



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab

Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Faculty Coordinators:

Mr. Siddhartha Fuller

Assistant Professor of Law

Rajiv Gandhi National University of Law, Punjab

Mr. Rajat Dixit

Assistant Professor of Law

Rajiv Gandhi National University of Law, Punjab

List of Student Members for Academic Session 2020-21

Name	Year of Study	Position
Varun Dutta	V	Convenor
Suprateek Neogi	V	Deputy Convenor
Raghav Ahooja	V	Deputy Convenor
Aditya Kashyap	V	Deputy Convenor
Chaitanya Kashyap	IV	Member
Varun Singh	III	Member
Shawaiz Nisar	III	Member
Mridull Thaploo	II	Member
Monalisa Nanda	II	Member
Ridhima	II	Member



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab

Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

1ST CCLG CONTEMPORARY CONSTITUTIONALISM PAPER

PRESENTATION COMPETITION

CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)
Rajiv Gandhi National University of Law, Punjab
in collaboration with **Think India**

1st CCLG Contemporary Constitutionalism Paper Presentation Competition

IMPORTANT DATES

- Release of Notification : **29th March 2021**
- Commencement of Registration : **30th March 2021**
- Closure of Registration Form : **20th April 2021**
- Last Day of Final Paper Submission : **28th April 2021**
- Paper Presentation : **30th April 2021**
- Selection of Paper for Publication : **1st Week of July 2021**

PERKS/REWARDS

- Cash prizes/books for Top 3 Papers.
- Certificate of Publication for the top 25 participants along with publication in e-book with ISBN.
- A Certificate of Participation shall be issued to all the participants.

PATRONS

PROF (DR.) ANAND PAWAR
Vice-Chancellor,
RGNUL, Punjab

PROF (DR.) NARESH KUMAR VATS
Registrar,
RGNUL, Punjab

Registration Link : - <https://bit.ly/39nCVSp>

The Centre for Constitutional Law and Governance (CCLG), RGNUL conducted a paper presentation competition, titled, "1st CCLG Contemporary Constitutionalism Paper Presentation Competition" on 30th of April, 2021. The competition saw enthusiastic participation with around 170 registrations and 45 paper presentations. The inaugural address for the competition was delivered by the hon'ble Vice Chancellor of RGNUL, Dr. Anand Pawar and the Registrar of RGNUL, Dr. Naresh Kumar Vats, while the competition itself was organised under the able guidance of the teacher-in-charge, Dr. Siddhartha Fuller and the Student Convenor, Mr. Varun Dutta.



The competition aimed at creating an awareness regarding contemporary issues pertaining to Indian Constitutional Law, on a whole and the themes that were suggested to participants, included, but weren't limited to:

1. The Citizenship Act, 1955; Citizenship Amendment Act 2019, NRC, Assam Accord, Cross border infiltration.
2. Freedom of Speech and Expression; in context of the Constitution of India, IPC, Contempt of Courts Act 1971 etc.
3. Uniform Civil Code.
4. Regulation of Social media Intermediaries; Regulation of OTT platforms.
5. Article 370 & 35A.
6. Right to privacy; Data protection laws.
7. One Nation, One Election.

The Competition was held on Cisco Webex, virtually, and CCLG members, forming an Organizing Committee, ensured the smooth conducting of the competition. There were multiple groups of volunteers formed, to overlook specific tasks, such as technical and logistics team, Team of Rapporteurs, Team of Score-keepers, etc. It was ensured that no participant faced any logistic or organizational trouble in presenting their work. The participants and their manuscripts were judged by an esteemed board of judges who critically analysed the content matter as well as the presentation skills of the participants in accordance with predetermined scoring parameters. Thus, overall, the competition, which was a unique, first time endeavour of CCLG, was a success.



LIST OF ACTIVITIES CONDUCTED

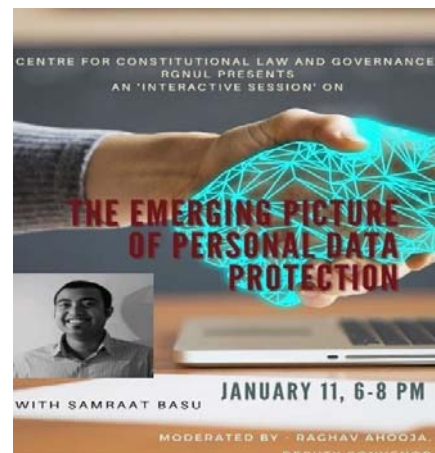
SESSION 2020-21

1. THE EMERGING PICTURE OF PERSONAL DATA PROTECTION: SAMRAT BASU (RGNUL ALUMNUS) (11TH JANUARY 2021)

LECTURE RECORDING

The Centre for Constitutional Law and Governance organised a Webinar cum interactive session on the 'Emerging Picture of Personal Data Protection' on 11 January, 2021. The Guest Speaker for the event was Mr. Samraat Basu, Mr. Basu is an expert in the field of privacy and data protection and has assisted the prestigious Justice Srikrishna Committee of Experts on the Personal Data Protection Bill. He has worked at premier organizations such as Vidhi Centre for Legal Policy and Cyril Amarchand

Mangaldas in the past, and is currently at Leiden University, The Netherlands where he is pursuing an Advanced LLM in Law and Digital Technologies. He has been invited to write for leading media outlets such as The Economic Times, The Indian Express, and The Wire. In the session, he discussed the contours of personal data protection in India and the EU with respect to the PDP Bill and the GDPR. Among other things, he discussed the idea of data as property and how this moot question is very abstract and needs further study and discussion. Further, he shared real life problems faced by him and his team when he was working in law firms which gave a sense of practicality to the discussion. All in all, all those students and faculty members who attended were left with something to think about. It was, thus, an enriching experience for all.





2. LECTURE ON DECODING ESSENTIAL PRACTICES TEST

Speaker Vikramjit Banerjee (ASG at Supreme Court of India)

(23rd January 2021)

LECTURE RECORDING

The concept of Essential Practices in a religion is different in American Jurisprudence and Indian Jurisprudence. The Supreme Court of the United States of America has held that in order to determine the essential practice of a religion has to be decided whether that particular practice is essential is the practice of that religion. The Supreme Court also held that the State must not interfere in the matter of religion, either Christianity or any other religion.



Ottoman Empire had a different policy of religion to manage people from different religions and communities, and was followed by the Mughals in India. They believed that each community needs to be governed by its own religious beliefs, practices and laws. State interference in the matter of religion was not prominent. However later when British came to India they tried to interfere in the religious matters of Indians, British Parliament even passed a resolution to convert India into a Christian State but after the War of 1857, Queen Victoria passed a Declaration that British Government would not interfere in the religious affairs of India.

In the Constitution of Independent India, Articles 25 and 26 were enacted which specifically gave certain rights to the State to interfere in the matters of religion in order to maintain public health, morality and public order. The opening of Hindu temples for all castes was made possible under these Articles only. India never had movements like Black Lives Matter in the US because Indian lawmakers acknowledged the problems of religious inequality in India and allowed State certain powers to interfere in the matters of religion.



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab

Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

The Ajmer Dargah Committee judgement of the 1960s was one of the first landmark judgements regarding the essential practices test, where the Supreme Court allowed the State to scrutinize non-essential practices of religion, i.e., determining what practice of a religion is essential and what is non-essential. It also held that the State would not interfere in the matters of essential practices of a religion.

Later in 1986, in the Bejoy Emmanuel Judgement, the Supreme Court held that if singing the National Anthem is against someone's religious belief then not singing the anthem will not be considered as disrespecting the National Anthem, perhaps a liberal approach was adopted and the Supreme Court decided not to interfere.

In Dr. Ismail Farooqi i.e. Ram Janambhoomi Case, the Supreme Court further held that if any structure is considered an essential practice of the religion, then it will be considered so and the Court should not interfere. In 2014, in the Adi Shankracharya Case, it was held that the State should not try to reform the religion. But in 2017, in the Shabrimala Temple verdict, the Supreme Court rather adopted a liberal view and held that the State can interfere in the essential practices of religion if the Court thinks it to be unconstitutional. Antiquity is not an essential ground to test the essential practices of religion.

Conclusion- Judiciary must refrain from addressing whether a certain practice is an essential practice of religion or not. If the State thinks that certain reforms are needed then it must be done through legislature and not through Courts. State must at all times show good cause as to why it want to interfere in any religious practice of a religion.



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab

Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

3. LECTURE ON CONTEMPT OF COURT IN INDIA



Speaker: - Namit Saxena (AOR at Supreme Court of India)

(06th March 2021)

Centre for Constitutional Law & Governance, RGNUL in collaboration with Think India is organised a session by Shri Namit Saxena (Advocate-on-Record, Supreme Court of India on 6th March 2021 at 4.00 PM through Cisco Webex

The theme of the lecture was Contempt of Court in India

Namit Saxena is an Advocate on Record at the Supreme Court of India who secured 2nd Rank in the AoR Exam; An RMLNLU law graduate, Namit practices in New Delhi and is the revising author of major legal classics including Ratanlal and Dhirajlal CrPC and Mulla CPC



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab

Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

4. LECTURE ON DISSENTING OPINIONS OF INDIAN SUPREME COURT



Speaker:- Prof (Dr.) Yogesh P Singh (Registrar, National Law University, Odisha) (04th March 2021)

LECTURE RECORDING

The Centre for Constitutional Law & Governance, RGNUL organized a session on the topic "Dissenting Opinions of Indian Supreme Court wherein Prof (Dr.) Yogesh P Singh (Registrar, National Law University, Odisha) was the Speaker. The session was held on Thursday March 4th, 2021 at 1600 hours through Cisco Webex.

Faculty Co-ordinator Mr. Siddhartha Fuller introduced the Speaker.

As far as the session is concerned, the speaker started with the evolution and jurisprudence concerning Dissent wherein he talked about the definition and use of the term in the present era by the Supreme Court.

Indian Constitution Article 145 provides judges to write their concurring and dissenting opinion which is a very basic and important parts of the judgement, later on he talked about the different modes of opinions as practiced by Hon'ble Judges in Indian Supreme Court over these years.



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab

Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

The two very well-established judgements in the cases *The New Maneck Chowk Spinning and Weaving Co., Ltd. Vs. The Textile Labour Association, Ahmedabad* [1960] INSC 271 dissenting opinion given by Justice Subba Rao, and the second case *ADM Jabalpur vs Shivakant Shukla* wherein the dissenting opinion was given by Justice HR Khanna. These two judgements till today hold a major relevance in the Indian Judicial field.

Later on, he concluded with the discussion concerning Section 377 of the Indian Penal Code, Question and Answer session was done wherein few students asked questions and were given answer accordingly.

VOTE OF THANKS BY Faculty Co-ordinator Mr. Siddhartha Fuller.

5. LECTURE ON CONSTITUTIONAL JOURNEY OF ARTICLE 370



Speaker: - Mr Pankaj Jamtani, Advocate, Supreme Court of India. (05th May, 2021)



LECTURE RECORDING

The Centre for Constitutional Law & Governance, RGNUL organising a session on the topic "Constitutional Journey of Article 370" wherein Mr Pankaj Jamtani, Advocate, Supreme Court of India, was the Speaker. The session was held on May 5th, 2021 at 1600 hours through Cisco Webex.

As far as Article 370 is concerned It was inserted on 17 October, 1959 and there were many controversies while its insertion as even Dr. B.R Ambedkar refused to include it. The article was written as Temporary provision w.r.t to the State of Jammu and Kashmir and not Special. There was war and the situation was usual w.r.t the state and we were entangled with the UN and hence the situation demanded the interim solution. In 1964, it was said that article 370 was misused and a private member bill was introduced to omit the article. A great debate was done on this but it was not passed. Some of the implications of the Article 370 include Due to this article, reservation of Scheduled caste and scheduled tribes was also affected as the political parties using Article 35A and Article 370 did not give them reservation. There was also gender discrimination as women if married outside the region could no longer have property in Kashmir. Many other acts and welfare laws including Domestic Violence Act, Property Act, POCSO Act, etc. were not applicable in Kashmir before the abrogation. Army too had to move from the site and shift their camps to Rajasthan. Ashok Kumar and anr. v. UOI makes it clear that the article also affected the judiciary. Now, after abrogation, Jammu Kashmir has no separate constitution or code to be followed. Property can be bought there; many multipurpose projects are moving in there and hence employment opportunities have increased. Central government schemes which could not have been applied there but now they can be. With the abrogation the article has become null and void but it is still a part of the constitution and there can be a debate as to the procedure applied by the government for the abrogation. Hence there have been many petitions filed in the Supreme Court about the same. The reasons as to the initial incorporation of the Article 370 are provided for its temporariness whereas Article 371 reads as Special Provisions and hence there seems no chances for its abrogation yet and hence Article 370 and 371 are different. As to the fear of the people of



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab

Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

losing their identity or land if the Article is abrogated, there exists no such case but instead there have been many positive impacts.

6. LECTURE ON WRIT JURISPRUDENCE AND CONTEMPORARY DEVELOPMENTS



Speaker: - Mr. Rajat Dixit, Assistant Professor of Law, RGNUL.

(08th May, 2021)

LECTURE RECORDING

Centre for Constitutional Law and Governance (CCLG), RGNUL organised a special lecture on the topic, “Writ Jurisprudence & Contemporary Development” on May 08, 2021. The speaker for the lecture was Mr. Rajat Dixit, Assistant Professor of Law RGNUL. The session was inaugurated by the Centre Heads. Mr. Dixit touched upon the following sub-topics:

1. Origin of Writs—Special Focus on India
2. Types of Writs
3. Obsolete Writs
4. Provisions—Article 32 & Article 226



-
5. Conditions for Application
 6. Targets of Writs
 7. Recent developments, & so on.

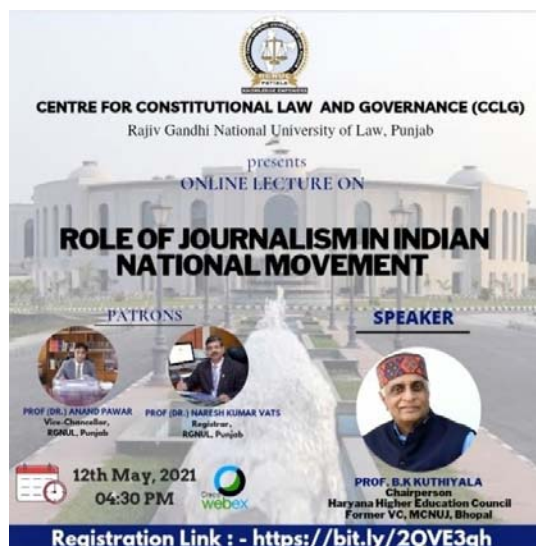
The final part of the session was the question-answer round. The students of RGNUL actively participated in the round, which turned into a constructive discussion session between the speaker and the students. The speaker along with students suggested various realistic frameworks and reforms in order to make Writs more inclusive and efficient. The session concluded on time.

7. LECTURE ON ROLE OF JOURNALISM IN INDIAN NATIONAL MOVEMENT

Speaker: - Prof. B.K Kuthiyala, Chairperson Haryana Higher Education Council, Former ViceChancellor, Makhanlal Chaturvedi National University of Journalism and Communication, Bhopal.

LECTURE RECORDING

A Lecture on topic Role of Journalism in Indian National Movement was organised by Centre for Constitutional Law and Governance, RGNUL on 12th May, 2021. Prof. B.K Kuthiyala, Chairperson Haryana Higher Education Council, Former Vice-Chancellor, Makhanlal Chaturvedi National University of Journalism and Communication, Bhopal was the Speaker for the lecture.



Being an expert in the field of Journalism, he talked about the Role of Journalism in the



CENTRE FOR CONSTITUTIONAL LAW AND GOVERNANCE (CCLG)

Rajiv Gandhi National University of Law, Punjab
Sidhuwal, Bhadson Road, Patiala, Punjab - 147006

cclg@rgnul.ac.in

National Movement be it 1857 or 1947, he talked about the Press Act, the Rowlatt Act and the plight of the journalists during the Pre-Independence era of the country and talked about the struggle they had to undergo due to prevalence of Black Laws in the country. The session was joined by more than 50+ participants which included students, teachers and other luminaries of the field. The session concluded with a Vote of Thanks given by Hon'ble Registrar Prof. (Dr.) Naresh Kumar Vats who highlighted the importance of such an insightful lecture and thanked Prof. Kuthiyala for enlightening the participants.

THE CHARTER- CCLG BLOG

The Charter, under the Centre of Constitutional Law and Governance, RGNUL (CCLG, RGNUL) started an online blog wherein submissions are invited from students, academicians and law practitioners on issues of constitutional law, governance, and policy.

Through the blog, We encourage pieces written with an inter-disciplinary approach encompassing human rights, political science, realpolitik, sociology, psychology, livesciences etc.

The Charter strives to bring an interdisciplinary approach to academic discourse on constitutional law and governance. It intends to provide an accessible forum for timely, relevant, well-researched and edited scholarly articles. It shall accept submissions through a contributor-based model.

The website can be accessed at www.cclg.in

