

## National Judicial Academy

**P-1362: National Workshop for High Court Justices on Commercial Law  
23<sup>rd</sup> – 24<sup>th</sup> September, 2023**

**Programme Coordinator** : Dr. Amit Mehrotra and Ms. Jaya Rishi

**No. of Participants** : 20

**No. of forms received** : 19

<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>94.74</b>	<b>5.26</b>	-	-
b. The subject matter of the programme is useful and relevant to my work	<b>73.68</b>	<b>26.32</b>	-	-
c. Overall, I got benefited from attending this programme	<b>78.95</b>	<b>21.05</b>	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	<b>73.68</b>	<b>26.32</b>	-	-
e. Adequate time and opportunity was provided to participants to share experiences	<b>73.68</b>	<b>26.32</b>	-	2. Vast subject of the present nature needs to be given more time.
<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>63.16</b>	<b>36.84</b>	-	13. The reference material provided is well researched and extremely helpful.
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>83.33</b>	<b>16.67</b>	-	-

c. Up to date	<b>94.74</b>	<b>5.26</b>	-	-
d. Related to Constitutional Vision of Justice	<b>66.67</b>	<b>33.33</b>	-	-
e. Related to International Legal Norms	<b>64.71</b>	<b>35.29</b>	-	-
<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>94.44</b>	<b>5.56</b>	-	2. Needs more time. 8. This was almost a repetition of the earlier workshop attended by me. 11. More critical analysis was required to be included.
b. The programme was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>89.47</b>	<b>10.53</b>	-	-
(ii) Interactive sessions were fruitful	<b>68.42</b>	<b>26.32</b>	<b>5.26</b>	-
(iii) Audio Visual Aids were beneficial	<b>68.42</b>	<b>31.58</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>77.78</b>	<b>22.22</b>	<b>80.00</b>	<b>20.00</b>
2	<b>58.82</b>	<b>41.18</b>	<b>71.43</b>	<b>28.57</b>
3	<b>70.59</b>	<b>29.41</b>	<b>85.71</b>	<b>14.29</b>
4	<b>88.24</b>	<b>11.76</b>	<b>100.00</b>	-
5	<b>76.47</b>	<b>23.53</b>	<b>78.57</b>	<b>21.43</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>78.95</b>	<b>21.05</b>	-	13. Well researched; deserved mention.
b. The content was updated. It	<b>84.21</b>	<b>15.79</b>	-	-

reflected recent case laws/ current thinking/ research/ policy in the discussed area				
c. The content was organized and easy to follow	73.68	26.32	-	-

<b>VIII. GENERAL SUGGESTIONS</b>	
1. Three most important learning achievements of this Programme	<p>1. Learnt about the nuances of commercial law. Learnt about the nuances of mediation proceedings. Became aware about recognition &amp; enforcement of foreign awards.</p> <p>3. 1. Comprehensive knowledge of subject. 2. Interaction with experts. 3. To know the view of brother judges from all over India.</p> <p>7. I came across various problems which may arise in dispensation of Justice in future. I also came across various judgments of the Supreme Court and High Court as well as foreign courts.</p> <p>9. Judges needs to be exposed to resolution of commercial dispute with reference to Sec. 12A commercial court Act.</p> <p>10. 1. Applicability of the CC Act. 2. Enforcement of foreign awards. 3. Mediation (Mediation Act.)</p> <p>12. Subject matter of programme is useful in disposal of cases.</p> <p>13. The first session &amp; the third session were effective, informative.</p> <p>14. It will be helpful to decide the matters.</p> <p>15. Session 1 to 5 all are recent trend, requires continuous.</p> <p>16. 1. About arbitration laws. 2. About the process of mediation. 3. Up-to-date materials/ Judgements.</p> <p>17. Framework of commercial laws mediation.</p> <p>18. New enactments. Well addressed. Look forward for more such programme.</p> <p>19. 1. It was relevant to the roster I now hold. 2. Some of my doubts have been clarified. 3. Got updated.</p>
2. Which part of the Programme did you find most useful and why	<p>1. <b>Session 1: Framework of Commercial Law: A Brief Overview</b> – because a holistic view of the entire framework of commercial law was laid bare.</p> <p>3. All parts are similar in nature.</p> <p>7. <b>Session 1: Framework of Commercial Law: A Brief Overview</b> and <b>Session 4: Pre-Institution Mediation and Settlement.</b></p> <p>9. <b>Session 1: Framework of Commercial Law: A Brief Overview</b> and <b>Session 2: Disputes in Construction and Infrastructure Contracts: A Detailed Analysis.</b></p> <p>10. Applicability of the 12-A of Act.</p> <p>12. Nature &amp; scope of discussion. Commercial disputes.</p> <p>15. In fact all sessions were interacting and very useful.</p> <p>16. 1. Framework of commercial law. 2. Arbitration &amp; Conciliation Act. 3. Pre-Institution mediation.</p>

	<p>17. Commercial laws. IPR.</p> <p>18. Every.</p> <p>19. Commercial courts and arbitration Act.</p>
<p>3. Does the programme need further modulations or change</p>	<p>6. Discussion on point of law on prior intimation by judges who are to undergo training specific time for answers to problem may be considered.</p> <p>9. Enforcement of foreign awards – further go in the background of latest amendments and pronouncement.</p> <p>12. Programme schedule time has to be increased.</p> <p>16. Adhering to time schedule strictly.</p> <p>18. Time can be looked into.</p> <p>19. I think one part of 2<sup>nd</sup> sessions can be made interactive.</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. Some legal luminaries and academicians may be roped in Lt. resource persons.</p> <p>2. Topic needs more deliberate and time should be increased.</p> <p>3. Provide advance copy of lectures to be delivered by expert speakers.</p> <p>6. Discussion on point of law on prior intimation by judges who are to undergo training specific time for answers to problem may be considered.</p> <p>9. Judges sitting on commercial divisions also be trained as judge mediators for better resolution of dispute.</p> <p>12. Regular academic discussions has to be arranged.</p> <p>13. NJA should arrange the 40 hours mediation programme during vacations – so that willing judges can enroll &amp; benefit.</p> <p>14. Fully satisfied.</p>