

INTERNATIONAL CONFERENCE ON  
**Administration of Criminal  
Law in India**  
Emerging Issues & Challenges

**November 26, 2016 • Galgotias University Campus**



*Organised by:*

**Centre for Criminal Justice Studies**

School of Law

Galgotias University

Greater Noida, Uttar Pradesh, India

# ADMINISTRATION OF CRIMINAL LAW IN INDIA

## Emerging Issues & Challenges

***International Conference on Administration of Criminal Law in India will examine Indian criminal justice administration through the lens of contemporary international development, with an emphasis on the relationship between procedural rights and questions of fair trial, access to justice and quality of justice.***

The foundation of the criminal justice system is investigation by the police. When an offence is reported to the police, it is their responsibility to investigate the matter in order to ascertain the facts and to collect evidence. The success or failure of the case depends entirely on the work of the investigating officer. But unfortunately, the Indian criminal justice system does not trust the police. The courts view the police with suspicion and are not willing to repose confidence in them. Section 162 of the Code of Criminal Procedure and Section 27 of the Indian Evidence Act are glaring examples of this irony. Further the accused now-a-days are more educated and well informed and use sophisticated weapons and advance techniques to commit the offences without leaving any trace of evidence. Unfortunately, the investigating officers are not given training in new interrogation techniques and sophisticated investigation skills and this is where India lags behind in respect to the developed countries. Quality of investigation seriously affects the prosecution and in turn becomes one of the major cause for the failure of the criminal justice system in India.

After investigation, another challenge being faced is that dispensation of criminal justice is done through the adversarial system of common law inherited from the British Colonial Rulers by Indian Courts. Under this system the accused is presumed to be innocent and the burden is on the prosecution to prove his guilt beyond reasonable doubt. The accused also enjoys the right to silence and cannot be compelled to reply. Over the years, taking advantage of several lacunae in the adversarial system large number of criminals are escaping convictions. This has seriously eroded the confidence of the people in the efficacy of the system and there is a demand to look at other models of criminal justice administration being followed in different jurisdictions. As regards the system of prosecution in India is concerned, it is often seen that the prosecution is no match to the counsel of the accused. The quality of prosecution is not up to the mark and the burden of proof being very heavy on the prosecution; it is all the more necessary for the prosecution to be represented by a very able and competent lawyer.

Lack of co-ordination between the investigation and the prosecution is another problem that has plagued the administration of justice. This has necessitated looking at prosecution service in other countries and analyzing scope of policy diffusion to improve the quality of prosecution in India.

The Indian Penal Code prescribes offences and punishments for the same. For many offences only the maximum punishment is prescribed while for some other only the minimum. The Judge has wide discretion in awarding the sentence within the statutory limits. There is no guidance to the Judge with regard to selecting the most appropriate sentence to be given in the circumstances of the case. Therefore each Judge exercises discretion accordingly to his own assumption which has resulted in lack of uniformity in sentencing. There is an urgent need for some guidelines to regulate the sentencing discretion of judges in India. Further, there is a need to move beyond the usual punishments prescribed in IPC and look into other kinds of punishments. The conventional punishments enumerated in Sec.53 of the Indian Penal Code are losing its deterrent effect and there is an urgent need to revisit this aspect in order to reform the system of punishment. There is a need to debate varied non custodial punishments which are awarded in many other countries.

The last decade has seen significant change in the pattern of crime and the intensity and impact of the same on the society. Terrorism has become global in nature, and the consequences of the same in terms of loss of life are phenomenal. Organised crime and its ramifications are global. Economic offences are transnational in operations and cyber crimes have no geographical limitation. Therefore the need to combat these emerging crimes, which are bound to increase in number and in frequency, will have to be addressed and tackled. The inadequacy of the existing laws in tackling these modern day crime which transcends jurisdiction is a major challenge.

***The Conference will usher discussion on these issues and would endeavor to find solutions to these problems by analyzing contemporary developments in different countries.***

## TECHNICAL SESSIONS

**Technical Session 1** – Reforming the Criminal Justice System

**Technical Session 2** – Crime & Punishment

**Technical Session 3** – Police & Prosecution

## THEMES & SUB THEMES

### Reforming the Criminal Justice System

- Adversarial & Inquisitorial Model • Right to Silence
- Rights of the Accused • Presumption of Innocence and Burden of Proof • Justice to victims • Fair Trial

### Crime & Punishment

- Over criminalization • Non custodial Sentences
- Criminal Profiling • Plea Bargaining • Organized Crime
- Corporate Crimes • White Collar Crimes • Terrorism & Economic Crimes • Cyber Crime

### Police & Prosecution

- Modern methods of Crime Investigation • Need for a New Police Act • Private Prosecutions • Investigation in Cyber Crimes • Guidelines for Investigators • Investigator - Prosecutor relationships – Differing International Models
- Maintaining Ethical Standards: Requirements for investigators and Prosecutors • Role of Prosecutor at Sentencing

*Sub-themes are suggestive. The researchers are free to take any topic which is coherent to the main themes.*

## CALL FOR PAPERS

Research Papers/Articles and Case Studies from academicians, research scholars and students are invited for presentation in the International Conference. The abstract should be submitted along with the duly filed Registration Form and Fee. There shall be an award for best paper under each of the themes.

## REGISTRATION FEE

Registration fee is payable by each of the authors of the papers individually and separately in cash or DD, as per due dates. Demand draft to be in favour of "GALGOTIAS UNIVERSITY" payable at New Delhi. Please ensure that you mention the demand draft number in the application form and your name and mobile number at the back of Demand draft.

The envelope containing Registration form and DD should have the subject as International Conference on Administration of Criminal Law in India: Emerging Issues & Challenges and shall be addressed to: Dr. Kiran Rai, Dean, School of Law, Galgotias University, Plot No.2, Sector 17-A, Yamuna Expressway, Gautam Buddha Nagar, Greater Noida, Uttar Pradesh 201308, India.

- **Teachers/Academician/Research Scholars /Govt. Officials/Advocates/NGOs/INGOs Officials from India: Rs. 2000.**
- **Students pursuing 5year/3year Law Degree and LLM program (Indian Citizen): Rs. 1500.**
- **Teachers/Academician/Govt.Officials/Advocates/NGOs/INGOs/ Officials from outside India: \$ 250.**
- **Research Scholars/ Post Graduate/LL.B./Integrated LL.B./S.J.D./J/D Students from outside India: \$ 200.**

(Registration Fee Waivers for International Scholars are available. Please indicate your interest for a registration fee waiver when submitting your abstract)

**Fee for Registration after the due date or On the spot Registration:**

- Teachers/Academician/ Research Scholars /Govt. Officials/Advocates/NGOs/INGOs Officials from India: Rs. 2500.
- Students pursuing 5year/3year Law Degree and LLM program (Indian Citizen): Rs. 2000

## IMPORTANT DATES

- Last date for Abstract Submission : 05/11/2016
- Last date for Registration (Submission of Registration Form and remittance of Registration Fee ) : 12/ 11/ 2016
- Submission of Final Paper : 22/11/2016
- Conference : 26/11/2016

## GUIDELINES FOR PAPER SUBMISSION

- Abstract submission via email to: [events.sol@galgotiasuniversity.edu.in](mailto:events.sol@galgotiasuniversity.edu.in)
  - Title of the paper, Name of the author, University/Institution/Organization, Email Address, Mobile Number etc. to be stated clearly on the cover page of the abstract.
  - The abstracts should not exceed 200-300 words, and should contain the basic outlines of the central argument(s) of the paper.
  - Microsoft Word Document Format only.
  - The Editorial Committee of the Conference will review the abstracts.
  - Notifications of acceptance status will be sent by email.
- Guidelines for Paper Submissions:
- Full paper submission via email to: [events.sol@galgotiasuniversity.edu.in](mailto:events.sol@galgotiasuniversity.edu.in)
  - Cover Page: Authors shall mention their names, contact details and affiliations on the cover page of the manuscript.
  - English: British spellings and punctuation conventions. • Font Size and Style: Times New Roman, 12 point, for the main text and 10 point for footnotes.
  - Headings: The headings should be used as per the following style:
    - o First heading: 12pt, bold, centre
    - o Second heading: 12pt, bold, left-aligned
    - o Third heading: 12pt, italics, left-aligned
  - Length: Articles should generally be between 8,000 and 10,000 words (including footnotes.)
  - Line Spacing: The line spacing of main text of paper should be 1.5.
  - References: Footnotes should be used and not endnotes.
  - o Citation Style : Blue Book 19th edition
  - Review Process: The Editorial Board will review all papers.

SELECTED PAPERS WILL BE PUBLISHED IN JOURNAL BEARING PROPER ISSN/ISBN NUMBER SUBJECT TO TIMELY SUBMISSION OF FINAL PAPER AND PAYMENT OF REGISTRATION FEES.

## GALGOTIAS UNIVERSITY

Galgotias University has been transcending new boundaries in education, research and placements since its inception in 2011. The University, which is based in Greater Noida, has an enrollment of over 15,000 students across more than 80 Undergraduate and Post Graduate programs.

Galgotias has very recently been ranked 6th by India Today among top 10 emerging institutions of India (as per its issue dated May 30th 2016). Previously too, Galgotias University has been ranked among the top institutions of India by leading media surveys. Galgotias University has also been awarded for excellence in academics and placement by Dataquest Cybermedia at the Dataquest Cybermedia ICT Awards 2016. Galgotias has also been ranked No.2 among Emerging Engineering Institutes in India by Times Engineering Survey, 2016 while its School of Business has been awarded among top 5 B.Schools by Times B.School Ranking 2016.

## SCHOOL OF LAW

The Law School at Galgotias University was established in the year 2011 and it aims to provide Inter-disciplinary teaching and research opportunities. The Law school offers undergraduate, postgraduate and doctoral programs in the field of law. In a very short span of time the law School has taken significant steps in providing world class education and creating knowledge.

Law school library is rich with thousands of books, journals and other reference materials. It also has access to various online Legal databases. Classrooms are well equipped with LCD projectors and other IT tools for education. A spacious auditorium serves the need for various seminars, conferences and other events. The students are prepared for practice of law through Clinical Legal Education programs thereby producing competent and socially responsible lawyers.

**School of Law offers Three Year LL.B. (Hons.) Program, Five Year B.A. LL.B. (Hons.) Program, Five Year BB.A. LL.B. (Hons.) Program, One Year LL.M. Degree Program & Doctor of Philosophy (PhD) in Law. Admission is taken through a rigorous selection process.**

## CENTRE FOR CRIMINAL JUSTICE STUDIES

The Centre for Criminal Justice Studies (CCJS) was established in the year 2013 to pursue research in Criminal Justice and Criminological issues. It is an interdisciplinary research centre which fosters an active and flourishing academic environment for teaching and research. The Centre has been instituted to undertake internally generated research as well as research projects supported by external academic funding bodies.

The Centre has an advisory board with members drawn from academia, bench, bar and members drawn from key senior positions within criminal justice research users. The Ph.D. and LL.M. students specializing in Criminal Law are also registered with the Centre to facilitate academic research.

The Centre's research emphasizes on challenges being faced by the policy makers, criminal justice practitioners, and the society and the output primarily is in the form of academic and scholarly publications.

**The Centre is organizing this conference to address the issues and challenges being faced in India in criminal justice administration.**

### CHIEF PATRON

Mr. Suneel Galgotia, Chancellor, Galgotias University

### PATRON

Mr. Dhruv Galgotia, CEO, Galgotias University

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- Dr. Kiran Rai, Dean, School of Law (Organising Chairperson)
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**REGISTRATION FORM**

(Please fill separate forms for co-authors/co-presenters)

NAME: Prof./ Dr./ Mr./ Ms

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DESIGNATION:.....

NAME OF INSTITUTION/UNIVERSITY.....

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ADDRESS: .....

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CONTACT NUMBER.....

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TITLE OF THE PAPER:.....

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**REGISTRATION FEE TO BE PAID AS PER DUE DATE**

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