

**TRAINING PROGRAM ON GOOD GOVERNANCE AND IMPLEMENTATION OF CIVIL JUDGMENT DECISIONS FOR
MINISTRY OFFICIALS FROM CAMBODIA
[SE-27]**

11TH TO 15TH DECEMBER, 2023

Academic Coordinators – Dr. Sonam Jain & Ms. Ankita Pandey, Research Fellow, NJA

PROGRAM SCHEDULE

SESSION & TIMING <i>All timings are in Indian Standard Time (IST)</i>	PROPOSED THEMES
DAY 1 11th December, 2023 (Monday)	
SESSION 1 10:00 AM -11:30 AM	<p align="center">Constitutional Vision of Justice</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> ● Overarching Values of the Constitution as enshrined in the Preamble ● Basic Structure of the Constitution ● Facets of Justice: Social, Economic, and Political ● Judiciary in a Constitutional Democracy ● Indian Constitutional Experience: Triumphs & Trials
11:30 AM - 12:00 PM	Tea Break
SESSION 2 12:00 PM - 01:30 PM	<p align="center">Adherence to the Principles of Natural Justice</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> ● Components of Natural Justice: Scope & Limits ● Natural Justice in Rights Jurisprudence: The Indian Experience ● Application of PNJs in Court Procedures & Processes ● Effect of breach of Principles of Natural Justice
1:30 PM - 2:30 PM	Lunch Break
SESSION 3 2:30 PM – 4:00 PM	<p align="center">Doctrine of Precedent</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> ● Article 141 as an element of judicial consistency ● Precedent and its role in ensuring Legitimate Expectation and Rule of Law ● <i>Ratio Decidendi</i> and <i>Obiter Dicta</i>: Identification and precedential value ● Authority of dissent and potential resurrection ● Dealing with precedential conflict
4:00 PM - 4:30 PM	Tea Break
DAY 2 12th December, 2023 (Tuesday)	
SESSION 4 10:00 AM -11:30 AM	<p align="center">Principles of Evidence: Appreciation in Civil Cases</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> ● Evidentiary Standards: Preponderance of Probability and Proof beyond Reasonable Doubt ● Onus and Burden of Proof

	<ul style="list-style-type: none"> • Reverse Burden of Proof • Electronic Evidence: New Horizons, Collection, Preservation and Appreciation
11:30 AM – 12:00 PM	Tea Break
SESSION 5 12:00 PM - 1:30 PM	<p style="text-align: center;">Forensic Evidence in Civil Cases</p> <p style="text-align: center;"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> • Application of scientific methods and techniques in administration of justice • Locard’s Principle of Exchange • DNA Profiling <ul style="list-style-type: none"> - Evidentiary Value - Emerging technologies in DNA Profiling • Common challenges before the Court <ul style="list-style-type: none"> - Chain of Custody - Privacy & Ethical concerns
1:30 PM - 2:30 PM	Lunch Break
LOCAL VISIT	
DAY 3 13th December, 2023 (Wednesday)	
SESSION 6 10:00 AM -1130 AM	<p style="text-align: center;">Execution and Enforcement in Civil matters</p> <p style="text-align: center;"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> • Scheme of Order XXI, CPC • Modes and procedure relating to execution • Enforcement of Foreign Judgments • Bottlenecks in execution
11:30 AM - 12:00 PM	Tea Break
SESSION 7 12:00 PM - 1:30 PM	<p style="text-align: center;">Temporary Injunction & Interlocutory Orders</p> <p style="text-align: center;"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> • Life of an Interim Order • Exercise of Judicious Discretion in Grant of Interim Orders <ul style="list-style-type: none"> - Assessing Feasibility in Grant of Interim Orders - Uniformity and Standardisation in Exercise of Discretion
1:30 PM - 2:30 PM	Lunch Break

<p>SESSION 8</p> <p>2:30 PM – 4:00 PM</p>	<p align="center">Developing Efficient Judicial System: Court and Case Management</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> • Role of a Judge in streamlining court processes • Organizing the Docket for effective Caseload Management: Prioritization of cases • Staff Management and Supervision: Inspiring Commitment and Catalyzing Performance • Effective Management of different stakeholders in the justice delivery system: Role of Bailiff and Court Clerk • Use of Information and Communication Technology (ICT) in Judicial Proceedings and Administration of Courts
<p>4:00 PM - 4:30 PM</p>	<p align="center">Tea Break</p>
<p align="center">DAY 4 14th December, 2023 (Thursday)</p>	
<p>SESSION 9</p> <p>10:00 AM -11:30 AM</p>	<p>Adjudication of Family Disputes: Disputes relating to Marriage & Guardianship</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> • Cruelty As a Ground for Divorce • Ensuring Equity Between Parties: Maintenance & Matrimonial Property • Relevant Considerations in Determining Custody • Parental Rights vis-à-vis Best Interests of the Child
<p>11:30 AM – 12:00 PM</p>	<p align="center">Tea Break</p>
<p>SESSION 10</p> <p>12:00 PM - 1:30 PM</p>	<p align="center">Alternative Dispute Resolution</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> • ADR as a tool to conserve judicial resources & to ensure speedy justice • ADR Mechanisms under Section 89 Civil Procedure Code, 1908 • Referral of cases for settlement through ADR: Suitable Cases, Procedure for Referral, Appropriate Stage & Recognition of Outcome by Court
<p align="center">LOCAL VISIT</p>	
<p align="center">DAY 5 15th December, 2023 (Friday)</p>	
<p>SESSION 11</p> <p>10:00 AM -11:30 AM</p>	<p align="center">Protection of Environment and Wildlife: The Judicial Approach</p> <p align="center"><u><i>Proposed Scope of Discussion</i></u></p> <ul style="list-style-type: none"> • Protection of Environment as a Constitutional Mandate • Judiciary as <i>parens patriae</i> to protect the Environment & Wildlife • Role of Judiciary in developing Environmental Jurisprudence – Public Trust Doctrine, Polluter Pays Principle, Precautionary Principle etc. • The vires of Judicial Activism in protection of Environment & Wildlife • Innovative Approaches to meet the Global Challenges

SESSION 12 12:00 PM - 1:30 PM	Landmark Judgments: Celebrating Decadal Masterpieces <u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"> ● Important Contributions of the Constitutional Courts in the Last Decade <ul style="list-style-type: none"> ✓ Gender Justice ✓ Right to Privacy ✓ Independence of Judiciary ✓ Social and Economic Justice ✓ Rights of Marginalized Sections of Society
1:30 PM - 1:40 PM	Feedback and Audit of the Course by Participants
Lunch	

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