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Seminar Proceedings
Two Days National Seminar on

**Revisiting Criminal Justice System :
A Decade after Malimath Committee Report
August 2015**

Marathwada Mitra Mandal's
Shankarrao Chavan Law College, Pune



ORGANIZED AND PUBLISHED BY
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Secretary's Message

We take an immense pleasure in introducing you to **Marathwada Mitra Mandal's Shankarrao Chavan Law College, Pune** as one of the premier institutions in Maharashtra catering to high quality Legal Education. Established in 2002, the Law College has grown in stature to become a pioneer in the field of Legal Education and has carved a niche among the Law Colleges in Pune with its Academic Record and achievements in plethora of events. From Humble beginnings, the Law College boasts of sprawling campus in the heart of Pune, which has long been identified as the Educational Hub of the Country and preferred choice for the students from all over India as well as Abroad.

Marathwada Mitra Mandal, an educational trust, apart from imparting quality legal education, it has always been an objective of the college to work in holistic way. In our pursuit of achieving excellence in the field of Legal Education, we intend to cross the barriers of traditional learning methodology with an aim of giving maximum exposure to law students and encouraging transformation in the thinking process from ordinary to the superlative. As a step towards this we have arranged a National seminar on the topic "Revisiting Criminal Justice System- A decade after Malimath Committee Report" on 22nd and 23rd August 2015. My best wishes are always with the college and it's constant endeavour for the development of this premier legal institute. I also extend my warm wishes to all delegates, participants and speakers of this seminar.

Prin. Bhausaheb Jadhav,
Secretary, Marathwada Mitra Mandal, Pune





Preface

Security of the people is the prime object for creating the Institution of state. Protecting people from external aggression and internal disturbance is considered to be the prime responsibility of modern state. Criminal Justice administration is the instrumentality in the hands of state to protect its own people from internal disturbances. Prevention of crime and punishment of wrongdoers is the basic function of criminal justice system.

The police, prosecution, judiciary and prison administration are the four organs of the criminal justice system. Faulty investigation, biased prosecution, delayed justice and non-efficient implementation of reformatory policies are some of the basic reasons indicating failure of our criminal justice mechanism which is in urgent need of revamping. Changing dimension of crime and globalization of crime in modern time has posed serious challenge before present criminal justice at the level of investigation, prosecution and infliction of punishment.

Theories of punishment and their balance inter-se are in need of re-examination especially with reference to recidivists and crime relating to / against national security.

After submission of Malimath committee report more than 10 years have passed. Number of committees such as Second Administrative Reforms Commission, Soli Sorabjee Committee on Draft of Model Police Act, Prof. Madhav Menon committee on National Policy on Criminal Justice have given valuable recommendations for efficient working of Criminal Justice System. Guidelines issued by the Supreme Court in the case of Prakash Singh v. Union of India, AIR 2006 deserves a special mention. Due to non-implementation of many of these recommendations and guidelines, number of problems still persists in our Criminal Justice System.

To address this and many more issues, we organized two days National Conference. There were brain storming discussions from judges, lawyers, academicians, police, experts from NGO's and all stake holders of Criminal Justice.

Dr. Kranti Deshmukh, I/C Principal, SCLC



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