



Gujarat National Law University

3rd GNLU ANNUAL LEGAL SERVICES FORUM 2018

Concept Note

April 13-14, 2018



ABOUT GUJARAT NATIONAL LAW UNIVERSITY

Gujarat National Law University (GNLU), Gandhinagar, established under the GNLU Act, 2003 and recognized by the Bar Council of India and the University Grants Commission, endeavours to impart quality legal education to produce lawyers who are professionally competent, socially responsible and receptive to the needs of a changing nation. GNLU is the only Indian national law university, which offers integrated law degrees in five streams: B.A., LL.B. (Hons.), B.Com., LL.B. (Hons.), B.B.A., LL.B. (Hons.), B.Sc., LL.B. (Hons.), B.S.W., LL.B. (Hons.), in addition to LL.M., MBA, PhD and diploma programmes in law and interdisciplinary fields.

The University has created a unique learning environment, emphasizing on the significance of research and training. In order to establish an all-round and interdisciplinary academic culture, GNLU has established a number of Centres of Excellence, which work in niche areas for specialized knowledge and professional distinction.

ABOUT CENTRE FOR LAW AND SOCIETY & THE LEGAL SERVICES COMMITTEE

Established in 2015, the GNLU Centre for Law and Society (GCLS) undertakes research, legal studies and field work at the confluence of law and society. The Centre functions with two wings – the Legal Services Committee (LSC) and the Law and Society Wing.

The LSC was set up in 2007 to provide free and competent legal aid to all citizens irrespective of social, political, cultural or economic disabilities. Riding on the motto “Awareness, Assertion, Action”, the Committee seeks to empower the society through the media of legal awareness, pro-bono legal aid, socio-legal advocacy and grassroots change. For a decade, it has functioned as a “community legal clinic”, providing assistance through traditional casework, summary advice, self-help, community legal education, community development and policy reform initiatives. Established as a student-run body, the LSC has actively contributed to the promotion and integration of disability rights and LGBTQ rights, while also pioneering initiatives related to anti-ragging awareness and anti-narcotics awareness.

ABOUT THE 3RD GNLU ANNUAL LEGAL SERVICES FORUM

The GNLU Annual Legal Services Forum is an annual event organized by the LSC, under the aegis of GCLS. It aims to bring together legal services committees and legal aid clinics to a common platform to deliberate upon ideas to collaborate and contribute to the objective of providing free and competent legal services to the underprivileged. The core aim is to pool resources and share best practices, while appreciating the difficulties faced, in order to enhance the functioning of legal service committees and create a reverberating impact on legal services and information dissemination in the country.

Encouraged by the overwhelming success of the 1st and 2nd editions, the LSC is organizing the 3rd edition of the Forum from April 13-14 2018. While former editions sought to build capacities at the local and national levels, the third edition seeks to encourage a SAARC-level collaborative effort in this area. The forum is slated to see participation from legal experts, social activists, noted academicians, NGOs, legal services committees, legal aid clinics, and students.

Apart from panel discussions and research paper presentations, the Forum will also feature project presentations by LSCs competing for the “GNLU Legal Services Clinic Award”.

PANEL DISCUSSIONS

1. Custom versus Constitution
2. Right to Privacy
3. Refugees in SAARC
4. Social Welfare and Universal Basic Income (UBI)
5. Working women and Welfare
6. Special Panel Discussion on “Acid Attacks and Disability Rights”



PANEL DISCUSSIONS

➤ Custom versus Constitution

Social practices and customs reaffirm the cultural identity of those who practise them as a group, and are, therefore, closely linked to their worldview. It is argued by many that such practices are protected cultural rights under the Constitution of India. Recent times, however, have seen at least two broad scenarios where such customary practices are arguably in breach of other rights guaranteed under the Constitution. This Panel shall explore the extent to which the Constitution protects customary practices, particularly in light of the anger over Jallikattu and the ‘beef ban’ regulations, and recent judicial decisions concerning the practice of ‘triple talaq’ and the right of women to enter places of worship.

➤ Right to Privacy

On 24 August 2017, the Supreme Court of India declared in a groundbreaking decision that “the right to privacy is protected as an intrinsic part of the right to life and liberty under Article 21 [of the Constitution]”. This judgment provided a broad right that significantly impacts discussions on governmental restrictions on civil liberties. The first question it raises is how can the privacy rights of citizens be balanced against the government's need to secure its citizens’ and their information assets? The second question it raises is whether the Court’s recognition of sexual orientation as an essential component of identity is a step towards the decriminalization of homosexuality. This Panel shall seek to understand the broad implications of the ‘right to privacy’ judgment for national security, homosexuality and data privacy and technology in India.



➤ Refugees in SAARC

In line with the objective of promoting peace, stability, amity and progress in the South Asian region, the South Asian Association for Regional Cooperation (SAARC) entered into several regional conventions on the prevention of trafficking in women, drug trafficking and terrorism. However, despite the exodus of refugees crossing borders in the region, there is no SAARC-level convention governing the treatment of refugees. In fact, no SAARC country, other than Afghanistan, has signed the 1951 Convention on Protection of Refugees. Therefore, there is a need to explore the possibility of creating a regional-level regulatory mechanism for the protection and humane treatment of refugees, particularly in light of the recent Rohingya refugee crisis. This Panel seeks to appreciate this need, and consider options of achieving the same.

➤ Social Welfare and Universal Basic Income (UBI)

Based on a survey on misallocation of resources for six of the largest central government sponsored schemes (except PDS and fertilizer subsidy), the Economic Survey 2016-17 advocated the concept of Universal Basic Income (UBI) as an alternative to existing social welfare schemes in an effort to reduce poverty. Yet, many argue that it is unsuitable for India, and will require more resources for implementation than existing social welfare schemes. This Panel shall evaluate whether rationalization of subsidies, better targeting and operational efficiency of existing schemes are more desirable as compare to the UBI.



➤ **Working women and Welfare**

The holistic empowerment of women – through upliftment across social, economic and political sectors – is the requirement of the hour for the progress of any developing nation. Schemes to foster entrepreneurial skills in women and assist the establishment of small businesses by them have commonly found favour with the government. Spurred by judicial activism, sexual harassment prevention laws have seen the light of day in India, but their efficacy continues to be questioned. As more women enter the labour markets, there is also a constant hindrance on their participation in the workforce, in the context of the lack of development of adequate care systems and policies governing the workplace conveniences for the caregiver of the family. This Panel seeks to appreciate these broad issues concerning the welfare of working women.

➤ **Special Panel Discussion on “Acid Attacks and Disability Rights”**

Acid has been a personal weapon of choice particularly against women. Before the insertion of Sections 326A-326B of the Indian Penal Code in 2013, acid attack could only be prosecuted as violence against women. The 2013 amendment added provisions for prosecution of the perpetrators, treatment and rehabilitation of the victims, and control of acid sales. Interestingly, in 2017, the Rights of Persons with Disabilities Bill proposed covering acid attack victims, sparking a debate on whether surviving gender-based violence can be equated with having a disability. This Panel shall consider whether the existing framework of intervention is sufficient to deter acid attacks, and the implications of granting disability rights to acid attack victims.



GUIDELINES FOR REGISTRATION

1. Students, faculty members, academicians and legal services committees or legal aid clinics are eligible to take part in the forum.
2. Legal services committees and legal aid clinics may nominate the Faculty Convener, Student Convener and one additional student representative to attend the Forum.
3. Register by filling the following Google form - <https://goo.gl/forms/DAhqiv1SSgkmkZ0O2>.
4. Registration closes on **March 31, 2018**.
5. Registration fee is as follows:
 - i. For LSC/LAC: **INR 1,000**
 - ii. For Individuals: **INR 5,00**
6. A link for payment of the Registration fee will be emailed to the participants upon registration through the above Google form.

CONTACT US

For any queries, you may leave us an e-mail at legalservices@gnlu.ac.in or contact:

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