

भारतवर्ष के 'स्व' आधारित  
विधिक परंपरा और व्यवस्था के बोध की यात्रा



# काशी न्याय समागम KASHI NYAYA SAMAGAM

A PART OF CENTENNIAL CELEBRATION OF LAW SCHOOL, BHU

on

भारतीय विधिशास्त्र

BHĀRATIYA JURISPRUDENCE

To understand the Bhāratīya Tradition of Law and Legal System



16<sup>th</sup> - 17<sup>th</sup> March, 2024



**FACULTY OF LAW**  
**BANARAS HINDU UNIVERSITY**

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काशी हिन्दू  
विश्वविद्यालय



BANARAS HINDU  
UNIVERSITY

# काशी न्याय समागम



राष्ट्रीय कार्यशाला  
राष्ट्रीय सम्मेलन  
राष्ट्रीय परिसंवाद  
राष्ट्रीय महासभा  
युवा संसद  
युवा न्यायालय

अधिकतम पंजीकरण सीमा : 150

अधिकतम पंजीकरण सीमा : 80

अधिकतम पंजीकरण सीमा : 80

अधिकतम पंजीकरण सीमा : 500

अधिकतम पंजीकरण सीमा : 150

अधिकतम पंजीकरण सीमा : 30



Organized by:



## Faculty of Law

Banaras Hindu University, Varanasi

# IN ASSOCIATION WITH

# काशी न्याय समागम

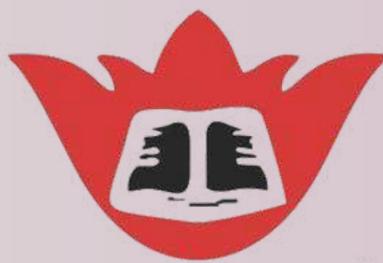
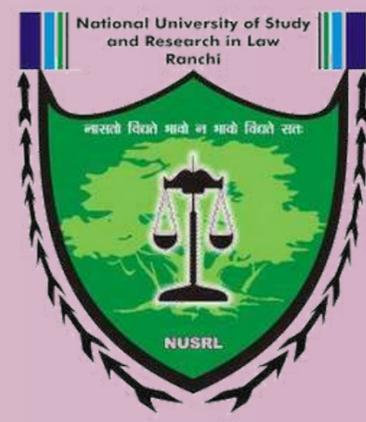
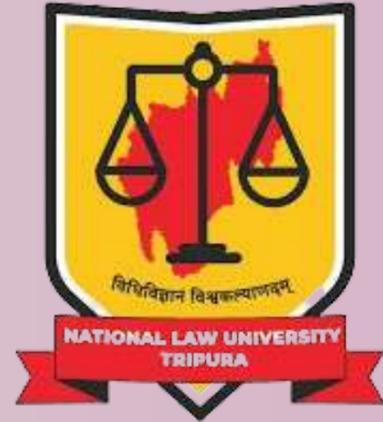
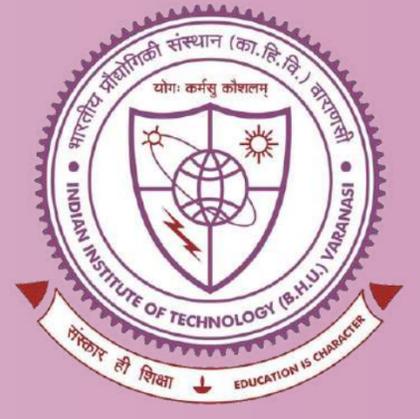


शिक्षा मंत्रालय  
MINISTRY OF  
EDUCATION

भारतीय भाषा समिति



Ministry of Culture



न्यायः मम धर्मः



CHANAKYA  
UNIVERSITY



\*and many other prominent Institutions of Bharatvarsh

**Faculty of Law, Banaras Hindu University, Varanasi, India**



**Bharatiya Bhasha Samiti, Ministry of Education,  
Govt. of India**

**Indira Gandhi National Centre for the Arts, RC  
Varanasi (IGNCA) Under Ministry of Culture, Govt.  
of India**

**Central Sanskrit University, New Delhi  
Faculty of Law, University of Delhi**

**Indian Law Institute (ILI), New Delhi**

**Indian Institute of Technology(IIT BHU), Varanasi**

**Bar Council of India, New Delhi**

**India International University for Legal Education  
and Research, Goa**

**Bhāratīya Vidyā Adhyayana Sansthāna, New Delhi**

**Centre for Vedic Sciences, Banaras Hindu  
University**

**Bharat Adhyayan Kendra, Banaras Hindu  
University**

**Department of Dharmashastra & Mimansa, SVDV,  
Banaras Hindu University**

**Dharmashastra National Law University,  
Jabalpur**

**Chanakya National Law University, Patna  
National University of Study and Research in Law  
(NUSRL) Ranchi, Jharkhand**

**National Law University, Tripura, Agartala**

**National Law University, Meghalaya**

**College of Law & Legal Studies, Teerthanker**

**Mahaveer University, Moradabad**

**Parshwanath Vidyapeeth, Institute of Jain  
Studies, Varanasi**

**Indian Institute of Democratic Leadership (IIDL)  
Maharashtra**

**Chanakya University, Bangalore**

**High Court Bar Association, Allahabad**

**Legal Rights Council**

**Vishal Bharat Shansthan**

**16<sup>th</sup> - 17<sup>th</sup> March, 2024**

**BHU LAW SCHOOL**

# Concept Note ✨



Every society formulates Legal Philosophy, Laws and Judicial Processes to make its social life simple, easy and organized. Philosophy, legislation and process will be beneficial and effective for a nation only when it is based on the approach and belief of the nation's life. 'Self' easily becomes acceptable. Therefore, Jurisprudence, Legislation and Judicial Process based on Bhāratīya 'self' will be useful for Bhāratvaṛsh.

In the Bhāratīya tradition, Dharma is recognized as Law and Ethics and prescribes the ideal model to a Nation, Society, Family and Individual. Law is not autonomous, standing outside of the social world, but is deeply embedded within society. The normative structure and ideology of Bhāratīya society were followed in the societal context, presents the historical perspective of Vedic tradition. This suggests that social integration through Language, Custom and the Role of the State does not depart from it. The synthesis of the Vedic tradition-based system requires progressive construction to rejuvenate the social, cultural and legal matrix.

Veda, Saṃhitā, Brāhmana and Upaniṣad primarily constitute the foundation of the Bhāratīya tradition of law. This knowledge database is of utmost significance for the welfare of individuals in present-day social order and State structure. The Smṛti have laid down definite rules and laws to guide the individuals and communities in their daily conduct and to regulate their manners and customs. They have given detailed instructions, according to the conditions of the time, to all classes of men regarding their duties in life. These have varied from time to time. The injunctions and prohibitions of the Smṛti are related to the particular social surroundings. As these surroundings and essential conditions of the Hindu society changed from time to time, new Smṛti had to be compiled by the sages of different ages and different parts of India.

**काशी न्याय समागम**

In essence, this progressive vision one can trace from, the Yajur Veda that the universe is the outpouring of the majesty of the Pram Bramh , the auspicious one, radiant love. Every face you see belongs to Him. He is present in everyone without exception. The learning since the Ved and Upanishads were not meant exclusively for a sectarian group that followed a distinct religion, but for all humanity. These teachings originated from the Rgvedic sayings that एकं सद् विप्रा बहुधा वदन्ति (One truth is expressed by the wise in many ways) or आ नो भद्राः क्रतवो यन्तु विश्वतोऽदब्धासो अपरितासउद्भिदः (Let noble thoughts come from all over the world).

This knowledge due course of time spread over the Buddhism, Jainism and Sikhism with distinct identities. Buddhists believe that the human life is one of suffering, and that meditation, spiritual and physical labor, and good behavior are the ways to nirvana. Through the nonviolence focus, Jainism has additional vows that guide that always speak the truth, do not steal, show sexual restraint, and do not become attached to worldly things. The essential message of Sikhism is spiritual devotion and reverence of God at all times while practicing the ideals of honesty, compassion, humility and generosity in everyday life. Dr. B.R. Ambedkar's called upon Hindus to give an ethical-doctrinal basis for religion based on modern values of equality, fraternity and liberty, and hinted that Hindus need not borrow from the West in this task, but can draw from own resources like the Upanishads. As one of the most diverse civilizations of the world, India grown as Bhartiya Sampradaya fully conscious of unity with diversity.



Sarvepalli Radhakrishnan, aptly remarked that the trail of man is dotted with the graves of countless communities and races which reached an untimely end. In dealing with the problem of the conflict of the different racial groups, Hinduism adopted the only safe course of democracy, viz . that each racial group should be allowed to develop the best in it without impeding the progress of others. Caste, on its racial side, is the affirmation of the infinite diversity of human groups. In spite of the divisions, there is an inner cohesion among the Hindu society from the Himalayas to the Cape Comorin.

Annie Besant noted in her book on "Dharma" that "To Egypt in old days, the word was Religion; to Persia the word was Purity; to Chaldea the word was Science; to Greece the word was Beauty; to Rome the word was Law; and to India, the eldest-born of his children, to India he gave a word that summed up the whole in one, the word Dharma."



However, due to 800 years of administrative subjugation of Bhāratavarṣh, we have forgotten the Legal Thinking, Philosophy and Judicial Processes based on our 'self'. For this reason, the contemporary condition and direction of Legal Education, Research and Legal System have become Western rather than Bhārata-centric.

The profound tradition and literature woefully received least recognition in the academic sphere in India. Consequently, generations have been deprived from enormous knowledge of our revered intellects and their exceptional work. For academic and practical references, the Western philosophy has been accounted at the largest extents, and awfully undermines the scientific contribution of Bhāratīya tradition knowledge.



# Issues for Contemplation

तद्विद्धि प्राणिपातेन परिप्रश्नेन सेवया ।  
उपदेक्षयन्ति ते ज्ञानं ज्ञानिनस्तत्त्वदर्शिनः ॥ 4/34॥

However, it is evident that the despite of creating a host of schools and theories, at present, modern Western jurisprudence is undergoing in a deep crisis because it seems to have exhausted the possibility of any further development and is lying stagnant. However, solutions to vital problems have remained elusive.

The process of reform can only commence through comprehensive and integrated legal investigation and a shift in educational approaches. In this context, the Bhāratīya legal academic world must confront several critical questions:

1. Are the common people of India satisfied and connected with the prevailing law and justice system?
2. Do the terminologies and procedures of the current legal/judicial system resonate with Bhāratīya values, traditions and philosophies?
3. What constitutes the Bhāratīya perspective in the judicial process and principles of legal and judicial system?
4. How can the growing disparity between judgment and justice be addressed, ensuring fairness in decision-making?
5. How can India shed the colonial tradition of delayed decisions by embracing Bhāratīya judicial principles?
6. What references and examples should be utilized to articulate the fundamental principle of "the good of the people and harm to none", a cornerstone of Bhāratīya Nyāya philosophy?
7. What efforts are desirable to harmonize our existing justice delivery system with the principles of dharma, duties and traditions?
8. Through which strategies, can the faith of the Bhāratīya common man be restored in the political, administrative and judicial systems?



10. How can Bhāratīya society be educated about the fundamental concept of duty, emphasizing it over individual rights and fostering a renewed sense of duty among the populace?
11. How can the principles of Dharma, universally present in human hearts and acceptable to scholars, be integrated into personal and legal frameworks, promoting service and freedom from attachment and hatred across diverse contexts?
12. What actions are required to bridge the gap between our current position and the desired destination?

Addressing these questions is imperative for realigning Bharatiya Legal System with its intrinsic values, promoting justice and restoring public trust in its institutions. In this background, we are calling and requesting legal Scholars, Academia, Professionals and Administrators for their participation in the "Kashi Nyaya Samagam". The above-mentioned themes are not exhaustive. Other topics relevant to the themes of Law, Tradition and Dharmashstra may also be discussed during the "Kashi Nyaya Samagam".

Faculty of Law, BHU has significantly contributed to the Legal Education of our country over last 100 years. In the centennial year of the Law School want to explain and explore the different dimension of Hindu Jurisprudence which was introduced by BHU Law School in the year 1965, in contemporary context. The Motto of BHU Law School is "धर्मो विश्वस्य जगतः प्रतिष्ठा" "Dharma Sustains the Whole Universe" and we believe that Law Graduates have to play a significant role in preservation and promotion of the cherished values of the society. The Bhagavad-gītā states that तद्विद्विप्रद्विपातेन परिप्रश्नेनसेवया। उपदेक्ष्यद्वत्ततेजानं ज्ञाद्धननस्तत्त्वदद्वशिः॥4/34॥ "translated as....try to learn the truth by approaching the scholar, Inquire from him submissively and render service unto him. Self-realised souls can impart knowledge to you because they have seen the truth."

In this background, we are calling and requesting legal Scholars, Academia, Professionals and Administrators for their participation in the conference.

# काशी न्याय समागम

Join us for a two-day exploration into the rich Bharatiya tradition of Law and Legal Systems, where academia converges with the richness of tradition and modernity for an unparalleled exploration!

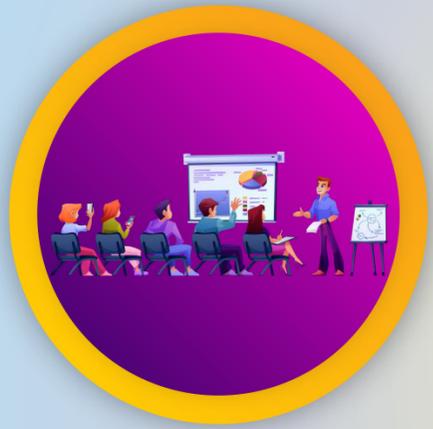


## राष्ट्रीय कार्यशाला

National Workshop on Various Brainstorming Sessions

Venue:  
Mahamana Sabhagaar,  
Faculty of Law, BHU

[MORE INFO](#)



## राष्ट्रीय सम्मेलन

National Conference on Bharatiya Jurisprudence

Venue:  
Faculty Lounge,  
Faculty of Law, BHU

[MORE INFO](#)



## राष्ट्रीय परिसंवाद

National Symposium on Reforms in Crminal Justice System

Venue:  
Moot Court Hall,  
Faculty of Law, BHU

[MORE INFO](#)



## राष्ट्रीय महासभा

National Congress on Different Traditions of Bharatvarsh: Society, Culture and Law

Venue:  
Swatantrata  
Bhawan, BHU

[MORE INFO](#)



## युवा संसद

Youth Parliament

Venue:  
Lecture Theatre,  
Faculty of Law, BHU

[MORE INFO](#)



## युवा न्यायालय

Yuva Nyayalaya

Venue:  
Moot Court Hall,  
Faculty of Law, BHU

[MORE INFO](#)



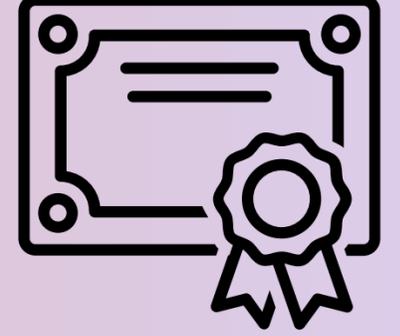
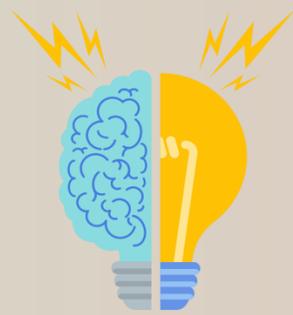
# राष्ट्रीय कार्यशाला (National Workshop)

- TS-1: Foundation of Bhāratīya Jurisprudence
- TS-2: The History of Dharmaśāstra Vol. 3 and Bhāratīya Jurisprudence
- TS-3: Valmiki Ramayana Ayodhya Kand (100 Sarg) and Idea of Rajdharma
- TS-4: Śānti Parva of Mahābhārat and Bhāratīya Jurisprudence
- TS-5: Dravid's Kautilya's Arthashastra and Bhāratīya Jurisprudence
- TS-6: Mitakshara & Dayabhaga and Modern Hindu Family Law
- TS-7: Nāradaśmṛti and Jurisprudence of Evidence Law
- TS-9: Vedic Nyāya Shastra with the Concept of Justice in Western Jurisprudence
- TS-10: Interface of Mīmāṃsā Jurisprudence with the Interpretation of Statutes
- TS-11: Literature of Various Bhāratīya Languages and Bhāratīya Jurisprudence

**Venue: Mahamana Sabhagaar, Faculty of Law, BHU**

**16<sup>th</sup> - 17<sup>th</sup> March, 2024**  
**BHU LAW SCHOOL**

# राष्ट्रीय कार्यशाला (National Workshop)



- In the Brainstorming Session, the selected scholars will deliver the lecture on specific theme of the Technical Session. Each session will be followed by half an hour Question & Answer Session between the speakers and audience.
- The participants of National Workshop will be allowed to be present only as audience and may raise their questions in the prescribed format only.
- The participants will have to manage their own travel and accommodation, however, the Organizing Committee will provide breakfast, lunch, dinner, high tea, etc.
- The participants will be given a Certificate of Participation provided they attend 90% of the sessions regularly which will be monitored by the Organizing Committee.

**Venue: Mahamana Sabhagaar, Faculty of Law, BHU**

# राष्ट्रीय सम्मेलन (National Conference)

- TS-1: Nyaya-Shastra in Bhāratiya Tradition and Western Idea of Justice**
- TS-2: Constitution, Rājadharma and Good Governance in Bhāratiya Tradition**
- TS-3: Criminal Law Perspectives in Bhāratiya Jurisprudence from Principles to Practice**
- TS-4: Dialogue Between Dharmashastra and Modern Law**
- TS-5: Family Law Perspectives in Bhāratiya Tradition from Principles to Practice**
- TS-6: Commercial Law Perspectives in Bhāratiya Tradition from Principles to Practice**
- TS-7: Mīmāṃsā Rule of Interpretations and Alternative of Maxwellian Method**
- TS-8: Law on War and Peace in Bhāratiya Jurisprudence**
- TS-9: Environmental concern in Bhāratiya Jurisprudence from Principles to Practice**

**Venue: Faculty Lounge, Faculty of Law, BHU**

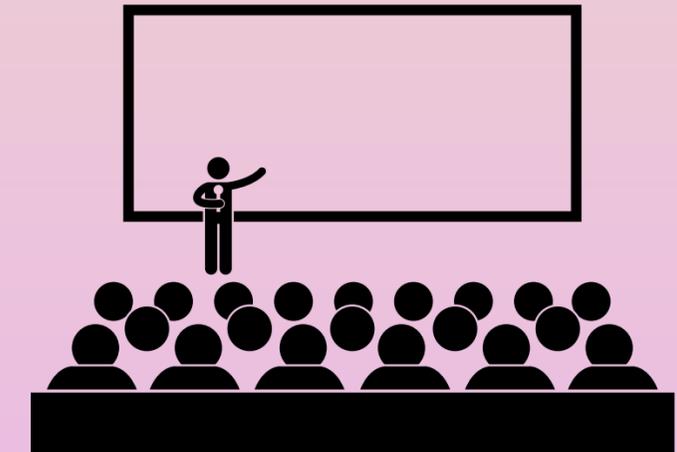
**16<sup>th</sup> - 17<sup>th</sup> March, 2024**  
**BHU LAW SCHOOL**

## राष्ट्रीय सम्मेलन (National Conference)

### TIMELEINE OF THE CONFERENCE



- Maximum Capping for National Conference: Eighty (80).
- Accommodation: Availability of accommodation is limited.
- Dormitory Option: Dormitory accommodation is available upon request for student participants and the charges for dormitory for two days is ₹300/- only.
- Paper Presentation: Only selected full paper/PPT will be permitted for the presentation.



16<sup>th</sup> - 17<sup>th</sup> March, 2024  
BHU LAW SCHOOL

**Venue: Faculty Lounge, Faculty of Law, BHU**

## राष्ट्रीय परिसंवाद (National Symposium)

### NATIONAL SYMPOSIUM ON REFORMS IN ADMINISTRATION OF CRIMINAL JUSTICE SYSTEM

“WITH SPECIAL REFERENCE TO BHARATIYA NYAYA SANHITA (BNS), 2023,  
BHARATIYA NAGARIK SURAKSHA SANHITA (BNSS), 2023,  
BHARATIYA SAKSHYA ADHINIYAM (BSA), 2023”

#### DIFFERENT THEMES FOR NATIONAL SYMPOSIUM

##### Theme 1: Legal Framework and Legislative Reforms

##### Theme 2: Procedural Efficiency and Fairness:

Streamlining Investigation and Prosecution Procedures  
Enhancing Access to Legal Aid and Representation  
Ensuring Timely Adjudication and Case Disposition

##### Theme 3: Victim Rights and Support Mechanisms:

Strengthening Victim Protection Laws and Policies  
Improving Access to Support Services and Compensation  
Promoting Restorative Justice Practices for Victim Rehabilitation

##### Theme 4: Alternatives to Incarceration and Sentencing Reform:

Exploring Community-Based Rehabilitation Programs  
Evaluating the Effectiveness of Probation and Parole Systems  
Addressing Overcrowding in Prisons through Sentencing Guidelines

##### Theme 5: Leveraging Technology for Justice Administration:

Digitalization of Case Management and Court Proceedings  
Utilizing Artificial Intelligence for Predictive Policing and Risk Assessment  
Ensuring Data Security and Privacy in Criminal Justice Systems



Each theme and sub-theme provides a comprehensive framework for discussing and deliberating on the various aspects of reforming the administration of the criminal justice system, with a specific focus on the implications of new criminal laws introduced in 2023.

[CLICK HERE](#) FOR

[MORE INFO](#)

16<sup>th</sup> - 17<sup>th</sup> March, 2024

BHU LAW SCHOOL

काशी न्याय समागम

# राष्ट्रीय महासभा (National Congress)

भारतवर्ष की विभिन्न सामाजिक परंपरा : समाज, संस्कृति एवं विधि



## काशी न्याय समागम

### BHARATIYA JURISPRUDENCE

भारतवर्ष के 'स्व' आधारित विधिक परंपरा और व्यवस्था के बोध की यात्रा  
( To understand the Bhāratīya Tradition of Law and Legal System )

## राष्ट्रीय महासभा National Congress



Different Traditions of Bharatvarsh: Society, Culture and Law

Venue: Swatantra Bhawan, Banaras Hindu University

16<sup>th</sup> - 17<sup>th</sup> March, 2024

BHU LAW SCHOOL

BHU Law School, Kashi

# राष्ट्रीय महासभा (National Congress)

## Different Traditions of Bharatvarsh: Society, Culture and Law

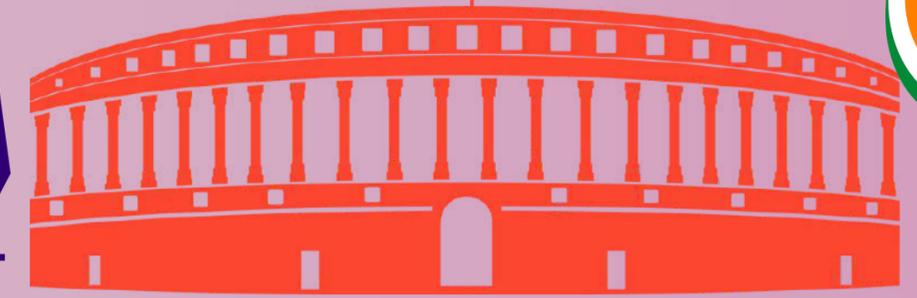
- विषय १ - जैन परंपरा : समाज, सिद्धांत एवं विधि  
( Jain Tradition of Logic, Law and Society)
- विषय २ - बौद्ध परंपरा में विधि एवं शासन : समस्यायुक्त प्रासंगिकता  
( Bhuddist tradition of law and Governance)
- विषय ३ - सिख परंपरा : संस्कृति, समाज एवं विधिशास्त्र  
( Sikh Tradition : Culture, society and custom )
- विषय ४ - जनजातियों की प्रशासन प्रणाली: विधि, न्याय और भविष्य  
( Tribal System of Administration: Law, Justice and way forward)
- विषय ५ - वंचित समाज : साहित्य , संस्कृति एवं संविधान  
( Scheduled Castes: Literature, Culture and Constitution)

Venue: Swatantra Bhawan, Banaras Hindu University

# युवा संसद (Youth Parliament)

Bharatiya Tradition of Law, Legal Education and National Education Policy, 2020

काशी न्याय समागम



TIMELEINE

OF THE

YOUTH PARLIAMENT



5<sup>th</sup> March,  
2024

Last Date for Submission  
of Statement of  
Problem(SOP)

7<sup>th</sup> March,  
2024

Declaration  
of Result

9<sup>th</sup> March,  
2024

Last Date for  
the  
Registration

10<sup>th</sup> March,  
2024

Portfolio  
Allotment

16<sup>th</sup>-17<sup>th</sup>  
March, 2024

Date of Youth  
Parliament

- Dynamic Portfolios and exciting Prizes
- Food: Breakfast, Lunch and dinner will be provided by the Faculty of Law, BHU without any charges.
- Accommodation: The arrangement for the accommodation will have to be made on their own.
- Eligibility: College students of any discipline.

[CLICK HERE](#)

to view the

portfolio



Committees:

- 1) Lok Sabha
- 2) AIPPM
- 3) Constituent Assembly
- 4) Indian Press Conclave

16<sup>th</sup> - 17<sup>th</sup> March, 2024

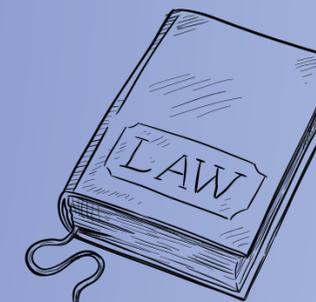
BHU LAW SCHOOL

Venue: Lecture Theatre, Faculty of Law, BHU

# युवा न्यायालय (Yuva Nyayalaya)

## Bharatiya Tradition of Law, Legal Education and National Education Policy, 2020

काशी न्याय समागम



### Scheme of the Yuva Nyayalaya

The impugned Acts, viz., “The Compulsory Teaching of Bharatiya Jurisprudence in Educational Institutions Act, 2024” and “The Promotion of Vernacular Languages in Legal Education Act, 2024” of Parliament of Bharat which have been recently passed were challenged as being unconstitutional before the Supreme Court. The Court has accepted the matter and listed for hearing before a division bench.

CLICK HERE



to view the Acts



### Eligibility Criteria:

Students pursuing law courses (BA LLB, LLB, LLM, PhD) from recognised institutions.

### Dress Code:

Dress code is strictly formal. Students are advised to strictly adhere to it.

### TIMELEINE

### OF THE YUVA NYAYALAYA

5<sup>th</sup> March, 2024

Last date for Submission of Line of Arguments

7<sup>th</sup> March, 2024

Intimation of Selection of students

Venue: Faculty Moot Court Hall



16<sup>th</sup> - 17<sup>th</sup> March, 2024  
BHU LAW SCHOOL

## TRAVEL PLANS FOR KASHI NYAYA SAMAGAM

The further pages of this brochure contains Travel Plans as arranged for the attendees of Kashi Nyaya Samagam by the Travel & Accommodation Committee. The schedule being busy enough, the tour shall commence with the soothing experience of Subah-e-Banaras at 5 A.M. on Ganga Ghats and further extend to boating, Vishwanath Temple Corridor visit and Viswanath Temple visit. This tour is offered by the Travel and Accommodation Committee free of cost but the willful contributions are also accepted.

### Note

The brochure further outlines various tourist spots that attendees may wish to visit inside and outside the BHU campus while complying with the Code of Conduct as communicated by the Academic Programme Committee otherwise certificate of attending the conference shall not be issued



[CLICK HERE](#)

FOR  
TRAVEL  
Brochure

काशी न्याय समागम



Kashi...

*Incredible india!*



# Travel Plan

**काशी न्याय समागम**



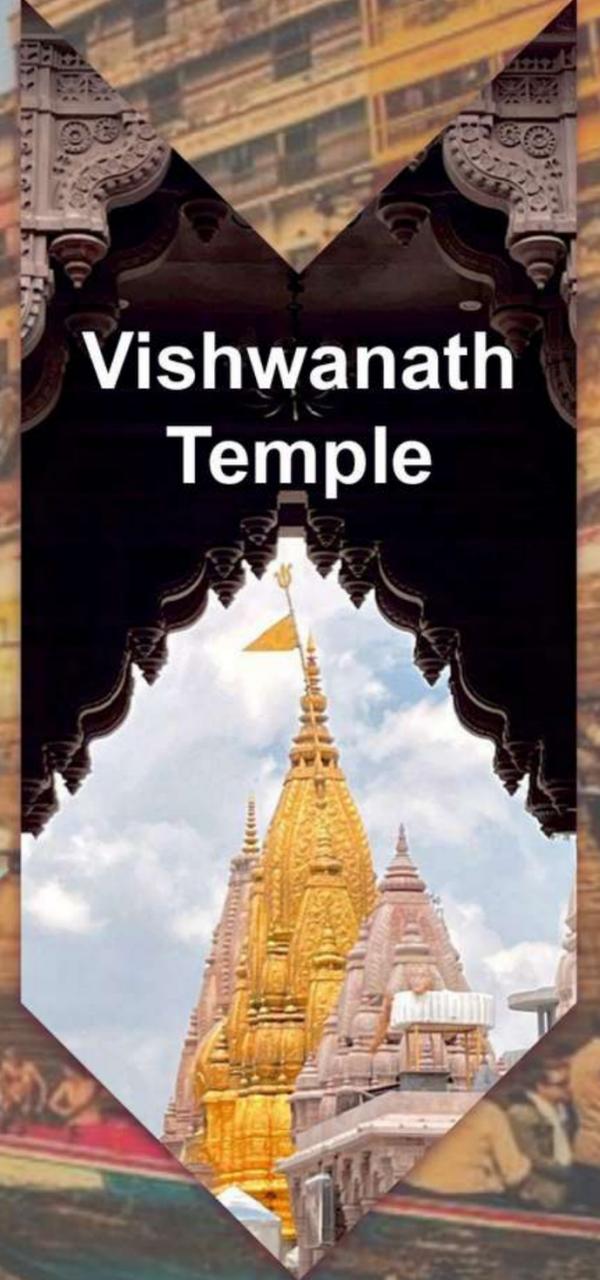
**Assi Ghat**



**Boating**



**Dashashwamedh Ghat**



**Vishwanath Temple**



**Ganga Aarti**



**Annapurna Temple**

# Ganga Aarti

## Subah-e-Banaras

The morning in Varanasi begins with the enchanting ritual of Ganga Aarti. This daily practice, a dedication to the mighty Ganges River, Priests gather on the banks of the Ganges, chanting hymns and offering rhythmic swings of an "aarti" plate.

### Aarti Timings in Varanasi:

5:00 AM - 7:00 AM (Summer) , 5:30 AM - 7:30 AM (Winter)

6:00 PM(in Winter) and 7:00 PM(in Summer)



# काशी न्याय समागम

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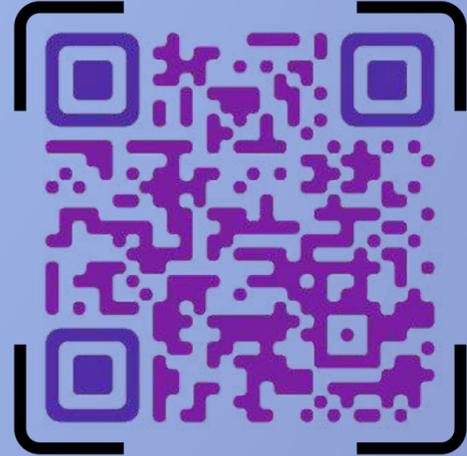
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# KASHI NYAYA SAMAGAM

on

## Bharatiya Jurisprudence

भारतवर्ष के 'स्व' आधारित विधिक परंपरा और व्यवस्था के बोध की यात्रा....

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16<sup>th</sup> - 17<sup>th</sup> March, 2024

**BHU LAW SCHOOL**

# काशी न्याय समागम

प्रिय देशवासियों,  
भारतवर्ष की महान आचार्य परम्परा को प्रणाम करते हुए, सत्य, शिक्षा और शास्त्रार्थ की पवित्र भूमि काशी में आगामी 16 और 17 मार्च 2024 को आयोजित होने जा रहे भारतीय विधिशास्त्र विषयक काशी न्याय समागम में हम आप सभी को सादर आमन्त्रित करते हैं।

हमारे चिन्तन का केंद्रीय भाव भारतीय विधिशास्त्र की व्यापकता से सम्पूर्ण विश्व को परिचित कराना और विश्व मानवता को एक अभिनव विधिक वैकल्पिक चिन्तन-दृष्टि प्रदान करना है।

यह एक दुर्लभ संयोग है कि इस महान पवित्र उद्देश्य के लिए काशी हिंदू विश्वविद्यालय के साथ देश के महत्वपूर्ण अकादमिक संस्थान, भारत सरकार के विभाग और काशी का प्रबुद्ध नागरिक समाज गंभीरतापूर्वक एक मंच पर जुटेंगे। काशीपुराधिपति इस समागम को अपने आशीर्वाद से अवश्य ही पुष्ट एवम प्रमाणित करेंगे।

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