

**Two Days  
NATIONAL  
CONFERENCE  
On  
“Judicial Creativity:  
A Boon within the  
cornerstone of  
Constitutionalism in  
Digital India”**

**ORGANISER**

**Veer Madho Singh Bhandari  
Uttarakhand Technical University  
(Uttarakhand State Government University)  
Dehradun  
and  
Siddhartha Law College  
Dehradun**

**About VMSB Uttarakhand Technical University, Dehradun, (Uttarakhand State Govt University)**

Formed on 9th November 2000, Uttarakhand became the 27th State under the Union of India. Originally named as Uttaranchal, the State was carved out for the State of Uttar Pradesh, with the settled aim of bringing holistic development to the region.

Keeping the developmental motivations in mind, the Uttarakhand Technical University was founded on 27th January 2005 under the terms of the Uttarakhand Technical University Act, 2005 to function as the fountainhead and mainspring of intellectual development in the field of technical and professional education. The university currently runs under graduate, post graduate and PhD programmes in the domains of Technology, Pharmacy, Hotel Management, Business Administration, Computer Application and Law. The rainbow of courses offered and the quality of pedagogy maintained, has made the university a preferred destination for the students and scholars alike.

**About Siddhartha Law College, Dehradun**

A quality legal education opens up a plethora of opportunities and avenues for students of law. Today, legal education in India is in a very shabby state of affairs. It has become a cause of concern for all the stakeholders and the country at large. Some ameliorative steps were taken by establishing dedicated Law Universities, but due to their own constraints such as inadequate funds, unsatisfactory infrastructure, lack of good and dedicated faculties, etc., the desired result is nowhere in sight. As an encouraging development in this respect, Siddhartha Law College was established in the year 2009 and registered under the auspices of Siddhartha Group of Institutions (SGI). It is managed by Siddhartha Educational Society (Regd. No. 1363/2002-2003), under the dynamic leadership of renowned social

worker Mr Durga Prasad Verma. Siddhartha Law College is developing under the guidance of **Justice (Retd.) V.K. Maheshwari**, Director Siddhartha Law College. Siddhartha Law College is affiliated to Veer Madho Singh Bhandari Uttarakhand Technological University (Uttarakhand State Govt University) and approved by the Bar Council of India, New Delhi.

**About the National Conference  
“Judicial Creativity: A Boon within the  
cornerstone of Constitutionalism in  
Digital India”**

Judicial creativity is a critical aspect of the judicial process, which allows judges to develop new legal principles and policies that are not explicitly stated in the Constitution or other legal text. The judicial activism is the exercise of judicial power to articulate and enforce what is beneficial for the society in general and people at large. It is an active process of implementing the rule of law, which is necessary for the survival of democracy. Supreme Court despite its constitutional limitation has come up with flying colors as a champion of justice in the true sense of its words. The role and limits of the judges as a prime mover in the rational evolution of law are discussed, and the interaction between judicial creativity and new legislation is explored. Positive outcome of the judicial creativity is the innovation of hidden Constitutional rights for the protection of citizens from State and individual actions.

It has always been a burning question as to whether the judicial creativity is permissible or inevitable and if so, up to what extend? Through judicial wisdom judges not only declares the law but also states what the law should be. In judicial process the role of a Judge is more important than the written words of a statute. Social and political reforms can hardly be introduced through American styled due process of law. Judicial process must function within the prevailing social, economic and political atmospheres. The emergence of

Hon'ble Mr. Justices(Retd.) P.N. Bhagwati and Krishna Iyer had made landmark contributions by introducing the concept of PIL, but it soon became a subject of rampant misuse. It has also created a tug of war between the judiciary and the two other limbs of the state- legislature and the executive. The judicial process must be attuned to the philosophy in which the judges play the role of accompanists of legislators as well as of the Constitution. To define the limits of judicial creativity is neither possible nor desirable but the difference between legislation and adjudication must be maintained. Limiting the extent of judicial creativity is neither possible nor desirable, what is essential is to maintain a striking balance between the three organs of the government i.e. legislature executive and judiciary.

India is a democracy governed by written constitution and the rule of law. It is an idea that defines that country or state should be governed by specific rules or the grandnorm i.e., the Constitution. It is only through entrenched constitutionalism that a country's Constitution may truly serve as supreme law. Constitutionalism changes society by infusion of ideas of liberty, equality, fraternity of the individuals to fulfil the basic purpose of constitution which is to transform the society for the better. This idea goes beyond a good constitution and beyond constitutionality of government actions or country's laws. India, being the world's largest democracy, denotes government of the people by the people and for the people .It would not be wrong to say that in popular sovereignty, the major source of power lies within "we the people". The idea of constitutionalism ensures law that favour minimum government i.e., minimum executive interference in individual's life. Limiting the power of the executive, clears the way for constitutional or judicial supremacy, thereby preventing tyranny. There can be no constitutionalism if there is no secure judicial review mechanism that can independently enforce the

provisions of the Constitution, and at the same time keeping a check upon the abuse of its provisions.

The present era is the era of innovation and technology. It possesses a significant role on the development of human civilization and has presented us with new perspectives of the world we live in. The field of law is of paramount importance as it shapes various aspects of our society, economy, governance and individual rights. Therefore, laws must be pliant to adapt, ensure safety and protect the rights of individuals and entities. The rapid advancements in technology have ushered in a new era, bringing with it a myriad of legal and constitutional implications. In the present digital era, the judiciary is integrating technology for the expedite justice delivery.

This conference aims to gather inputs on legal issues relating to technology as well as broad understanding of the developments of legal issues in this field in the past that will help generate a more holistic viewpoint about the existing concerns in this field. It also aims to explore the intersection of constitutional principles with the challenges and opportunities presented by the digital landscape. It also focuses upon the point that how the principles of constitutionalism are protected by the Judges in this era of digital age.

### *Sub-Themes*

1. Role of technology in criminal law.
2. Importance of innovation for judiciary.
3. Recent developments in the field of criminal laws.
4. Adultery and related complications.
5. Constitutional law: Reforms under judicial decisions.
6. Compensatory jurisprudence in criminal law.
7. Right to be forgotten: An evolving right.

8. Children Rights in Digital Age.
9. Protection of IPR in technological age.
10. Judicial Activism: A way towards Due process of law.
11. Technology in law: Step towards speedy disposal of cases.
12. Use of AI in Legal Fields.
13. Role of Judiciary in the Development of an Efficient Criminal Justice System.
14. Conflict between restorative justice and punishment.
15. Feasibility of Uniform Civil Code in India.
16. Human Rights within Family.
17. Privacy rights in Social Media.
18. Law and Technology: Issues and Perspectives.
19. Gender Neutrality in Laws: A Necessary Step towards Justice.
20. Critical Analysis of Recent Legislations.
21. LGBTQ+ People in the Mainstream Society.
22. Individual rights and national security issues.
23. Human rights violations are and emerging issues.
24. AI in National Security: Legal Frameworks.
25. Secularism as a basic structure of Indian Constitution.
26. Role of judiciary in protecting minority rights.
27. Digital India through gender lens.
28. Consumer Protection laws in Digital Era.
29. Relation between Fundamental Rights and Technology laws.
30. Free speech and digital age.

## Advisory Committee

**Prof (Dr) Onkar Singh**, Hon'ble Vice Chancellor, VMSB Uttarakhand Technical University, Dehradun.....Patron-in-Chief

**Sh. Durga Verma**, Chairman, SGI Dehradun.... Patron

**Justice (Retd.) V.K. Maheshwari**, Director Siddhartha Law College, Dehradun

**Hon'ble Justice K.D. Shahi (Retd)**, Allahabad High Court.

**Prof. (Dr.) SD Sharma**, Dept. of Law, Kumaon University, Nainital.

**Prof. (Dr.) Sanjeev Kumar Chadha**, Head Dept of Law, BBA Central University, Lucknow.

**Prof. (Dr.) Umesh**, H. P. University, Shimla

**Prof. (Dr.) Deepak Chauhan**, Dept. of Law, Central University, Bhatinda.

## Organising Committee

**Dr. Sharafat Ali**, Principal Siddhartha Law College, Dehradun (Convener and Organising Secretary)

**Dr. Tayyab Ali**, Associate Convener

**Mr. Shubham Sachan**, Co-convener

**Dr. Nilay Mishra**, Member

**Vaishali Chauhan**, Member

**Ms. Pallavi Gusain**, Member

## Students Committee

Mr. Gaurav Nagpal, Mr. Priyanshu Jha, Ms. Akansha Verma, Mr. Amit Masiwal, Ms. Sunidhi Singh, Ms. Swati Singh, Mr. Aman Das, Mr. Hamzah Mahammed Yasir Imteyz, Ms. Sugandh Shreshthta, Mr. Mohd. Aamash,

## Call for Research Papers

Original and unpublished research papers in English on the above-mentioned theme/ sub-themes are invited for submission from the academicians, research scholars, legal practitioners and law students of various universities/colleges in India.

## Abstract:

- ❖ The abstract should be on an A4 sheet in Word Document Format typed in Times New Roman in 12 font size with 1.5 line spacing in not more than 300 words, it should not contain more than five keywords.
- ❖ The abstract should contain personal details of the author(s) in the order: Title of the paper, Name, Designation, Institute/ University/ College/Organization, contact number, E-mail and address (is), of the author(s).
- ❖ Indicate the name of the main author for correspondence in case of more than one author.
- ❖ All abstracts will be peer-reviewed and evaluated on the basis of originality, research rigour, relevance to the seminar, and contribution to the State and Society.

**For English: Font "Times New Roman" 16 bold for the title, 14 for the subtitle, 12 for normal text**

## Submission of Full Paper:

Submissions are to be made only in electronic form. The same may be e-mailed to slc.publications.2022@gmail.com in MS Word format along with a cover letter addressed to Organizing Secretary.

### Registration fees:

<b>Faculty member</b>	: ₹ 1500
<b>Advocate/Industry Fellow</b>	: ₹ 1000
<b>Research scholar</b>	: ₹ 800
<b>Students</b>	: ₹ 600

**Note:** Rs. 500 will be charged per person for the accommodation per night.

### Mode of Payment- NEFT/RTGS/IMPS

Account No.	<b>50065378452</b>
IFSC-	<b>IDIB000D558</b>
UPI ID-	<b>slc@allbank</b>

## Research Paper Publication:

The publication is proposed in a book with ISBN number publication charges ₹ 500 for Single Author, and ₹ 300 each for two or more authors.

## Important Dates

Last date for Abstract Submission:	15th April, 2024
Last date for full paper submission	20th April 2024
Confirmation	5th May 2024
Date of Conference	9th and 10th May, 2024

## National Conference on

**Judicial Creativity: A Boon within the cornerstone of Constitutionalism in Digital India**

**Date of Seminar: 9-10 May, 2024**

**ORGANISED BY:**

**Siddhartha Law College, Dehradun**

*in collaboration with*

**Veer Madho Singh Bhandari Uttarakhand Technical University, Dehradun**

## Registration Form

*(Only for on the spot registration)*

Name:.....

Designation:.....

Name of the Institute/ College:

.....

Faculty..... Research Scholar..... Student .....

Registration Amount: .....

Address: .....

.....

Mobile: .....

Email: .....

Title of the Paper: .....