

# TRAINING PROGRAM FOR JUDGES AND JUDICIAL OFFICERS FROM MYANMAR (SE-14)

## Tentative Programme Schedule

17<sup>th</sup> to 20<sup>th</sup> April, 2023

<p><b>DAY 1</b></p> <p><b>17.04.2023</b> (Monday)</p>	<p><b>SESSION 1</b> (10:00AM - 11:30AM)</p> <p><b>Constitutional Vision of Justice</b></p> <p><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Constitution as a Social Contract</li> <li>● Overarching Values of the Constitution as enshrined in the Preamble</li> <li>● Basic Structure of the Constitution</li> <li>● Facets of Justice: Social, Economic, and Political</li> <li>● Goals, Role and Mission of Courts</li> </ul> <p style="text-align: center;"><u><b>Panel</b></u> Mr. Sudhish Pai Prof. (Dr.) V. Vijayakumar</p>	<p>T E A  B R E A K</p>	<p><b>SESSION 2</b> (12:00 PM - 01:30 PM )</p> <p><b>Elements of Judicial Behaviour: Ethics, Neutrality, and Professionalism</b></p> <p><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Integrity and Impartiality to ensure Judicial Neutrality</li> <li>● Ethical Standards, Judicial Norms, and Conduct of Judges</li> <li>● Objectivity in Decision Making</li> <li>● Significance of Reasoning in Judgments &amp; Orders</li> </ul> <p style="text-align: center;"><u><b>Panel</b></u> Justice Roshan Dalvi Mr. Sudhish Pai</p>	<p>L U N C H  B R E A K</p>	<p><b>SESSION 3</b> (2:30 PM - 4:00 PM)</p> <p><b>Developing Efficient Judicial System: Court and Case Management</b></p> <p><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Role of a Judge in streamlining court processes</li> <li>● Organizing the Docket for effective Caseload Management: Prioritization of cases</li> <li>● Staff Management and Supervision: Inspiring Commitment and Catalyzing Performance</li> <li>● Effective Management of different stakeholders in the Justice Delivery System</li> <li>● Use of Information and Communication Technology (ICT) in Judicial Proceedings and Administration of Courts</li> </ul> <p style="text-align: center;"><u><b>Panel</b></u> Justice R.C. Chavan Justice Roshan Dalvi</p>	<p>T E A  B R E A K</p>
---	---	---	--	---	---	---

<p><b>DAY 2</b> <b>18.04.2023</b> <b>(Tuesday)</b></p>	<p align="center"><b>SESSION 4</b> <b>(10:00AM - 11:30AM)</b></p> <p align="center"><b>Protection of Environment and Wildlife: The Judicial Approach</b></p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Protection of Environment as a Constitutional Mandate</li> <li>● Judiciary as <i>parens patriae</i> to protect the Environment &amp; Wildlife</li> <li>● Role of Judiciary in developing Environmental Jurisprudence – Public Trust Doctrine, Polluter Pays Principle, Precautionary Principle etc.</li> <li>● The vices of Judicial Activism in protection of Environment &amp; Wildlife</li> <li>● Innovative Approaches to meet the Global Challenges</li> </ul> <p align="center"><u><b>Panel</b></u></p> <p align="center">Mr. Ritwick Dutta</p>	<p align="center">T E A  B R E A K</p>	<p align="center"><b>SESSION 5</b> <b>(12:00 PM - 01:30 PM )</b></p> <p align="center"><b>Judiciary and Media: Need for Balance</b></p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Media Trial <i>vis-à-vis</i> 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> <li>● Open Courts: Freedom of Media to Report Court Proceedings</li> </ul> <p align="center"><u><b>Panel</b></u></p> <p align="center">Justice S.G. Gokani Justice U.C. Dhyani</p>	<p align="center">L U N C H  B R E A K</p>	<p align="center"><b>SESSION 6</b> <b>(2:30 PM - 4:00 PM)</b></p> <p align="center"><b>Elements of Fair, Impartial and Competent Investigation</b></p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Judicial Control over the abuse of Investigation and Custodial Powers</li> <li>● General principles of Natural Justice</li> <li>● Human Right to fair and speedy trial</li> <li>● Victim assistance and Witness Protection: Safeguarding the edifice of administration of justice</li> </ul> <p align="center"><u><b>Panel</b></u></p> <p align="center">Justice S.G. Gokani Justice U.C. Dhyani</p>	<p align="center">T E A  B R E A K</p>	<p align="center"><b>LOCAL VISIT</b></p>
--	--	--	--	--	---	--	--

<p><b>DAY 3</b></p> <p><b>19.04.2023</b> (Wednesday)</p>	<p align="center"><b>SESSION 7</b> (10:00AM - 11:30AM)</p> <p align="center"><b>Principles of Evidence: Appreciation in Civil and Criminal Cases</b></p> <p><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Standard and Burden of Proof regarding presumption of culpable mental state: Scope &amp; Limits</li> <li>● Evidentiary Presumptions</li> <li>● Reverse Burden of Proof: POCSO Act, NDPS Act &amp; PMLA</li> <li>● Electronic Evidence: New Horizons, Collection, Preservation, and Appreciation</li> </ul> <p align="center"><u><b>Panel</b></u></p> <p align="center">Justice Ashwani Kumar Singh Mr.S.R. Somasekhara</p>	<p align="center">T E A  B R E A K</p>	<p align="center"><b>SESSION 8</b> (12:00 PM - 01:30 PM )</p> <p align="center"><b>Forensic Evidence in Civil and Criminal Trials</b></p> <p><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>● Application of scientific methods and techniques in administration of justice</li> <li>● Locard's Principle of Exchange</li> <li>● DNA Profiling <ul style="list-style-type: none"> <li>- Evidentiary Value</li> <li>- Emerging technologies in DNA Profiling</li> </ul> </li> <li>● Forensic Serology and Ballistics</li> <li>● Common challenges before the Court <ul style="list-style-type: none"> <li>- Chain of Custody</li> <li>- Privacy &amp; Ethical concerns</li> </ul> </li> </ul> <p align="center"><u><b>Panel</b></u></p> <p align="center">Prof. (Dr.) Purvi Pokhariyal Dr. Nisha Menon</p>	<p align="center">L U N C H  B R E A K</p>	<p align="center"><b>LOCAL VISIT</b></p>	
--	--	--	--	--	--	--

<p><b>DAY 4</b></p> <p>20.04.2023 (Thursday)</p>	<p><b>SESSION 9</b></p> <p>(10:00AM - 11:30AM)</p> <p><b>Alternative Dispute Resolution</b></p> <p><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>• ADR as a tool to conserve judicial resources &amp; to ensure speedy justice</li> <li>• ADR Mechanisms under Section 89 Civil Procedure Code, 1908</li> <li>• Referral of cases for settlement through ADR: Suitable Cases, Procedure for Referral, Appropriate Stage &amp; Recognition of Outcome by Court</li> </ul> <p><b><u>Panel</u></b></p> <p>Mrs. Giribala Singh Dr. Aman Hingorani</p>	<p><b>SESSION 10</b></p> <p>(12:00 PM - 1:30 PM )</p> <p><b>Transition to a Gender Just Society: Jurisprudential Developments</b></p> <p><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> <li>• Major Legislations on Gender-based issues</li> <li>• Gender Sensitivity in Judgments &amp; Orders <ul style="list-style-type: none"> <li>- Language</li> <li>- Eliminating Bias, Stereotypes &amp; Prejudices</li> </ul> </li> <li>• Restorative Justice Measures</li> <li>• Notable Judgments</li> </ul> <p><b><u>Panel</u></b></p> <p>Justice Manju Goel Dr. Kiran Rai</p>	<p><b>LOCAL VISIT</b></p>	
--	---	---	---------------------------	--

Academic Coordinators

1. Prof. S.P. Srivastava, Professor (shankarsrivastava@gmail.com; +91 94256 01211)

2. Mr. Shashwat Gupta, Law Associate (shashwat.gupta@nja.gov.in; +91 7587950834)

Administrative Assistance

1. Mr. Chetan Nehete (Event manager) - (nchetan@nja.gov.in , 9425601233)

2. Mr. Salman Khan (Protocol Officer) - (liaisonoffice@nja.gov.in , 9425601212)

3. Mr. Ranjan Verma (Manager, Hospitality) – (ranjan.verma@nja.gov.in, 9425648964)