

## **CENTER FOR PUBLIC LAW**

**(Year of Inception - 2009)**

**Introduction:** The Centre for Public Law (CPL) was established on 30th July, 2009, with the primary objective of promoting research in Public Law and exploring its intersection with other legal disciplines. As a part of its ongoing efforts, the Centre organizes regular discussions and forums that explore policy matters and the latest developments in Indian Constitutional Law and Jurisprudence.

**Faculty Coordinators:** Dr. Sanjay Jain and Mr. D.P. Kendre

**Details of the Activities:-**

**Induction of Students:-** Following students were selected after seeking approval from the faculty co-ordinators :-

**For Centre for Public Law New Students inducted:** Ojas Date (II BA LL.B), Preeti Gokhale (II LL.B), Poorvi Kaurav and Harshal Khirsagar (both IV BA LL.B)

**For Contribution to the Public Law Bulletin :** Shraddha Bhide, Stuti Dhawan (Both III BA LL.B), Preeti Gokhale (II LL.B), Debargha Mukherjee (II BA LL.B), Nikita Bhakre (V BA LL.B)

### **SECOND CONSTITUTIONAL LAW EXTEMPORE MOOT COURT COMPETITION**

On the occasion of Constitution Day, the Centre for Public Law organized the Second Constitutional Law Extempore Moot Court Competition. It was conducted online on the Google Meet platform and was a two-day affair with an initial round and a final round and took place on 25 November 2021 and 26 November 2021, respectively. Students from II BA LL.B, III BA LL.B, IV BA LL.B and II LL.B were permitted to participate as counsels, and those from V BA LL.B and III LL.B were invited to judge the competition for the first round. A total of 45 students participated in the competition.

On the day of the first round, 5 Court Rooms were created with 9 participants in each. The moot problem from the first round was drafted by Nihar Chitre, an alumnus of ILS from the batch of 2021. The case problem was released at 10 AM and after they were allotted the sides, they were to represent the allotted sides. Participants were given four hours to prepare their case. The judges appointed to the first courtroom were Rashmi Birmole and Yamini Jain, judges appointed to the second courtroom were Bhargav Bhamidipati and Somya Tiwari, judges appointed to the third courtroom were Neha Dhavalikar and Nauman Beig, judges appointed to the fourth courtroom were Avanti Deshpande and Sahaja Burde and judges appointed to the Fifth Court room were Geethika Satti and Suruchi Bajpai. Each participant was given 10 minutes to present their case. The round began at 2 PM and continued on till the late evening of 25 November 2021. After a series of invigorating arguments across all the courtrooms, the top two from each were selected to proceed to the finals, which took place the next day.

The participants who reached the finals were Khushi Patel, Arundhati Patkar, Shrawani Mohani, Sejal Patil, Sanket Patange, Shivangi Desai, Suraj Nemade, Anushka Kaulgekar, Tanish Kedari and Madhulika.

The final round occurred on the next day, 26 November 2021. Ms Sharanya Shivaraman, ILS Alumnus of 2019 batch and a practicing advocate in the Bombay High Court, drafted the moot problem. Our alumni Ms Saranya Mishra (batch of 2019) and Satish Rai (batch of 2017) adjudicated the arguments. After several intellectually stimulating presentations, finally Shrawani Mohani, Khushi Patel and Anoushka Kaulgekar emerged as the top three scorers respectively bringing an end to an eventful two days.

### **Commendation for Prof. Dr. Sanjay Jain**

**Date: 14 May 2022**

A farewell and commendation event was organized for Prof. Dr Sanjay Jain, Additional Charge Principal, ILS Law College and the Faculty Co-ordinator for the Centre for Public Law on 14 May, 2022 at the Conference Hall, ILS Law College. The event was organized to celebrate Dr. Jain's extraordinary contributions and tenure at ILS Law College and with the Centre for Public Law. Director Ms. Vaijyanti Joshi, Faculty co-ordinator Mr. Dnyaneshwar Kendre and other Faculty members along with Centre for Public Law's former and current student members felicitated Dr. Jain and paid him farewell as he would begin his new journey at the National Law School University of India, Bangalore. The event was also live-streamed and many former student members and distinguished guests joined the event through video conferencing. At the event, students also released the latest edition of the Public Law Bulletin, the Centre for Public Law's flagship monthly publication in braille.

### **Publication of Public Law Bulletin Vol. XX Theme: Internet and the Public Law**

A team of 7 students under the supervision of Prof. Dr. Sanjay Jain and Prof. Dnyaneshwar Kendre released the 20th edition of the Public Law Bulletin on 14th May 2022. This edition was on the theme 'Internet and the Public Law' and included articles on various aspects of the internet's intersection with the public law. It included a total of 6 articles, coverage of important national international cases and scholarship on the theme. The bulletin is available on wordpress.com and is accessible to all.

- **Weekly Sessions:-**
- **Title of the Session :** Internet and Public law

**Resource Persons :** Dewangi Sharma and Ojas Date

**Date:** 5 February 2022

**No. of participants:** 30

**Report:-** The issue of "digital rights" under the constitution was also addressed, dealing with the application of traditional rights in the digital sphere as well as uniquely digital rights. The applications of the right to freedom of speech and expression to speech on the internet was addressed, followed by a discussion on the right to privacy, as recognised by the Puttaswamy judgment, and its practical application in status quo. Additionally, the right to be forgotten was

addressed, and its tenuous position in Indian law due to differing judgements from various high courts on the issue and the absence of any supreme court judgments recognising it.

The session also briefly covered the Data Protection Bill of 2021, covering various criticisms of the provisions therein, like the extensive scope of the bill as well as the broad exceptions carved out for the government, rendering the prospective data protection regime incomplete.

- **Title of the Session :** Making of the Constitution.

**Resource Persons:** Dewangi Sharma and Poorvi Kourav.

**Date:** 19 May 2022.

**No. of participants - 25**

**Report :-** The session started with explaining the history of the Indian Constitution and its development throughout pre and post-Independent India. Further, the role of the Constituent Assembly and the Drafting Committee was explained step by step. Then, the layout of the Indian Constitution was discussed and the meanings of terms like Article, Parts, Schedules, etc. were also discussed. In the end, the preamble was explained in detail.

- **Title of the Session:** Citizenship.

**Resource Persons:** Harshal Kshirsagar and Preeti Jadhav.

**Date - 20 May 2022.**

**No. of participants - 25**

Considering the audience the lecture delivery was structured in a way to make them familiar with the basics of citizenship. In that pursuance, the concepts like citizens and aliens were deliberated and accordingly differentiated. After that, the session took some time to talk about fundamental rights and privileges available to a person who is a citizen of India. Then the constitutional provisions under Article 5 to 11 under Part II were explained. And then the concepts like the acquisition of citizenship, loss of citizenship, and special provisions as to the citizenship of persons covered by the Assam Accord were discussed.

Further, various concepts such as that of single citizenship and dual citizenship, OCI, PIO and NRI were also discussed. Policy measures related to the same were elaborated upon and the position these concepts hold with respect to the topic of Citizenship was also discussed.

The Q and A session followed right after that where we received a few curious questions highlighting the student's interest in the subject.

- **Title of the Session :** Constitution 101 series

**Topic:** Article 12: The state in the Indian constitution

**Resource Person :** Ojas Date

**Date:** 24 June 2022

**No. of participants:** 34

**Report :** This session addressing the definition of the “state” as described in article 12 of the constitution was conducted as a part of the Centre’s “constitution 101” series which seeks to impart a basic understanding of the structure and contents of the Indian constitution and was the third session of the series.

The session began with a brief introduction of the fundamental rights, followed by an introduction to the framing of article 12, and was followed by a brief overview of the debates that took place in the constituent assembly when this provision was introduced.

Subsequently, the history of the judicial interpretation of this provision was traced, going over how various benches of the supreme court had interpreted the term “other authorities” in their judgements, from Rajasthan State Electricity Board v. Mohanlal where the court rejected the ejusdem generis interpretation of Article 12 to Pradeep Kumar Biswas v. Indian Institute of Chemical Biology where a constitution bench of the supreme court provided a general guideline for identifying if an entity would be considered as state under article 12.

● **Centre for Public Law Blog:** Two articles were published on the blog:-

1. Right to (virtual) assembly and internet shutdown - Preeti Gokhale (II LL.B)
2. Can the Courts restrict an accused from using social media as a condition of bail? - Saahas Arora (IV BA LL.B)