

# National Judicial Academy

## P-1361: National Conference for High Court Justices on Development of Constitutional Law by the Supreme Court & High courts 16<sup>th</sup> – 17<sup>th</sup> September, 2023

**Programme Coordinator** : Dr. Sonam Jain and Mr. Prasadh Raj Singh  
**No. of Participants** : 24  
**No. of forms received** : 23

<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>91.30</b>	<b>8.70</b>	-	-
b. The subject matter of the programme is useful and relevant to my work	<b>95.65</b>	<b>4.35</b>	-	-
c. Overall, I got benefited from attending this programme	<b>82.61</b>	<b>17.39</b>	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	<b>73.91</b>	<b>26.09</b>	-	22. In dealing with matters relating to judicial review & bail matters.
e. Adequate time and opportunity was provided to participants to share experiences	<b>69.57</b>	<b>30.43</b>	-	21. Possibly more time can be made available for this session on Saturday i.e. 1 <sup>st</sup> day of the conference.
<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>86.96</b>	<b>13.04</b>	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>86.96</b>	<b>13.04</b>	-	-
c. Up to date	<b>81.82</b>	<b>18.18</b>	-	-
d. Related to Constitutional Vision of Justice	<b>86.96</b>	<b>13.04</b>	-	-

e. Related to International Legal Norms	<b>50.00</b>	<b>45.00</b>	<b>5.00</b>	7. May not be relevant as it does not arise.
<b>III. STRUCTURE OF THE PROGRAMME</b>				
<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>82.61</b>	<b>17.39</b>	-	-
b. The programme was an adequate combination of the following methodologies viz.				
(i) Group discussion cleared many doubts	<b>68.18</b>	<b>31.82</b>	-	-
(ii) Case studies were relevant	<b>68.18</b>	<b>31.82</b>	-	-
(iii) Interactive sessions were fruitful	<b>82.61</b>	<b>17.39</b>	-	-
(iv) Simulation Exercises were valuable	<b>66.67</b>	<b>33.33</b>	-	-
(v) Audio Visual Aids were beneficial	<b>35.71</b>	<b>64.29</b>	-	-
<b>IV SESSIONS WISE VETTING</b>				
<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>86.36</b>	<b>13.64</b>	<b>93.33</b>	<b>6.67</b>
2	<b>81.82</b>	<b>18.18</b>	<b>92.86</b>	<b>7.14</b>
3	<b>68.18</b>	<b>31.82</b>	<b>60.00</b>	<b>40.00</b>
4	<b>82.61</b>	<b>17.69</b>	<b>87.50</b>	<b>12.50</b>
5	<b>86.96</b>	<b>13.04</b>	<b>87.50</b>	<b>12.50</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>86.96</b>	<b>13.04</b>	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>82.61</b>	<b>17.39</b>	-	-

c. The content was organized and easy to follow	78.26	21.74	-	-
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<b>VIII. GENERAL SUGGESTIONS</b>	
1. Three most important learning achievements of this Programme	<p>1. 1. Discussion that constitution is not legal document but it is socio and political document- Role of court in interpretation. 2. Doctrine of public trust and judicial activism. 3. Outside view of judiciary.</p> <p>4. Limitation of the judiciary. Jurisdiction of exercising power. Limitations of in legislation.</p> <p>5. Thought provoking and informative.</p> <p>6. Discussion gives clarity of thought on the subjects deliberated. Widens the thought process.</p> <p>7. 1. The concept of being guardians of the constitution. 2. The scope of judicial activism.</p> <p>8. Informative, got to know different views, purposeful.</p> <p>9. Constitutional conscience. Judicial activism. Judicial discipline.</p> <p>10. 1. Judicial approach. 2. Evaluating and application of constitutional law. 3. Constitutional morality.</p> <p>11. 1. Knowledge of law. 2. Execution of power under law. 3. Limitation to activism.</p> <p>13. The update in the constitutional dynamism was insightful.</p> <p>16. Insights on developments in constitutional law, especially transportation charges. Certainly useful in judicial functioning.</p> <p>17. Affirmative action on courts adoption and jurisprudential evaluation. Judicial activism vs judicial restraint in evolving jurisprudence.</p> <p>20. Knowledge, skill and vision.</p> <p>21. Judges are duty bound to protect and implement the constitution.</p> <p>22. 1. Interpretation of constitutional norms. 2. Broadening of horizon in the matter of judicial review. So much to learn.</p>
2. Which part of the Programme did you find most useful and why	<p>1. Judicial activism and judicial review.</p> <p>2. <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions</b> and <b>Session 5: Judicial Activism versus Judicial Restraint: Evolving Jurisprudence.</b></p> <p>4. <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions</b> and <b>Session 5: Judicial Activism versus Judicial Restraint: Evolving Jurisprudence.</b></p> <p>5. Presentation and discussion.</p> <p>6. <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions</b> and <b>Session 5: Judicial Activism versus Judicial Restraint: Evolving Jurisprudence.</b></p> <p>7. <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions</b> and <b>Session 5: Judicial Activism versus Judicial Restraint: Evolving Jurisprudence</b>—other session were useful.</p>

	<p>9. 1. The speakers form expert fields. 2. Former judges of Supreme Court. 3. Judicial review &amp; scope.</p> <p>10. Jurisdiction of court under judicial review.</p> <p>11. <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions-</b> The discussion of Justice Kurian Joseph and Mr. Arun Shourie.</p> <p>13. All were useful.</p> <p>14. <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions</b> and <b>Session 5: Judicial Activism versus Judicial Restraint: Evolving Jurisprudence</b>—was very useful.</p> <p>16. <b>Session 1: Constitutional Interpretations: Reflection on Transformation, Continuities &amp; Constitution’s Silences; Session 2: Development of Constitutional Morality: Adhering to the Constitutional Norms &amp; Ethos</b> and <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions.</b></p> <p>17. <b>Session 5: Judicial Activism versus Judicial Restraint: Evolving Jurisprudence</b> - e.i. Every jurisprudence is most useful in day to day work.</p> <p>20. Interactive session.</p> <p>22. <b>Session 1: Constitutional Interpretations: Reflection on Transformation, Continuities &amp; Constitution’s Silences; Session 2: Development of Constitutional Morality: Adhering to the Constitutional Norms &amp; Ethos</b> and <b>Session 4: Judicial Review of Legislative &amp; Administrative Actions.</b></p> <p>23. <b>Session 1: Constitutional Interpretations: Reflection on Transformation, Continuities &amp; Constitution’s Silences.</b></p>
<p>3. Does the programme need further modulations or change</p>	<p>5. Can be made more precise to the topics.</p> <p>6. It is good.</p> <p>9. Yes the moderator should modulate the speaker to restrict to the topic.</p> <p>13. The sessions may be mooted for evening stress also.</p> <p>14. Yes, Please having only judges or Professor of laws avoid practicing lawyers as they discuss their cases.</p> <p>22. Please intimate the details of resource person. Let name plates be there. Photos by the side of names of delegate.</p> <p>23. Yes- as the person like Mr. Arun Shourie should not be given this platform to address High Court Judges.</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>4. Material have to be supplied much in advance.</p> <p>5. Adequate.</p> <p>6. Frequency of visits should be more.</p> <p>9. Have interesting pressing topics for discussion &amp; debate.</p> <p>11. NJA must conduct such programme for more sessions.</p> <p>13. Already effectively working.</p> <p>21. Keep up the good work.</p>