

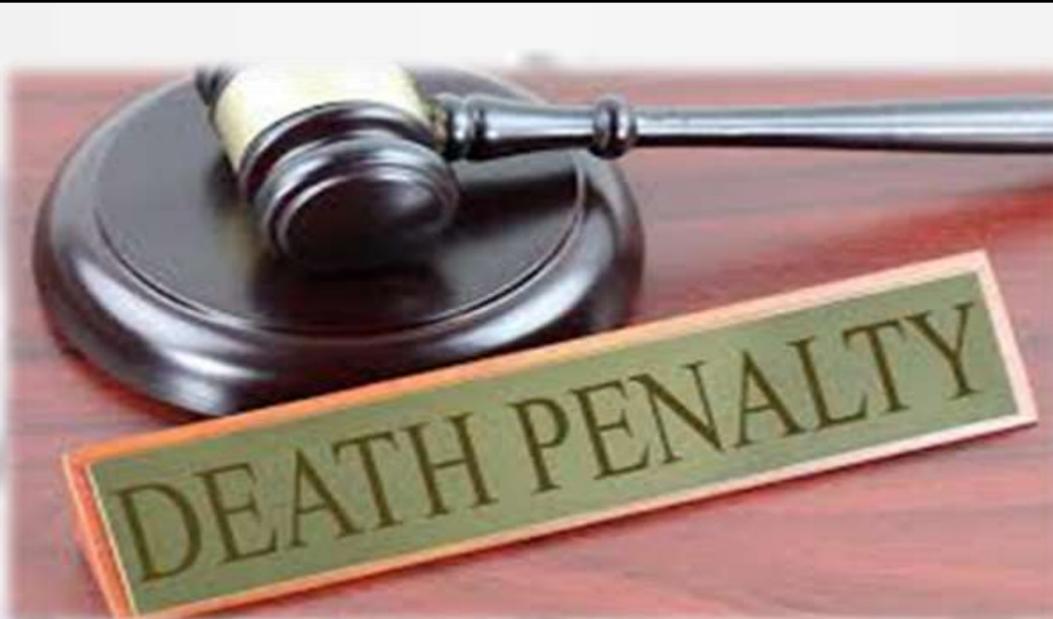


# Advanced Training Program on Death Penalty Philosophy

### Program Coordinator :

Dr Deogaonkar Anant R (Ph. D.)  
Assistant Professor of Law  
Gujarat National Law University

23<sup>rd</sup> to 25<sup>th</sup> August, 2019



### About the Program

The concept of punishment-its definition-and its practical application and justification during the past half-century have shown a marked drift away from efforts to reform and rehabilitate offenders in favour of retribution and incarceration. Punishment in its very conception is now acknowledged to be an inherently retributive practice, whatever may be the further role of retribution as a (or the) justification or goal of punishment. A liberal justification of punishment would proceed by showing that society needs the threat and the practice of punishment, because the goal of social order cannot be achieved otherwise and because it is unfair to expect victims of criminal aggression to bear the cost of their victimization. Constraints on the use of threatened punishments (such as due process of law) are of course necessary, given the ways in which authority and power can be abused. Such a justification involves both deontological as well as consequentialist considerations.

The question of whether, and how, legal punishment can be justified has long been a central concern of legal, moral, and political philosophy: what could justify a state in using the apparatus of the law to inflict intentionally burdensome treatment on its citizens? Radically different answers to this question are offered by consequentialist and by retributivist's theorists-and by those who seek to incorporate consequentialist and retributivist considerations in 'mixed' theories of punishment.

The death penalty debate is the most generally relevant debate, keeping in mind the situation that has been brought about by today. Death penalty is an integral part of the Indian Criminal Justice System. The International landscape regarding the death penalty – both in terms of international law and state practice – has evolved in the past decades. Internationally, countries are classified on their death penalty status as abolitionist for all crimes, abolitionist for ordinary crimes, abolitionist de facto, and retentionist. While only a minority of countries retain and use the death penalty, this list includes some of the populous nations in the world, including India, China, Indonesia and the United States, making a majority of population in the world potentially subject to this punishment.

Therefore keeping the in mind the contemporary debate on death penalty, the program is designed in such a way that it will be beneficial to law students and professionals to understand the present punishment policies in India with regard to death penalty.

### Objectives of the Program

- To understand the philosophy of punishment from the perspective of present punishment policies with regard to death penalty.
- To explore the theories of justification for punishment and analyse the judicial approach towards them.
- To make the participants aware of the philosophy of punishment and to understand the contemporary debate on death penalty.

### Evaluation

A written examination based on multiple choice questions will be conducted on the last day of the training program. A minimum score of 50% would be required for the participants to complete the program successfully and for obtaining the certificate of participation.

### Methodology of the Program

- Lectures
- Case Analysis
- Problem Solving
- Group Discussions

### Potential Benefits to the Participants

After completing the Advanced Training Program the participants will be well versed with the philosophy of punishment and will have apt understanding and knowledge of the death penalty debate.

### Study Material

Participants will be provided with study material in advance. Apart from the study material soft copies of journal articles, case laws, reports etc. will be provided.

### Duration

- It will be a 3 day Training Program from 23-25 August, 2019 of 15 Hours (excluding assessment).

### Who may participate?

The Advanced Training Program is designed for intended participants such as:

- Students of Law
- Advocates
- People from NGOs
- Police personnel
- Academicians etc.

### Number of Participants

- Maximum 30

**Note:** Maximum 30 participant will be accepted on first come, first serve basis.

### Fees

- Rs. 500/- for GNLU students;
- Rs. 1500/- for external participants (excluding boarding and lodging in GNLU)

### Online Payment Link

- <https://www.onlinesbi.com/sbicollect/icollecthome.htm>

### Online Registration

- [https://docs.google.com/forms/d/e/1FAIpQLSd-hskdcnFo\\_kfRbSNCGNdN6DZu0Fm5dbr1MCm5Rip-4jOf9g/viewform](https://docs.google.com/forms/d/e/1FAIpQLSd-hskdcnFo_kfRbSNCGNdN6DZu0Fm5dbr1MCm5Rip-4jOf9g/viewform)

### Resource Person & Program Coordinator

Dr Deogaonkar Anant R (Ph. D.)  
Assistant Professor of Law  
Gujarat National Law University

## Program Schedule

Date	Time	Duration	Topics
23 August 2019	10.00 TO 12.00	2 Hours	Module I: Philosophy of Punishment & Moral Principles for Imposition of Punishment <ul style="list-style-type: none"> <li>• Origin and History of Punishment</li> <li>• Ancient Philosophical Trends of Punishment</li> </ul>
	12.15 TO 13.15 & 14.15 TO 15.15	2 Hours	<ul style="list-style-type: none"> <li>• Utilitarian Theory</li> <li>• Retributive Theory</li> <li>• Deterrent Theory</li> <li>• Reformatory Theory</li> </ul>
	15.30 TO 17.30	2 Hours	<ul style="list-style-type: none"> <li>• Retribution</li> <li>• Deterrence</li> <li>• Incapacitation</li> <li>• Rehabilitation</li> </ul>
24 August 2019	10.00 TO 12.00	2 Hours	Module II: Present Punishment Policies <ul style="list-style-type: none"> <li>• Capital Punishment in India</li> <li>• International Scenario</li> <li>• Capital Punishment and International Human Rights Treaties</li> </ul>
	12.15 TO 13.15 & 14.15 TO 15.15	2 Hours	<ul style="list-style-type: none"> <li>• Political Commitments Regarding Capital Punishment Globally</li> <li>• Current Status of Capital Punishment</li> <li>• Alternative to Capital Punishment</li> </ul>
	15.30 TO 17.30	2 Hours	<ul style="list-style-type: none"> <li>• Clemency Powers</li> <li>• Judicial Review of the Exercise of Mercy Powers</li> <li>• Law Commission of India's Report on Death Penalty</li> <li>• Recent Judicial Pronouncement on Death Penalty</li> </ul>
25 August 2019	10.00 TO 12.00	2 Hours	<b>Case Law</b> <ul style="list-style-type: none"> <li>➤ Olga Tellis v Municipal Corporation Mumbai AIR 1985 3 SCC 545</li> <li>➤ Narotam Singh v State of Punjab AIR 1978 SC 1542</li> <li>➤ Jagmohan Singh v State of Uttar Pradesh AIR 1973 SC 947</li> <li>➤ Rajendra Prasad v State of Uttar Pradesh AIR 1979 SC 916</li> <li>➤ Bachan Singh v State of Punjab (1980) 2 SCC 684</li> <li>➤ Swamy Shradhanand [2] v State of Karnataka (2008)</li> <li>➤ Haru Ghosh v State of West Bengal 1 (2009)</li> <li>➤ State of Uttar Pradesh v Sanjay Kumar (2012)</li> <li>➤ Sebastian v State of Kerala (2004)</li> <li>➤ Gurvail Singh v State of Punjab (2013)</li> <li>➤ Shatrughan Chauhan and another v Union of India (2014)</li> </ul>
	12.15 TO 13.15	1 Hour	<ul style="list-style-type: none"> <li>• Written Test</li> </ul>

## Profile of Resource Person & Program Coordinator

Dr Deogaonkar Anant R is working as an Assistant Professor of Law at Gujarat National Law University since 2008. He has 13 years teaching experience. He has done his B.S.L. LL.B. from Dr. B.A.M.U., Aurangabad and LL.M. from University of Pune. He has qualified UGC-NET (in Law & Criminology). He has completed his Ph.D. (Law) on the topic "Crime and Punishment: An Analytical Study with Special Reference to Sexual Offences in India" from Gujarat University.

He has been teaching Law of Crimes (IPC) & Criminal Procedure Code (Cr. PC) at the Under Graduate Program (LL.B.) since 2008 and Fundamental Rights and Social Justice & Constitutional Bodies at the Post-Graduate Program (LL.M.) since 2014. Currently he is teaching Clinical Papers on Litigation Management and Drafting, Pleading, Conveyancing for the final year under graduate students.

He has participated in various National, International Seminars, and Conferences. He has also published five research papers in National Journals. He has a keen interest in Criminal Law, Constitutional Law, Litigation Management and Alternate Dispute Resolution.

**For any query, feel free to contact:**

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**Last Date:** 3<sup>rd</sup> August 2019



**Venue:**

**Gujarat National Law University  
Attalika Avenue, Knowledge Corridor,  
Koba (Koba-Sub P.O.),  
Gandhinagar – 382426  
GUJARAT (India).**

