

National Orientation Programme for Civil Judges (Senior Division)

P-825

August 1-3, 2014

Programme Report

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National Judicial Academy organized an orientation programme for civil judges (senior division) from August 1-3, 2014. 39 judges from across the country participated in the programme. Pursuing the goal of capacity building of individual judges, NJA has been organizing orientation programmes for different level of judges. An orientation programme for senior division judges from across the country has been introduced for the first time in the calendar year 2014-15. This three days conference was chaired by Hon'ble Justice SB Sinha, Former Judge, Supreme Court of India. The other resource persons who addressed the participants were Justice S Nagamuthu, Judge, Madras High Court, Justice Seetharam Murthy, Judge, Andhra Pradesh High Court, Justice KT Shankaran, Judge, Kerala High Court and Justice RC Chavan, Former Judge, Bombay High Court, currently President, the Maharashtra State Consumer Disputes Redressal Commission, Bombay.

On day one of the conference participants Dr. Balram Gupta, Director, NJA addressed the participants on the theme, "Being a Judge in a Constitutional Democracy". Dr. Gupta spoke on the essential qualities of a judge and urged the participants to make conscious efforts to inculcate the same during course of their career. In the second session a documentary titled, "*All Rise Your Honour*" was shown to the participants. Shot in district court campus of District Badaun, Uttar Pradesh, the documentary depicts the pitiable condition of the district courts and plight of a poor victim in having access to justice at grassroots level. The third session on day one was meant to give opportunity to the participants to reflect on the state of justice system in India. Participants were also given a questionnaire to prioritize the Bangalore principles of judicial conduct and also to give their responses to the following issues: (i) How would you assess the efficacy of justice delivery system, (ii) suggestions for improvement in work culture in judiciary and in performance evaluation mechanisms and for addressing the problems of corruption in the judiciary. Responses of the participants are annexed to the report. In the last session Justice Sinha addressed the participants on the theme, "*Litigation at Grassroots Level: Justice Oriented Approach*". Main aim of this session was to highlight that even at the level of trial courts, judges in India, considering socio-economic disparity and diversity of the country are required to go beyond mere legalistic approach and maintain an activist orientation.

In the session one on day two, participants were encouraged by Justice Sinha to identify major problems ailing our criminal justice system. There was a strong consensus amongst the participants and also amongst the High Court judges that the criminal justice system in India is failing as is in need of serious consideration. In session three Justice RC Chavan addressed the

participants on the theme, “*Offences against Women: Response of Judiciary*”. He mentioned that India being a society in transition the nature and also the reasons for offences against women is changing. He also stated that there is a strong need to adopt a approach keeping in changing nature of man and woman relationships in India. Sessions three and four of the second day were focused on the issues relating to civil litigation. In session three participants were asked to identify the reasons for diminishing civil litigation in India. Participants cited various reasons ranging from incompetency of judges to outdated procedures and long delays for diminishing civil litigation in India. In session four Justice Shankaran and Justice Seetharam Murthy answered queries of the participants relating to interlocutory orders and execution of decrees.

Session one on the last day of the conference was devoted the theme of Insolvency laws. A relatively new area of law for the participants Justice Seetharam Murthy gave a comprehensive overview of the law relating to insolvency. In session ten, the last day of the session Ms. Nidhi Gupta, Assistant Professor, National Judicial Academy, made a presentation on the theme ‘management skills for judges’. She highlighted the importance of understanding, adapting and adopting management for effective justice delivery system. Justice Chavan also shared his experiences with the participants and gave some practical tips to participants to manage their work and also to ‘manage’, in other words, to deal with the bar and the ministerial staff in the courts. The programme ended with a vote of thanks from the Director, NJA.