

# TRAINING PROGRAMME FOR BANGLADESH JUDGES AND JUDICIAL OFFICERS: (SE-13)

## PHASE I AT NATIONAL JUDICIAL ACADEMY, BHOPAL

3<sup>th</sup> to 7<sup>th</sup> April, 2023

Academic Coordinators – Nitika Jain & Jaya Rishi, Faculty, NJA

### PROGRAM SCHEDULE (AS OF 02.04.2023)

<b>Day 1</b> 2 <sup>nd</sup> April, 2023 (Sunday)		
<b>Phase I of Training – Arrival at National Judicial Academy, Bhopal</b>		
<b>SESSION &amp; TIMING</b> <i>All timings are in Indian Standard Time (IST)</i>	<b>PROPOSED THEMES</b>	<b>RESOURCE PERSONS</b>
<b>DAY 2</b> 3 <sup>rd</sup> April 2023 (Monday)		
<b>SESSION 1</b>  10:00 AM -11:30 AM	<b>Overview of the Indian Constitutional Arrangement</b>  <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"><li>• Constitution as a Social Contract</li><li>• Basic Structure Doctrine</li><li>• Indian Constitutional Experience: Triumphs &amp; Trials</li></ul>	Justice Indra Banerjee  Mr. Ramakrishnan Viraraghavan
11:30 AM - 12:00 PM	<b>Tea Break</b>	
<b>SESSION 2</b>  12:00 PM - 01:30 PM	<b>Judiciary in a Constitutional Democracy</b>  <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"><li>• Hierarchy of Courts in India</li><li>• Jurisdiction and Powers of the Court</li><li>• Indian Judiciary vis-à-vis other organs of the State</li></ul>	Justice Indra Banerjee  Mr. Ramakrishnan Viraraghavan
1:30 PM - 2:30 PM	<b>Lunch Break</b>	
<b>SESSION 3</b>  2:30 PM – 4:00 PM	<b>Constitutional Vision of Justice</b>  <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"><li>• Facets of Justice: Social, Economic, and Political</li><li>• Access to Justice</li><li>• Enhancing the Quality and Responsiveness of Justice</li></ul>	Mr. Ramakrishnan Viraraghavan  Prof. (Dr.) V. Vijayakumar
4:00 PM - 4:30 PM	<b>Tea</b>	

**DAY 3**  
**4<sup>th</sup> April 2023 (Tuesday)**

<b>SESSION 4</b>  10:00 AM -11:15 AM	<b>Elements of Judicial Behaviour: Ethics, Neutrality, and Professionalism</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"><li>● Ethical standards, Judicial norms, and Conduct of Judges</li><li>● Integrity and Impartiality to Ensure Judicial Neutrality</li><li>● Objectivity in Decision Making</li></ul>	Justice Ram Mohan Reddy  Justice M.S. Sanklecha
11:15 AM – 11:45 AM	<b>Tea Break</b>	
<b>SESSION 5</b>  11:45 AM - 1:00 PM	<b>Judging Skills: Art, Craft and Science of Drafting Judgments</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"><li>● Language &amp; Law: Brevity and Drafting</li><li>● Significance of Reasoning in Judgments &amp; Orders</li><li>● Sensitivity in Judgments<ul style="list-style-type: none"><li>✓ Gender Sensitivity in Judgments &amp; Orders</li><li>✓ Appropriate approach in cases involving Vulnerable/ Disadvantaged Groups</li></ul></li></ul>	Justice U.C. Dhyani  Justice Ram Mohan Reddy
1:00 PM - 2:00 PM	<b>Lunch Break</b>	
<b>SESSION 6</b>  2:00 PM – 3:15 PM	<b>Ratio of a Precedent</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"><li>● Ratio Decidendi – The Essentials</li><li>● Doctrine of Stare Decisis</li><li>● Precedent as Judicial Discipline</li></ul>	Justice U.C. Dhyani  Justice Ram Mohan Reddy
3:15 PM - 3:30 PM	<b>Tea</b>	
<b>LOCAL VISIT</b>		

**DAY 4**  
**5<sup>th</sup> April 2023 (Wednesday)**

<b>SESSION 7</b>  10:00 AM -11:30 AM	<b>Principles of Evidence: Appreciation in Civil and Criminal Cases</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"><li>● Evidentiary Standards: Preponderance of Probability and Proof beyond Reasonable Doubt</li><li>● Onus and Burden of Proof</li><li>● Reverse Burden of Proof: POCSO Act, NDPS Act &amp; PMLA</li></ul>	Justice U.C. Dhyani  Mr. S R Somasekhara
11:30 AM - 12:00 PM	<b>Tea Break</b>	
<b>SESSION 8</b>  12:00 PM - 1:30 PM	<b>Forensic Evidence in Civil and Criminal Trials</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"><li>● Locard's Exchange Principle</li><li>● Appreciation of Forensic Evidence</li><li>● DNA Profiling</li></ul>	Dr. G K Goswami  Ms. Shreya Rastogi
1:30 PM - 2:30 PM	<b>Lunch Break</b>	
<b>SESSION 9</b>  2:30 PM – 4:00 PM	<b>Electronic Evidence: New Horizons, Collection, Preservation and Appreciation</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"><li>● Expanding Horizons of Electronic Evidence: Challenges in Collection &amp; Preservation</li><li>● Relevance and Admissibility of Electronic Evidence under Indian Law</li><li>● Judicial Pronouncements</li></ul>	Dr. Harold D'Costa

**DAY 5**  
**6<sup>th</sup> April 2023 (Thursday)**

<b>SESSION 10</b>  10:00 AM -11:15 AM	<b>Judge as the Master of the Court: Court &amp; Case Management</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"> <li>● Role of a Judge in Streamlining Court &amp; Case Management</li> <li>● Bottlenecks in Judicial Administration</li> <li>● Best Practices for Effective Disposal of Cases</li> </ul>	Justice Mohit Shah  Justice Asha Menon
11:15 AM – 11:45 AM	<b>Tea Break</b>	
<b>SESSION 11</b>  11:45 AM - 1:00 PM	<b>Criminal Justice Administration and Human Rights</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"> <li>● Elements of Fair Trial</li> <li>● Elements of Fair, Impartial and Competent Investigation</li> <li>● Witness Protection</li> </ul>	Justice S. Vimala  Justice Ved Prakash Sharma
1:00 PM - 2:00 PM	<b>Lunch Break</b>	
<b>SESSION 12</b>  2:00 PM - 3:15 PM	<b>Re-engineering Judicial Processes through ICT</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"> <li>● e-Courts – The Indian experience</li> <li>● Striking a Balance between Transparency &amp; Confidentiality</li> <li>● e-Judiciary &amp; Data Protection – Vulnerability Assessment of Judicial Institutions</li> </ul>	Justice R.C. Chavan  Mr. Atul Kaushik
3:15 PM - 3:30 PM	<b>Tea at Cafeteria</b>	
<b>LOCAL VISIT</b>		

**DAY 6**  
**7<sup>th</sup> April 2023 (Friday)**

<b>SESSION 13</b>  9:00 AM - 10:15 AM	<b>Judiciary and Media: Need for Balance</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"> <li>● Media Trial vis-à-vis Judicial Ethics</li> <li>● Media intervention in sub-judice matters: Restriction against the publication of court proceedings</li> <li>● Handling high profile cases involving media pressure</li> <li>● Impact of Media Reporting on Administration of Justice</li> </ul>	Justice Manmohan Singh  Prof. (Dr.) Shashikala Gurpur
10:15 AM - 10:45 AM	<b>Tea Break</b>	
<b>SESSION 14</b>  10:45 AM - 12:00 PM	<b>Landmark Judgments: Celebrating Decadal Masterpieces</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"> <li>● Important Contributions of the Constitutional Courts in the Last Decade <ul style="list-style-type: none"> <li>✓ Gender Justice</li> <li>✓ Right to Privacy</li> <li>✓ Independence of Judiciary</li> <li>✓ Social and Economic Justice</li> <li>✓ Rights of Marginalized Sections of Society</li> </ul> </li> </ul>	Prof. (Dr.) B.T. Kaul  Prof. (Dr.) Shashikala Gurpur
12:00 PM - 12:15 PM	<b>Feedback and Audit of the Course by Participants</b>	
<i>01:30 PM onwards: Lunch at Cafeteria</i>		
<b>Day 7</b> <b>8<sup>th</sup> April 2023</b> <b>(Saturday)</b>	<b>Phase II of Training – Departure from National Judicial Academy, Bhopal to JTRI, Lucknow</b>	

**ACADEMIC ASSISTANCE**

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