

**PROPOSAL FOR THE SEMINAR IN ‘ACCESS TO CRIMINAL &  
CORRECTIONAL JUSTICE FOR MARGINALIZED IN CONTEMPORARY  
INDIAN CONTEXT’ ON 13<sup>TH</sup> JANUARY (SATURDAY) 2018.**

**ABOUT THE INSTITUTE**

The Tata Institute of Social Sciences (TISS) was established in 1936, as the Sir Dorabji Tata Graduate School of Social Work to meet the emerging need for trained human service professionals accorded the status of deemed university in 1964, and funded by the University Grants Commission (UGC). Since then TISS is a postgraduate Institute of national stature today.

Taking after its inception, the TISS has consistently working for promotion of sustainable, equitable and participatory development, social welfare and social justice. It has earned recognition as an institution of repute from different Ministries of the Government of India; State Governments, international agencies such as the United Nations and the civil society organizations both at national and international.

**ABOUT THE SCHOOL**

In pursuance of the TISS mission towards creating a people-centered society that promotes equality, social change and transformation and human rights for all, especially the marginalized and vulnerable groups, the School of Law, Rights and Constitutional Governance at TISS conducts a One Year Full time, LL.M Course in Access to Justice. The School was set up at the Mumbai Campus in June 2012 with the main objective to advance socially relevant legal education and promote human rights education and lawyering. One of the mandates of the school is to sensitize lawyers to work towards protecting and promoting justice for disadvantage communities in line with the tenets of Indian Constitution, thereby to work towards law reform.

**ABOUT THE SEMINAR:**

India is a social, democratic, republic governed by rule of law. The Constitution of India guarantees all citizen basic fundamental rights including equal treatment and protection of law and access to legal including civil, criminal mechanisms and institutions. If law is equal for all, accordingly access to justice

should be similarly available to all. If equal justice under law is to be a reality, there has to be equal access to courts, institutions and legal mechanisms. Further, these Constitutional guarantees are coupled with state obligation under Directive Principles of State Policy to ensure justice in all spheres of life equitably among the citizenry. Despite these robust constitutional protections, large sections of society particularly the marginalized groups owing to their disadvantageous socio-economic condition face onerous burden to access legal protection, judicial institutions. In addition to this, these communities receive least or minimal co-cooperation from law enforcement agencies to avail legal support. It is usually observed that the marginalized communities are at the forefront of receiving oppressive treatment at the behest of legal institutions and remain largely vulnerable being inducted in prison, police custody with or without compliance with their legal safeguards. Keeping in line the present scenario, the courts being overburdened and law enforcement agencies acting arbitrarily, this further creates bar to access to justice for the same. Today there is an access-to-justice “crisis” imperiling the country’s legal system as access to courts is expensive, time-consuming, procedure-ridden, technical, difficult to comprehend which impedes poor and vulnerable people from approaching the same.

In the light of the abovementioned, this seminar has the objective to delve, deliberate and to generate awareness amongst students of varied disciplines, legal luminaries and the diaspora working on Access to Justice on two cardinal issues mainly access to justice through criminal and correctional legal mechanisms, its impact and implications on the marginalized community in terms of entitlement, legal empowerment and issues connected there with and possible resolve.

The School of Law, Rights and Constitutional Governance calls upon students, research scholars, legal professionals, academicians, civil society organizations, social activists and the representatives of governmental to actively participate and present their perspectives on the same.

## **THEMES OF THE SEMINAR**

For the purpose of this seminar the themes and sub-theme are listed below are indicative of relevant research areas to give the prospective authors innovative prepositions about the ambit of discussion during the course of seminar. However, the authors may draw upon issues not limited to but touching upon the same for abstract submission and paper presentation.

## **I. Law enforcement agencies – Police and Investigating Agencies: A gateway to Access to Justice**

- Issues and impediments in registration of FIR and Role of Police.
- Botched up investigations, procedural lacunae in criminal investigation and state responsibility.
- Viability of forensic and scientific evidences in criminal investigation, issues of consents versus just fair reasonable procedure.
- Policing the police - Role and functioning of Police Complaint Authority.

## **II. Access to Justice for Victims & Witnesses**

- Assessing functioning of Criminal Justice System towards vulnerables – Women, backward communities, migrant workers, destitute and others.
- Formulation and workability of Witness Protection Schemes or Support Systems under Criminal Justice System.
- Victim centric criminal justice - compensation and right based perspective for victims.

## **III. Rights of Prison Inmates**

- Appropriateness of penal sanctions, terms of sentences for various offences under Criminal Law.
- Effectiveness of legal representation and legal aid to under trials and convicts under the statutory legal services authority.
- Differentiation, limitations in statutes & implication in prison inmate's rights
- Functioning of prisons as restorative, reformatory institution – Impact on prison inmates.
- Overcrowding in prisons and consequent human right and legal right abuse.

## **IV. Role of Judicial Institutions: Courts, Tribunals in Access to Justice**

- Delays and arbitrariness in criminal trials – Challenges and way ahead.
- Appraisal of evidences and judicial accountability
- Role of public prosecutor in facilitating trials.
- Effective legal safeguards entitlement of prison inmates.

- Independent human rights institutions – Functioning, role in monitoring, reforming criminal and correctional justice.

## **SUBMISSION GUIDELINES**

The seminar invites abstract and full paper submissions on the given research areas in the prescribed format reiterated below:

1. The maximum word limit for abstracts is 200 – 250 words.
2. The submissions should be original and unpublished.
3. Co-authorship is allowed up to five persons. It is mandatory that at least one author may be present for paper presentation. However, each co-author has to mandatorily register themselves individually on payment of mentioned registration fee.
4. The abstract may be drafted keeping in view the present legal developments, societal impact, case study, if any.
5. It may include the title of the research paper and the theme under which the concerned topic relates to.
6. The abstract may entail 3-4 keywords.
7. All the abstracts will be subject to blind peer review.
8. The Harvard Bluebook (19th edition) citation style should strictly be followed in terms of reference, footnotes for submissions, non-compliance to the same will lead to the paper being summarily rejected.
9. The word limit for full research paper is 2000-2500 words (excluding footnotes).
10. The full paper should be drafted keeping in view these headings: Introduction, research methodology, objective, description of the research issues including socio legal analysis of the problem, precedents and judicial decisions, impact and implications, possible outcomes and the solutions.

11. The body of the paper should be in Times New Roman, with font size 12 and 1.5 line spacing. Footnotes should be in Times New Roman, size 10 with single line spacing.
12. A margin of four centimeters should be left on all sides.
13. Page borders should not be used.
14. The paper should be submitted in only MS Word Format.

The abstract should be accompanied by a cover page comprising of a brief profile of the author including name, current academic qualification, designation, institution/organization, e-mail address, contact number and postal address for correspondence.

Abstracts & research papers may be submitted to the Convener of the seminar at *[seminar.atj@tiss.edu](mailto:seminar.atj@tiss.edu)*.

## **IMPORTANT DATES**

- Last date for Abstract Submission: 15<sup>th</sup> December, 2017.
- Notification of selected abstracts: 20<sup>th</sup> December, 2017.
- Last date for payment of registration fee by the authors of the abstract: 25<sup>th</sup> December 2017.
- Last date for Submission of full papers: 9<sup>th</sup> January, 2018
- Seminar: 13<sup>th</sup> January, 2018.

## **PUBLICATIONS**

In the aftermath of the seminar, the selected full papers after scrutiny by the Editorial Board would be considered for publication in the Edited Volume.

## **REGISTRATION FEES**

The Registration fee for the seminar is as follows:

- Bonafide TISS, Mumbai & MNLU, Mumbai students - ₹500
- Students from other Universities - ₹1000

- Faculty and professionals - ₹1500

The seminar is open to all for attending and participation, subject to payment of mandatory registration fee.

### **Timeline for registration fee payment**

- Early Bird Registration - 25<sup>th</sup> December, 2017: Same as above.
- Late Registration – 30<sup>th</sup> January, 2018: With an increase of ₹500 on the above mentioned.
- Last date for registration – On spot registration on the day of Seminar: With an increase of ₹500 on the above mentioned.

### **Mode of Payment**

1. NEFT/RTGS/IMPS/Demand Draft
2. Online Payment (Online Payment gateway portal under development)

### **Payment Details:**

The payment details under the following categories would be furnished subsequently:

- Beneficiary name:
- Bank name and branch name:
- Bank account number:
- IFSC Code:
- Place – City, State.

### **Registration Procedure**

The interested participants may register themselves by filling up the prescribed registration form either online or at the spot on the day of seminar. The registration form (hard copy) will be available on the registration desk at conference desk. In the case of latter, payments shall be acceptable only in Cash and the participants are required to bring their institutional ID cards.

\*The registration procedure and the registration forms details would be furnished subsequently.

**Note:**

1. The registration fee will include the seminar kit along with the tea at forenoon, lunch, evening tea and snacks on the day of the seminar. The registration fee will not cover any type of accommodation and transportation facility.
2. Paper presenters will be given 'Certificate of Participation' and attending participants will be given 'Delegate certificate'.
3. The seminar is open not only to law students but also to students, paralegals, civil society organizations, academicians of other disciplines.

## **ACCOMMODATION**

The accommodation for the participants are available in the specified categories:

1. Dormitory (Within TISS Campus) – The students from other universities (outside Mumbai) may avail dormitory stay on shared basis on the payment of INR 350 per person.
2. RCF Hostel Rooms (around 3 kms. from the campus) – The faculties, professionals may avail hostel rooms on twin sharing basis on the payment INR 350 per person.
3. List of hotels situated around campus is available at the link below:

**Note:**

1. This accommodation fee is in addition to the registration fee.
2. This accommodation list is not exhaustive and the participants are free to look for accommodation on their own.
3. The accommodations are limited and the same will be provided on first come first serve basis on payment of the charges mentioned above.

## **TRANSPORTATION**

The participants are expected to arrange their own transportation to the conference venue at their own cost. The registration fee will not cover Transportation expenses or reimbursement.

## **SEMINAR VENUE**

Library Conference Hall (Main Campus), Tata Institute of Social Sciences, Mumbai – 400084

## **CONTACT**

For any clarification, kindly e-mail your queries at *[query.atj@tiss.edu](mailto:query.atj@tiss.edu)*

For further correspondence, you may call on these below:

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