

National Seminar And National Judgment Analysis Competition (7th Edition)

“Vanishing Childhood: Reflection on Paradigm Shift In The Human Rights of Juvenile”

Report by

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Seminar and Guest Lecture

Humanity has the stars in its future, and that future is too important to be lost under the burden of juvenile folly and ignorant superstition.

-Issac Asimov

When the first juvenile court opened its doors over one hundred years ago, it was with the idea that children in conflict with the law should be treated with special care and protection. Criminal justice systems were no place for young offenders, who were to be spared lengthy, troubled and often violent journeys through punitive legal proceedings. Retribution was firmly eschewed in favour of rehabilitation, and the goal for every child became complete and productive reintegration into society.

Fundamentally, the rights and unique rehabilitative potential of children in conflict with the law demand special consideration, and justice systems must offer every child suspected or accused of an offence the full protections to which they are entitled.

There are a number of worthy initiatives by NGOs aimed at increasing access to justice through legal representation, ADR mechanism and legal education and

training. NGOs are playing important role in responding the mass voice of weak, poor, suppressed and downtrodden children and emerged as a powerful protective shield of assistance in the field of legal battle to the needy.

There is an obligation on the Judiciary to conduct diversion at each stage of the process to ensure that three main principles from the convention on the rights of the child are observed which are ; non-discrimination, the best interest of the child, right to be heard. To ensure that there is no failure of the criminal justice system to produce 'justice' for children.

In the contemporary situation there is a need of taking into account the victims interest, providing opportunities for the perpetrator to express his/her regrets for causing harm to the victims, ultimately restoring societal balance.

There were certain fundamental questions which were at the focal point for the churning in the National Seminar. Would the Juvenile Justice (Care and protection) Act, 2015 results in vanishing childhood by lowering the age of delinquency? Whether the time is ripe for India to adopt a differential approach? Whether we can afford idealism when situation is demanding contrary? These were few important questions which were addressed in the National Seminar.

National Seminar

D.E.S's Shri. Navalmal Firodia Law College organized a National Seminar on "Vanishing Childhood: Reflection on Paradigm Shift In The Human Rights of Juvenile" and 7th National Judgment Analysis Competition on 17th and 18th February 2017.

Conduct of Sessions:

1) Sub-theme :- *Role of Police & Investigation Machineries In Protection of Rights of Juvenile*

Resource Person :- Shri. Jayant Umaranikar, Former Director General of Police, Maharashtra State

This was the inaugural session of the two days event. This session was the key note address by the Chief Guest. In this session Shri. Jayant Umaranikar highlighted the practical difficulties of Police Department while carrying out investigation of crimes and delaing with the juveniles. He also shared his field experiences regarding the investigation

2) Sub-theme :- *Role of NGO In upholding Right of Juvenile*

Resource Person :- Dr. Anuradha Sastrabudhe, Foudher, Dnana Devi Foundation, Pune

In this session Dr. Anuradha Sastrabudhe pointed out why the problem of juvenile needs to be tacked with due care. The age factor should not be the sole criteria to determine the liability but maturity to understand the nature of offence should also be taken in account while determining the liability.

3) Sub-theme :- *Changing Dimensions of The Rights Of Juvenile : International Perspectives*

Resource Person :- Prof. Dr. R. Venkata Rao, Vice Chancellor, National Law School of India University, Bangalore

In this session Prof. Dr. R. Venkata Rao addressed the issue of determining the age of juvenile from the international perspectives. He highlighted the evolution of rights of child through various international documents.

4) Role of Judiciary In safeguarding Rights of Juvenile

Resource Person :- Justice Dr. Shalini Phansalkar-Joshi, Judge, Bombay High Court, Mumbai

In this session Justice Dr. Shalini Phansalkar-Joshi underlined the commendable role played by the judiciary in safeguarding the rights of juvenile. Her Ladyship shed light on the development of juvenile justice jurisprudence through judicial craftsmanship.

The valedictory session was graced by Justice Dr. Shalini Phansalkar-Joshi, Judge, Bombay High Court, Mumbai as Chief Guest and Prof. Dr. R. Venkata Rao, Vice Chancellor, National Law School of India University, Bangalore as Guest of Honour. Shri. Ram Nimbalkar, Chairman, Local Management Committee, DESSNFLC, Adv. Kiran Kothadia, Chairman, Advisory Committee, DESSNFLC Principal DESSNFLC Dr. Rohini Honap were also present for the function .

National Judgment Analysis Competition (7th Edition)

Cases For The Competition

1. *Dr. Subramanian Swamy And Others v. Raju* (2014) 8 SCC 390
2. *Hari Ram v. State of Rajasthan And others* (2009) 13 SCC 211

Judges for the preliminary round

Adv. Sandeep Ghate (Senior Lawyer, Pune Bar)

Adv. Pushpashil Thakar (Senior Lawyer, Pune Bar)

Adv. Jay Khandelwal (Senior Lawyer, Pune Bar)

Adv. Shashi Shetty (Senior Lawyer, Pune Bar)

Judges for the Final Round

Adv. B.M. Patwardhan (Senior Lawyer, Pune Bar)

Adv. Gautam Karnik (Senior Lawyer, Pune Bar)

Result of the National Judgment Analysis Competition

1) Winner Prize (Rs. 10,000, Trophy & Certificate)

Atmaja Tripathi (Symbiosis Law School, Pune)

2) First Runner Up Prize (Rs. 7,000, Trophy & Certificate)

Saranya Mishra Prize (I.L.S. Law College, Pune)

3) Second Runner Up Prize (Rs. 5,000, Trophy & Certificate)

S. Aishwarya (Symbiosis Law School, Pune)

Guest Lectures

Sr. No.	Speaker	Topic	Date
1)	Adv. Sandip Gujarathi	Law of Limitation	26-08-16
2)	Adv. Supriya Dangare	One Day Seminar on “Role of National Green Tribunal (NGT) In Safeguarding The Constituional Mandate of Environmental Protection	10-09-16
3)	Adv. Anirudha Joshi	One Day Seminar on “Role of National Green Tribunal (NGT) In Safeguarding The Constituional Mandate of Environmental Protection	10-09-16
4)	Prof. Tej Nivalikar	Philosophy And Life of Saint Gadage Maharaj	20-12-16
5)	Adv.Sreeja Chakraborty	Conference on River Laws	09-01-17
6)	Shri.Sarang Yadvadkar	Conference on River Laws	09-01-17
7)	Shri Rajendra Jagtap Additional Commissioner Pune Municipal Corporation	Teachings of Swami Vivekanand And Today’s Youth	12-01-17
8)	Adv. Pramod Bendre	Pre-Trial Preparation Civil Case	04-03-17

9)	Adv. Gautam Karnik	Client Conselling and Interviewing Techniques	07-03-17
10)	Prof. H.P. Deshmukh	Pre-Trial Preparation Criminal Case	09-03-17
11)	Justice Narendra P. Chapalgaonkar, Former Judge, Bombay High Court, Mumbai	Law In Book And Law In Action	14-03-17
12)	Justice Sunil B. Shukre, Judge, High Court of Bombay (Nagpur Bench)	Art of Advocacy And Challenges In 21 st Century	27-08-16