



# ONE-DAY NATIONAL CONFERENCE

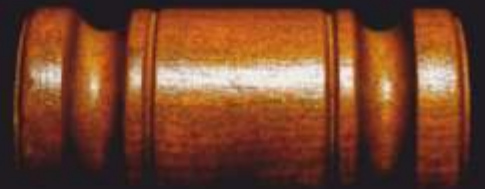
on

**RIGHT TO JUSTICE AND INDIAN CONSTITUTION:  
ISSUES, CHALLENGES AND THE ROAD-MAP AHEAD**  
**26th MARCH, 2022**



**AT MARWADI UNIVERSITY**

**Organised by**  
**Legal Aid Society | Faculty of Law**  
**Marwadi University**



## ABOUT UNIVERSITY

Marwadi University was established under the Gujarat Universities Act (Act 9 of 2016) on 9th May 2016. Marwadi Education Foundation's Group of Institutions is among the 4% Indian Institutions accredited with NAAC A+ Grade, and home to 10000+ students from 51 countries enrolled in 50+ diversified programme in Science, Commerce, and Humanities. Spread across 52+ acres of campus, we have more than 500+ educators, including 110+ PhD degree holders. Marwadi University has received more than 12 awards and recognitions for its quality of education, organic infrastructure, academic excellence, and leadership. Recently, a historic day had been marked for the university as it was awarded Center of Excellence (CoE), as declared by the Government of Gujarat.

## ABOUT FACULTY OF LAW

Faculty of Law, Marwadi University, India, was established in the year 2018, to disseminate legal knowledge and providing quality legal education towards obtaining and fulfilling the Five-Year Integrated Programme in Bachelor of Law - BA LLB (Hons) or as a choice BCom LLB (Hons) additionally, also offering curriculum in Master of Law (LLM) as well as Doctorate in Law (PhD) as part of Quality Research Programme.

The Institute understands the need to have a holistic education, to prepare students as lawyers of the future. To achieve this, a teaching methodology is adopted where we have indigenously developed a 360-Degree Education Model. This structured programme ensures that every student acquires the necessary soft skills and professional attributes that would give them the required fillip in their careers.

The Institute regularly organises expert lecture, where academic and industry experts demonstrate their experiences of working in the legal field which undoubtedly provides a grand learning platform to the students. In addition to strengthening their analytical skills, the Institute offers sessions to sharpen their communication skills, personality development, attitude assessment, etc. that are aimed at Skill Development.

The courses at our Law Program include 8 credit-based compulsory internships; each at the end of every semester preparing students for future and assuring minimal gap between theory and practical concerns.

Recognising the diverse needs of students from various countries, there is a dedicated **Mentorship Programme** to facilitate them in every way possible. Hence, students are put through a phase-wise learning model, so that they have a high grade of employability in the market where they can rise up the echelons with the right attitude, aptitude, and domain-specific knowledge.

Marwadi University, Faculty of Law, has been listed as one of the **Top Law Schools of India by Forbes India** in the Legal Powerlist 2020 – **a proud feat for the University** and the State of Gujarat. The 'Top Law Schools' category of the Forbes India- Legal Powerlist 2020 recognises the Law Schools that are most efficaciously training students to be zealous Lawyers and outstanding professionals.

The Law Faculty takes pride in being part of **the Erasmus Plus Projects** on Climate Change Policy and Law & International Law on Forced Migration in lieu of devising Masters' Curriculum; the Projects funded by the grant of European Union amounting to INR 1.5 Crore. The Faculty of Law is one of the only two Law Institutes all over the country, to receive such a grant.

## ABOUT THE CONFERENCE

*"Government alone will never be able to do it. It is the only people who themselves who must utilize the law for the purpose of bringing justice at the doorstep of the large masses of the people of the country."*

**- Justice P N Bhagwati**

**Right to Justice** has been very controversial and technical as it strives to ensure that every individual gets,

adequate health care facilities, and enjoy equality before the law, which are based on the principles of equity, justice and good conscience.

For a long time, it has been a challenge to give each person what they deserve without causing conflict or bias. Access to Justice is the basic principle of the Rule of Law that allows individual voices to be heard and decisions to be made transparently, to promote fair, equal, and transparent treatment of everyone.

The founding fathers of the Constitution attempted to realise their vision of a free India based on governing principles such as democracy, secularism, egalitarianism, rule of law, rural-urban harmony, composite culture, planned economic development, patriotism, interdependence internationalism, and independent foreign policy - all of which were capable of blending traditional society into a cohesive and vibrant modern polity. India chose a full-fledged democratic system in a nation with such a diverse range of languages, castes, creeds, cultures, ethnicities, and geographical distinctions, it went on a difficult political journey.

In India, the current system of Access to Justice through courts is founded on adversarial legalism. In most common-law nations, the adversarial system of law is used, which is defined by the State's neutrality and the parties' responsibility for initiating and conducting litigation, except for criminal cases, when the State initiates the proceedings. This system of Access to Justice is a British legacy that was designed by the British government to exploit the Indian people.

After India's independence, when the Constitution of India was adopted, and an attempt was made to create parity of power in dispute resolution methods, the manner of Access to Justice was revised and adjusted. The preamble of the Indian Constitution pledges to guarantee social, economic, and political equality to the people. Furthermore, **Article 14** of the Indian Constitution states: "Equality before the Law — The State must not deny to any person within the territory of India equality before the law and equal protection of the laws." The term "Equal Protection of the Laws" signifies two things: first, that everyone has the right to be protected under all applicable laws, and second, that everyone in Indian territory is equally entitled to such safekeeping.

**Article 14** imposes an obligation on the State to fulfill the substantive promise of the laws, i.e., The State is responsible for administering justice to all individuals within India's territory. In addition, **Article 256** of the Indian Constitution stipulates two key provisions. To begin with, it requires state governments to carry out the laws established by the State and federal legislatures. Second, if the Union government fails to do so, the State government must direct the Union government to execute the laws. As a result, the Constitution imposes a stringent obligation on the State to guarantee that all laws are followed.

Furthermore, Article 39(A) of the Indian Constitution states, "The State shall ensure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by appropriate legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by racial discrimination." It also paid close attention to it in the preamble.

In addition, injustice occurs on both small and large dimensions, spanning from the family to the school, the group to society, the central to the grassroots, and even from one country to the next. The face of equal rights to justice has been badly wounded with the arrival of modern time, and while demonstrations and marches continue, new worries develop to prolong India's state of injustice. Corruption, which includes an independent judiciary, poverty, insufficient fair hearings, money bail, a presumption of innocence or punishment before a court trial, inability to prove beyond a reasonable doubt, executive interference, false evidence, and unlawful detentions, all affect the Right to Justice guaranteed by the Indian Constitution.

## **OBJECTIVE OF THE CONFERENCE**

- (i) To outline the relationship between the concept of Justice and the Constitution in India.
- (ii) To examine the discourse on Justice and Equity, especially in relation to the Indian Constitution.
- (iii) To look into legal theory and its applicability on law-making and policy, in order to attain the ideal of a just and fair legal system based upon rights.
- (iv) To observe the impact of Law, Morality, and Justice on our everyday lives.

## **SUB-THEMES**

### **SUB THEME – 1: Rule of Law and Indian Judiciary**

1. Evolution of the Doctrine of Rule of Law in India.
  2. Role of Courts in Upholding the spirit of the Doctrine of Rule of Law.
  3. Does the Doctrine of Rule of Law make Justice truly accessible?
  4. Anti Terrorism Laws and relevance of Rule of Law in India.
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### **SUB THEME – 2: Technology and Judicial Process**

1. The role of Information Technology to modernise the court of law.
  2. The conflict of Artificial intelligence with constitutional morality.
  3. The role of modern technology in smoothening the enjoyment of fundamental rights.
  4. Blockchain Evidence.
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### **SUB THEME – 3: Free Legal Aid as a tool for Access to Justice**

1. Lack of Legal education and awareness.
  2. Socialist nature of Justice.
  3. Access to Justice convergence between state and non-state actors.
  4. Right to Free Legal Aid v/s Right to choose and elect lawyer of his own choice.
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### **SUB THEME – 4: Victims' Rights: The Missing link in Criminal Justice System in India**

1. Victim Compensation and Role of Indian Judiciary.
  2. Victims of Covid-19 and Right to Compensation.
  3. Plight of Migrant Workers during Covid-19 and Role of Indian Judiciary.
  4. Right to Compensation a tool for restorative Justice.
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### **SUB THEME – 5: Under-Trials' and Right to Justice**

1. Right to Bail and Role of Indian Judiciary.
  2. Justice Delayed is Justice Denied.
  3. Pre-trial Confinement: Violation of Fundamental Rights.
  4. Interference of Executives and Right to Justice.
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*\*NOTE: The list of sub-themes is merely suggestive and not exhaustive in nature. The author(s) can choose to submit manuscripts on other relevant topics.*

## GUIDELINES FOR ABSTRACT SUBMISSION:

- The abstract submission is to be done via email to: [legalaid@marwadieducation.edu.in](mailto:legalaid@marwadieducation.edu.in)
- Word Limit- 250-300 words with not more than five keywords.
- Font Style- Times New Roman, Font Size- 12, Line Spacing- 1.5.
- Format of the document: MS word (.dox/.docx)
- Cover Page - Title of the Paper, Name of the author(s), Name of the Institution/organisation, E-mail address, Contact Number.
- Maximum two authors allowed.
- If submitting an abstract, the subject line of the email must mandatorily read as **“National Conference Submission: Abstract”**.

## GUIDELINES FOR PAPER SUBMISSION:

- Full Paper submission to be done via email to: [legalaid@marwadieducation.edu.in](mailto:legalaid@marwadieducation.edu.in)
- Word Limit: The word limit should be 3000-4500 (excluding footnotes/annexure/reports/etc.).
- Citation Style: Uniform Method of citation
- Font Formatting:
  - **Heading 1:** Font Style- Times New Roman, Font, Size- 16, Bold, Line Spacing- 1.5.
  - **Heading 2:** Font Style- Times New Roman, Font, Size- 14, Underlined, Line Spacing- 1.5.
  - **Heading 3:** Font Style- Times New Roman, Font Size- 12, Italics, Line Spacing- 1.5.
  - **Body:** Font Style- Times New Roman, Font Size- 12, Line Spacing- 1.5.
  - **Footnotes:** Font Style- Times New Roman, Font Size- 10, Line Spacing- 1.0.
- Plagiarism: Should not exceed 10%.
- Format of the document: MS word (.dox/.docx)
- Cover page: Title of the Paper, Name of the author(s), Name of the Institution/organisation, Designation, E-mail address and Contact Number.
- Maximum two authors allowed.
- If submitting full paper, the subject line of the email must mandatorily read as **“National Conference Submission: Full Paper”**.

## IMPORTANT DATES

### REGISTRATION FOR PARTICIPATION IN THE CONFERENCE:

Registration for participation in the Conference Starts: 14th January 2022.

Last date for participation in the Conference: 20th March 2022.

*\* On desk registration is also available.*

### REGISTRATION FOR PAPER PRESENTATIONS IN THE CONFERENCE:

Last date for abstract submission: 30th January 2022

Last date of registration for paper presentation: 15th February 2022.

Last date for full paper submission: 28th February 2022.

## PLATFORM

The mode of conducting the National Conference is Offline.

Registration Fee for Participation in the Conference:

Delegate Classification	Registration Fee (in INR) Early Bird (Till 20 <sup>th</sup> February)	Registration Fee (in INR) (After 20 <sup>th</sup> February)	On desk Registration Fee (in INR)
Faculty /NGOs/ Practitioners	400	500	600
Outside Students (including PhD & Post Graduates)	350	400	500
MU Students	250	300	400
Corporates	1000	1200	1300

Registration Fee for Paper Presentation in the Conference:

Delegate Classification	Registration Fee (in INR) Early Bird (Till 20 <sup>th</sup> February)	Registration Fee (in INR) (After 20 <sup>th</sup> February)
Faculty /NGOs/ Practitioners	800	1000
Outside Students (including PhD & Post Graduates)	500	650
MU Students	300	450
Corporates	1500	2000

### MODE OF PAYMENT: ONLINE MODE

Registration for Paper Presentation in the Conference

Kindly Click on this link for registration and fee-payment:

[www.marwaditechnologies.com/lawconf/PaperPresentationRegistration.aspx](http://www.marwaditechnologies.com/lawconf/PaperPresentationRegistration.aspx)

Registration for Participation in the Conference

Kindly Click on this link registration and fee-payment:

[www.marwaditechnologies.com/lawconf/ParticipantRegistration.aspx](http://www.marwaditechnologies.com/lawconf/ParticipantRegistration.aspx)

## **AWARDS**

- Best fifteen papers selected by the Editorial Committee will be published in a Manuscript with ISBN.
- A Certificate of Paper Presentation will be given to the authors who submit and present their paper.
- A Certificate of Participation in the National Conference will be given to all the participants.

## **ELIGIBILITY**

All Academicians, Research Scholars, Legal professionals, Law Students are invited to participate in the National Conference.

## **CONFERENCE COMMITTEE**

### **PATRON**

**Dr RHISHIKESH DAVE, DEAN, FACULTY OF LAW, MARWADI UNIVERSITY**

### **FACULTY COORDINATOR:**

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