

National Judicial Academy

SE-07: National Seminar for Members of the Railway Claims Tribunal

16th – 17th February, 2019

Programme Coordinator : Ms. Nitika Jain, Law Associate

No. of Participants : 27

No. of forms received : 24

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	100.00	-	-	11. For me, it has been a wonderful opportunity to orient myself through this seminar as I would take charge very shortly. I am highly grateful for all the learning.
b. The subject matter of the program is useful and relevant to my work	95.65	4.35	-	-
c. Overall, I got benefited from attending this program	91.30	8.70	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	100.00	-	-	-
e. Adequate time and opportunity was provided to participants to share experiences	82.61	17.39	-	-
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	100.00	-	-	-

b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	91.30	8.70	-	
c. Up to date	100.00	-	-	-
d. Related to Constitutional Vision of Justice	90.91	9.09	-	-
e. Related to international legal norms	43.75	37.50	18.75	9. Not related.
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	95.65	4.35	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Group discussion cleared many doubts	-	-	-	-
(ii) Case studies were relevant	-	-	-	-
(iii) Interactive sessions were fruitful	93.75	6.25	-	-
(iv) Simulation Exercises were valuable	-	-	-	-
(v) Audio Visual Aids were beneficial	-	-	-	-
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	100.00	-	100.00	-
2	94.74	5.26	100.00	-
3	85.00	15.00	84.62	15.38
4	95.00	5.00	100.00	-
5	100.00	-	100.00	-

6	100.00	-	100.00	-
7	100.00	-	100.00	-
V. PROGRAM MATERIALS				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	100.00	-	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	100.00	-	-	-
c. The content was organized and easy to follow	95.65	4.35	-	-

VIII. GENERAL SUGGESTIONS	
a. Three most important learning achievements of this Programme	<p>1. Participant did not comment.</p> <p>2. Interpretation of statute and latest judgementS of Apex Court.</p> <p>3. Made aware of legal/law position of the state in respect of untoward incident.</p> <p>4. Participant did not comment.</p> <p>5. The perspective of a solution/issue from the stand point of a judge; Over all experience; The functioning of a tribunal.</p> <p>6. 1. Interaction with brother & sister members and getting to know issues and concerns of other bench. 2. Cleared all doubts.</p> <p>7. Sessions taken by Justice Goel, Justice Midha and Justice Mehta were excellent and very useful for understanding judicial perspectives; all inputs were well documented; Case study material is well made out.</p> <p>8. Untoward incident; Self-inflicted injury; Recent judgements of Hon'ble Supreme Court.</p> <p>9. 1. Well organized programme; 2. Interesting and very informative conference; 3. Overall programme enlightened on the aspects of RCT.</p> <p>10. 1. Interaction with eminent jurists as well as with colleagues; 2. Judicial pronouncements discussed were useful; 3. Methods to reduce pendency of cases.</p> <p>11. 1. Legal appreciation of principles on strict liability; No fault liability and absolute liability; 2. Overview of functioning of RCTs and challenges ahead; 3. Motivational impact of legal luminaries lectures.</p> <p>12. Participant did not comment.</p>

	<p>13. Session 1: Overview of Charter of RCT visa-vis Social Welfare Scheme under Railways Act, 1989 • Review of past performance • Basis of Liability as Mandated by Legislation: Explaining Concepts of Absolute, Strict and Common Law Liability; Session 2: Interpretation of the Statute: Key concepts • Untoward Incident (S. 124A) • Self-inflicted injury • Criminal Act • Violent Attack/Stampede Examples; Session 3: Components of Decision Making: Best Practices • Examination of Witnesses • Application of Precedent • Reasoned Orders • Pro-active approach for gathering evidence.</p> <p>14. 1. Views of Hon’ble High Courts on Railway Claims were made available; 2. Mr. Justice Midha; 3. Mr. Justice Valmiki J. Mehta presentation was very informative.</p> <p>15. 1. Tools to find truth in a case; 2. Securing of interests of decree holder; 3. Use of information technology for convenience of parties & fast disposal.</p> <p>16. 1. Importance of reasoned orders; 2. Interpretation of social welfare; 3. Interpretation of strict liability.</p> <p>17. Participant did not comment.</p> <p>18. 1. Had opportunity to interact with judges who sit in appeal over tribunal judgments. 2. The use of video conferencing.</p> <p>19. 1. Understanding the objective of RCT legislation; 2. Methodologies for expeditious disposal; 3. To protect the interest of claimant.</p> <p>20. Participant did not comment.</p> <p>21. Appreciation of the nature of accident/untoward incident.</p> <p>22. 1. Latest legal position; 2. Court functioning; 3. How to tackle difficulties.</p> <p>23. Deliberations on RCT Act; Decision making: Best practices; Online adjudication.</p> <p>24. 1. It has cleared many doubts; 2. Enriched regarding conducting court proceedings; 3. Improved knowledge regarding tribunal working.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. Participant did not comment.</p> <p>2. All parts of programme were useful.</p> <p>3. All sessions were very effective to make us aware.</p> <p>4. Participant did not comment.</p> <p>5. Personally I have benefited from each and every session hence the overall experience has been very rewarding.</p> <p>6. Justice Goel; Justice Kannan; Justice Valmiki J. Mehta.</p> <p>7. All sessions were very useful.</p> <p>8. Address by Justice A.K. Goel, Justice Midha, Justice Valmiki Mehta, and Justice K. Kannan.</p> <p>9. All part of programme & sessions are fruitful & useful, more particularly the lecture of Hon’ble Justice A.K. Goel, Justice J.R. Midha and Justice V.J. Mehta.</p> <p>10. Discussions on practical working of RCT by Justice Kannan as well as by other VCs & Members.</p> <p>11. Discussions on Sec. 123, 124 & 124A of Railways Act, 1989 and Sec. 18, 44 of the RCT Act, 1987. Also the rules framed under the Act.</p>

	<p>12. Participant did not comment.</p> <p>13. All.</p> <p>14. The presentation & discussion of the above mentioned Hon'ble Judges was extremely useful.</p> <p>15. The interpretation of law in it's right spirit as it removes many doubts in the minds of adjudicators.</p> <p>16. 1. Measures taken for safeguarding beneficiaries interest/award 2. Important provisions in the Act specially Evidence Act; 3. Emerging trends in use of IT.</p> <p>17. Hon'ble Justice A.K. Goel; Hon'ble Valmiki J. Mehta; Hon'ble Justice J.R. Midha- Sessions taken by the above are most useful.</p> <p>18. All.</p> <p>19. Session 2: Interpretation of the Statute: Key concepts • Untoward Incident (S. 124A) • Self-inflicted injury • Criminal Act • Violent Attack/Stampede Examples.- meaning and applicability of key concepts.</p> <p>20. Discussions by Mr. M.S. Ganesh, Justice Mehta and Justice Midha.</p> <p>21. All programmes were useful; because they are appropriate guidelines for judicial functions in the RCT.</p> <p>22. Full programme is designed so well that every session was useful.</p> <p>23. Interactive sessions.</p> <p>24. Session 2: Interpretation of the Statute: Key concepts • Untoward Incident (S. 124A) • Self-inflicted injury • Criminal Act • Violent Attack/Stampede Examples.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. Participant did not comment.</p> <p>2. All part of programme were useful.</p> <p>3. Nil.</p> <p>4. Participant did not comment.</p> <p>5. All the sessions had a logical purpose and each one was necessary.</p> <p>6. Programme by Mr. M.S. Ganesh.</p> <p>7. Session by Mr. Ganesh was out of context and did not really add to any real knowledge.</p> <p>8. Participant did not comment.</p> <p>9. Participant did not comment.</p> <p>10. I found the session by Mr. Genesh least useful because I could not comprehend what he was trying to communicate.</p> <p>11. None.</p> <p>12. Participant did not comment.</p> <p>13. None.</p> <p>14. None.</p> <p>15. Participant did not comment.</p> <p>16. None to mention.</p> <p>17. Participant did not comment.</p>

	<p>18. None.</p> <p>19. None.</p> <p>20. Participant did not comment.</p> <p>21. No any programme.</p> <p>22. No part was useless.</p> <p>23. Participant did not comment.</p> <p>24. Nil.</p>
<p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>1. Participant did not comment.</p> <p>2. Some case studies should be included.</p> <p>3. Some outings in the city after the sessions are over.</p> <p>4. This conference provides a forum to interact with fraternity of tribunal & exchange of ideas face to face.</p> <p>5. Such programmes should become a regular feature. Thank you for the kind opportunity.</p> <p>6. Wi-Fi; Digital library.</p> <p>7. Overall very satisfied.</p> <p>8. Procedural law.</p> <p>9. NJA can publish material comprehensively exclusively on RCT.</p> <p>10. By inviting us for similar conferences which give very useful opportunity to interact with the best of judicial minds and also with other members of the RCT.</p> <p>11. One or two books containing essays on various legal subjects which have been published by NJA may be given to the participants; These are displayed in the library.</p> <p>12. Participant did not comment.</p> <p>13. Keep calling us and give us more knowledge about various connected laws.</p> <p>14. In the guest house kindly provide- 1. Kettle for making tea; 2. Bathroom slippers; 3. The blankets and bed sheets are very old, need replacement.</p> <p>15. Room services and quality of food have the scope of improvement including the facility of at least making tea in the rooms.</p> <p>16. Other suggestion “One workshop session may be kept with case study”; 1. Tea making facility in room; 2. Other facilities are satisfactory.</p> <p>17. Participant did not comment.</p> <p>18. 1. More lectures; 2. E-mail in address, all the reading material.</p> <p>19. Excellent. Keep it up.</p> <p>20. 1. If case material is sent in advance. 2. It should be case study; 3. Participation of senior officers of Railways.</p> <p>21. NJA is working with commitment, involvement and devotion to make the participants better experienced in their normal judicial working.</p> <p>22. Hat’s off to NJA for such a beneficial programme.</p> <p>23. Some visit to the city, nearby historical places would be very useful.</p>

	24. Services were quite satisfactory.
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