

National Judicial Academy

P-1156: Conference for High Court Justices on Commercial Division and Commercial Appellate

Division

22nd to 24th March, 2019

Programme Coordinator : Ms. Paiker Nasir, Research Fellow

No. of Participants : 17

No. of forms received : 16

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	81.25	18.75	-	
b. The subject matter of the program is useful and relevant to my work	43.75	56.25	-	
c. Overall, I got benefited from attending this program	56.25	43.75	-	
d. I will use the new learning, skills, ideas and knowledge in my work	75.00	25.00	-	
e. Adequate time and opportunity was provided to participants to share experiences	87.50	6.25	6.25	
II. KNOWLEDGE				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
The program provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	56.25	43.75	-	
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	62.50	37.50	-	

c. Up to date	62.50	37.50	-	
d. Related to Constitutional Vision of Justice	33.33	60.00	6.67	
e. Related to international legal norms	20.00	66.67	13.33	
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	62.50	31.25	6.25	
b. The program was an adequate combination of the following methodologies viz.				
(i) Group discussion cleared many doubts	35.71	57.14	7.14	
(ii) Case studies were relevant	33.33	66.67	-	
(iii) Interactive sessions were fruitful	40.00	53.33	6.67	
IV SESSIONS WISE VETTING				
Parameters				
Session	Discussions in individual sessions were effectively organized		The Session theme was adequately addressed by the Resource Persons	
	Effective and Useful	Satisfactory	Effective and Useful	Satisfactory
1	56.25	43.75	57.14	42.86
2	66.67	33.33	85.71	14.29
3	66.67	33.33	71.43	28.57
4	66.67	33.33	85.71	14.29
5	66.67	33.33	71.43	28.57
6	71.43	28.57	71.43	28.57
7	76.92	23.08	66.67	33.33
8	69.23	30.77	66.67	33.33
9	58.33	41.67	50.00	50.00
V. PROGRAM MATERIALS				

PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	81.25	18.75	-	6. Excellent.
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	62.50	37.50	-	
c. The content was organized and easy to follow	62.50	37.50	-	

VIII. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<p>1. Though there is limited number of cases in our high court, the subject matter is fascinating and the resource persons presented the topics so well that I never felt the sessions boring. The Commercial Court Act came in 2015 and the recent amendments made in Arbitration Act have been discussed and doubts have been cleared.</p> <p>2. 1. Practical oriented; 2. Based on latest developments in law; 3. Resourceful subject experts.</p> <p>3. Participant did not comment.</p> <p>4. Participant did not comment.</p> <p>5. Different perspectives in which commercial courts will have to work; Manner in which appellate courts will have to deal with appeals. Effectiveness of pre-mediation.</p> <p>6. Policy decision can be challenged and entertained under Art. 32/226.</p> <p>7. As above.</p> <p>8. 1. Basic exposure to controversies in law; 2. Learning towards implementation of contracts keeping in mind requirements.</p> <p>9. Participant did not comment.</p> <p>10. Participant did not comment.</p> <p>11. Exposure to the emerging trends; Different perspectives on provisions and situations.</p> <p>12. Updated my knowledge.</p> <p>13. 1. Learnt new skills, ideas & knowledge; 2. Interaction was useful; 3. Came to know about constitutional silences.</p> <p>14. Information; Knowledgeable.</p> <p>15. As the topic chosen for the conference is new one, the only suggestion is that speakers with experience on topics may be called.</p>
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	<p>16. 1. An insight into the constitutional silences; 2. Understanding the scheme of infrastructure contracts under PPP mode; 3. Understanding interplay between Commercial Courts Act, 2015 and Arbitration & Conciliation Act, 1996.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<ol style="list-style-type: none"> 1. Participant did not comment. 2. All programmes. 3. Participant did not comment. 4. Commercial courts & arbitration. 5. Entire programme. 6. All the programme <i>Session 8: Interpretation of Construction and Infrastructure Contracts</i>- for it should have been case law based after giving a brief introduction. 7. All. 8. Lectures for exploring effectively and working down complex issues. 9. <i>Session 7: Joint Venture Agreements</i>. 10. Participant did not comment. 11. Participant did not comment. 12. Most of the sessions were useful. 13. 1. Interplay between Commercial Court Act 2015 and the Arbitration & Conciliation Act 1996; 2. Joint venture agreements; 3. Adjudication of commercial disputes, open discussion. 14. The whole programme. 15. As the topic chosen for the conference is new one, the only suggestion is that speakers with experience on topics may be called. 16. <i>Session 2: A Written Constitution: Construing the Sounds of Constitution's Silences</i>-gave me new perspective to think over the 'silences' in Indian constitution.
<p>c. Which part of the Programme did you find least useful and why</p>	<ol style="list-style-type: none"> 1. Participant did not comment. 2. Nil. 3. Entire session. 4. All programme were useful. 5. Nil. 6. Participant did not comment. 7. All. 8. Participant did not comment. 9. <i>Session 8: Interpretation of Construction and Infrastructure Contracts</i>. 10. Participant did not comment. 11. Participant did not comment. 12. Not much. 13. Intellectual property rights, trade marks and patents. 14. Participant did not comment. 15. As the topic chosen for the conference is new one, the only suggestion is that speakers with experience on topics may be called.

<p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>16. NA.</p> <ol style="list-style-type: none"> 1. Participant did not comment. 2. Periodical circulation of articles on critical and practical values based on latest law amongst the high courts. 3. Such conference should be organized so that a person is updated with current trends on the subject from time to time. 4. The study materials can be sent to all the judges in advance via email. The materials can be sent by email to other high courts who are not participants as many of my brother judges are asking for study materials. Programme can be scheduled only on Saturday & Sunday. Fridays could be avoided. Two judges of the Madras High court have taken personal leave on Friday to attend this conference. 5. It should have more interactive sessions. 6. Nil. 7. Participant did not comment. 8. Online access to reading material. 9. Participant did not comment. 10. Need longer training modules for commercial dispute resolution for High court justices. 11. With respect to new laws state level education programmes may be conducted at the earliest opportunity. 12. Continue to ensure the quality of resource persons. 13. Overall, it was a fruitful session. 14. Participant did not comment. 15. As the topic chosen for the conference is new one, the only suggestion is that speakers with experience on topics may be called. 16. Nothing right now in my mind.
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