <p>48. The discussions relating to the incorporation of electronic evidence into the adjudication were very useful to me as the judiciary of Bangladesh is also moving towards the e-court system.</p>
<p>3. Does the programme need further modulations or change</p>	<p>1. I think everything is ok, but duration of the training may be for a month at least.</p> <p>2. Last few sessions could be addressed by Hon'ble High Court Judges. They are making the precedents, so they are the best to describe.</p> <p>4. I think the programme needs further modification in case of procedural laws the CPC, CrPC, PC's should be shared more.</p> <p>5. Keeping all the topics it needs to make some practical session in the court and trial procedure. Need to extend the training period to at least 30 days for an in depth learning.</p> <p>7. Sessions could be started at 9:00am.</p> <p>14. I think the number of academic sessions needs to be increased for that the total number of days of stay needs to be increased.</p> <p>15. Yes to some extent regarding the presentation of the resource persons over power point presentation brain storming questions should be given to the participants.</p> <p>16. I think the present module is ok and well arranged.</p> <p>19. It is most useful in India as well Bangladesh. No need to modify.</p> <p>20. Some leading lawyers of Indian Supreme Court and Attorney General of India may be invited to deliver lectures.</p> <p>21. It may be extended for 15 days long.</p> <p>22. More classes on criminal procedure laws.</p>

	<p>25. Visit of the MP High Court and District Judge Court should be included in the schedule.</p> <p>26. At least a session may be arrange with the present Hon’ble Chief Justice of India.</p> <p>28. Court visit should be included. If that we will be able to observe the court system practically and able to apply to our court procedure.</p> <p>29. Need to extend the training period including visiting the session courts.</p> <p>31. 1. This should be more practical oriented; 2. Session should be problem based.</p> <p>36. Yes. Arrange to visit district judiciary, High Court and Parliament.</p> <p>37. To some extent for example time limit can be extended to 10 days at NJA.</p> <p>38. I consider more sessions regarding criminal and civil court procedure can be added and actual court activities visits can be included for knowing the real scenario of Indian court system.</p> <p>39. Time schedule should be extended more than two weeks.</p> <p>40. Local court visits may be included.</p> <p>41. Please include more sessions on civil litigation.</p> <p>42. Inclusion of environment rights and litigation is necessary given that the world is under severe threat of environmental degradation.</p> <p>44. The programme may be changed to more interactive way.</p> <p>45. At this short period of time it is ok.</p> <p>47. The duration may increase for more fruitful outcome of this programme. The problems in Justice in regard to fourth Industrial revolution should be addressed more.</p> <p>48. The programme can introduce more speakers from sub-ordinate judiciary as this is a training programme for the judges of the sub-ordinate judiciary of Bangladesh.</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 topic and training hand out may transfer through mail before the course.</p> <p>2. Most of the participants are not participating actively. Hope NJA will find the way for more active participation.</p> <p>3. Training schedule should also include specific relief Act, more session on evidence Act.</p> <p>4. Incorporate comparative laws of commonwealth countries.</p> <p>6. Evaluation system may bring excitement in the total session.</p> <p>7. NJA should provide local SIM cards for the trainee officers.</p> <p>8. To provide SIM cards.</p> <p>9. 1. Court visit programme; 2. Moot court sessions; 3. Civil and criminal procedural laws are to be included in the programmes.</p> <p>11. Tenure of training should be little longer.</p> <p>12. Everything ok.</p> <p>14. This training programme needs to be increased to at least 30 days instead of 12 days.</p> <p>15. The National Judicial Academy should keep a programme regarding the practical court visit related with the contents of the programme including E/Digital courts procedure.</p>

19. Kindly continue this programme for Bangladesh judges. To add more laws related to applicable in Bangladesh.
21. To make a permanent link with Supreme Court of Bangladesh.
22. Currency exchange facility and support.
23. To see historical places is needed. To see high court in this province is needed. To see district court is needed. To see places where justice is delivered. To describe court structure of subordinate and high court and Supreme Court.
24. Training schedule should also focus on specific relief, law of succession and constitutional aspects of various other jurisdictions except sub-continent.
26. NJA may arrange at least 2 sessions with the district judiciary in practical, if possible.
33. NJA may increase the sessions so that participants may avail more thoughtful in their respective fields.
37. Duration should be extended. Field visit may be introduced to District and High Court.
38. The training sessions should be more and the tenure of the course need to be extended 5 days to 10 days at least.
40. Highly satisfied.
41. Please make more sessions on environmental issues and intellectual property rights issues.
42. A session on comparative analysis between India and Bangladesh can be useful. Local tour particularly to the parliament and courts will be instrumental.
43. NJA can arrange some practical sessions to make it more interactive.
44. Time management may be maintained properly will make the programme more effective.
45. Nameplates of the participants may be provided.
46. Please supply us with some manual papers which are very important.
47. The duration of the court should be increased.
48. 1. NJA can extend the duration of the training programme for the next batches of the Bangladeshi Judges. 2. Can arrange tours for the trainees to different Government Offices. 3. Can make the training more interactive and participatory.