

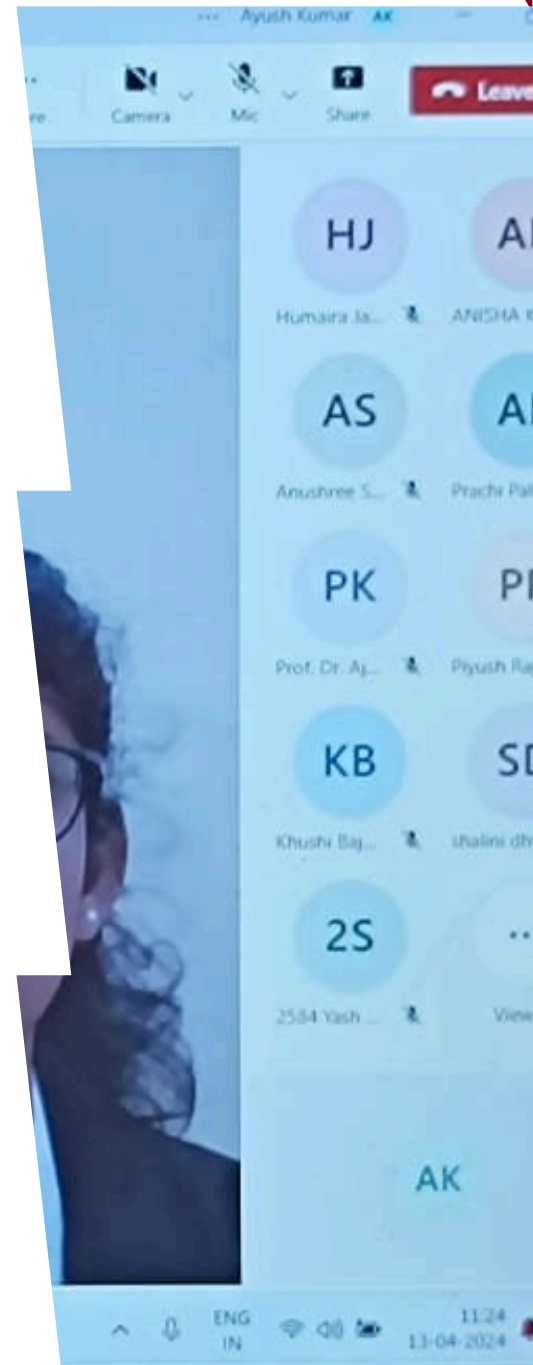


The Society For
Constitutional Law
Discussion

EVENT REPORT

NATIONAL SEMINAR

“Examining Contemporary
Constitutional Challenges:
Privacy, Rights and Federalism
in India”



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The Society For Constitutional Law Discussion (TSCLD)

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EVENT REPORT

National Seminar on "Examining Contemporary Constitutional Challenges: Privacy, Rights, and Federalism in India"

Date: April 13, 2024

Organised by: The Society For Constitutional Law Discussion

Overview

The Society for Constitutional Law Discussion successfully organised the National Seminar on "Examining Contemporary Constitutional Challenges: Privacy, Rights, and Federalism in India" on April 13, 2024. This pivotal event brought together leading legal scholars, practitioners, and students to engage in a comprehensive dialogue addressing some of the most pressing issues in contemporary constitutional law in India.

The welcome address was delivered by Mr. Piyush Raj, who eloquently set the stage for the day's discussions by outlining the thematic focus on privacy, rights, and federalism. He emphasized the critical need for legal frameworks to keep pace with technological advancements and societal shifts.

Inaugural Session

The seminar commenced with an inaugural session presided over by Professor Ajay Kumar, Dean and Professor of Law at Chanakya National Law University, Patna, who graced the occasion as the Chief Guest. His opening remarks underscored the importance of adapting constitutional principles to meet the evolving demands of society.

Professor Shailendra Kumar Gupta, Editor-in-Chief of the Blog & Journal and, the Guest of Honour, complemented the opening remarks by highlighting the dynamic nature of constitutional law and its impact on upholding democracy and protecting human rights in changing times.

Vote of thanks was given by Mr. Ayush Kumar, Managing Head of the Core Team of the Blog.

Technical Sessions Highlights

The seminar featured multiple technical sessions, each addressing a different theme under the broad umbrella of constitutional challenges:

1. **Privacy and Data Protection:** Chaired by Prof. (Dr.) Sanjay Jain, Professor of Law at National Law School of India University, Bangalore this session explored various facets of privacy rights in the digital age, including consent mechanisms under the Digital Data Protection Act, 2023 and the balance between data sovereignty and global data flows.
2. **Free Speech and Expression:** Dr. Shameek Sen led this session, delving into the complexities of balancing free speech with privacy and the regulatory challenges posed by social media platforms.
3. **Federalism and Governance:** Insights on the nuances of federalism in India were discussed, highlighting legislative relations and judicial interpretations that shape governance.
4. **Same-Sex Marriage and LGBTQ+ Rights:** This session, chaired by Dr. Sangeetha Sriram, focused on the legal struggles and progress of the LGBTQ+ community in India, particularly concerning marriage rights and social acceptance.
5. **Electoral System and Democracy:** The intricacies of India's electoral bond scheme and its implications for democracy and transparency were critically analysed.

The consensus underscored the urgency of addressing the constitutional challenges highlighted throughout the day to ensure the protection of fundamental rights and the strengthening of democratic governance in India.

The seminar was deemed highly successful, not only for its insightful presentations and discussions but also for its role in fostering a deeper understanding of constitutional law among attendees. The proceedings of the seminar are expected to contribute significantly to ongoing academic and policy debates in the field of constitutional law.

This comprehensive dialogue has set the stage for future research and policymaking, ensuring that constitutional law remains robust and responsive in the face of India's evolving socio-political landscape.

DETAILED REPORT ON TECHNICAL SESSIONS

1. TECHNICAL SESSION 1: PRIVACY AND DATA PROTECTION	
Chair: Prof. (Dr.) Sanjay Jain, Professor of Law, NLSIU Bangalore	Panellist: Ms. Neha Singh, Advocate, Supreme Court of India
<p>I. Neha Raj and Shailja Trivedi presented on "Privacy and Data Protection in the Digital Age", discussing the evolution of privacy laws in India and the challenges posed by digital advancements.</p> <p>II. Swarnali Das covered "Right to Reputation in the Age of Artificial Intelligence: Navigating the Challenges of Synthetic Media", focusing on defamation risks associated with deepfake technologies.</p> <p>III. Mansha Nair and Manvi discussed "Digital Footprints and Data Consent: Navigating Privacy in the 21st Century", emphasizing the need for stronger consent frameworks in data collection.</p> <p>IV. Raje presented "Empowering Privacy Rights: The Pivotal Role of Consent in the Digital Data Protection Act 2023", highlighting the legal implications of the new act on personal data protection.</p> <p>V. Shraddha Yadav examined "Navigating Constitutional Challenges: Privacy and Data Protection Dynamics in Contemporary India", critiquing the current privacy protection measures under Indian law.</p> <p>VI. Anukul Jyrwa explored "Privacy Protection - Is India Addressing the Need for Digital Data Sovereignty?", questioning India's data sovereignty in the context of global data flows.</p> <p>VII. Priyanaka Bhanot analysed "Digital Privacy Rights", discussing the intersection of digital innovation and privacy laws.</p>	

2. TECHNICAL SESSION 2: FREE SPEECH AND EXPRESSION	
Chair: Dr. Shameek Sen, Associate Professor of Law, WB NUJS Kolkata	Panellist: Ms. Kritika Ramya, Assistant Professor, Symbiosis Law School Noida
<p>I. Iftikhar Hussain Bhat & Humaira Jasmin Tak discussed "Freedom of Expression and Privacy in the Age of Information", debating the balance between free speech and privacy in digital communications.</p> <p>II. Swati Ther and Aditya Dubey presented "Examining Contemporary Challenges to Indian Constitutionalism: A Focus on Fundamental Rights", focusing on threats to free speech and expression.</p>	

- III. Aruno Raj Singh explored "**Exploring the Dynamics of Freedom of Speech and Expression on Social Media: Opportunities and Challenges**", addressing the regulatory challenges of social media.
- IV. Khushi Bajpai revisited "**Privacy and Data Protection in Digital Age**", paralleling privacy concerns with freedom of expression.
- V. Mukta Nahata and Sukhpreet Kaur Sodhi analysed "**Navigating the Legal Terrain: Balancing Freedom of Speech and Combating Hate Speech in India**", suggesting legal reforms for managing hate speech without infringing on free speech.
- VI. Ramya Lekha Mandu examined "**Friction Between Faith and Freedom: Constitutional Implications on Religious Expression and Online Hate Speech**", discussing the legal boundaries of religious expression in the digital realm.

3. TECHNICAL SESSION 3: FEDERALISM AND GOVERNANCE

Chair: Ms. Srishti Chaturvedi, Assistant Professor of Law, IIULER Goa

Panellist:

- i. Mr. Vikash Sharma, Advocate, Delhi High Court and,
- ii. Ms. Niharika Gayakwad, Assistant Professor of Law, KLE Law College Mumbai

- I. Shalini Dhyani presented "**Constitutional Rights and Governance in Crisis: The Role of Federalism in India**", arguing for a redefined approach to federalism in times of national crises.
- II. Aditya Kumar discussed "**Navigating India's Constitutional Architecture: Exploring Federalism Legislative Relations and Judicial Interpretation**", exploring the legislative and judicial dimensions of federalism in India.
- III. Avnee Byotra analysed "**Indian Federalism: A Precious Gem or a Fragile Flower Under Threat**", critiquing the current state of federalism under political and economic pressures.
- IV. Ranveer Singh Rathore and Aishwarya Sharma examined "**Harmony in Dissent: Exploring Democratic Protests with a Spotlight on Farmer's Movements**", highlighting the role of federalism in managing national protests.

- V. D Tharun Gautham Rao presented "**Judicial Review and Quasi-Federal Disputes in India – Principles, Doctrines, and Limitations**", discussing the judicial oversight on federal disputes.
- VI. Pooran Chandra Pande covered "**Constitutional Rights and Governance in Crisis in India**", proposing legal reforms to strengthen governance during constitutional crises.
- VII. Abhishek Nande & Yash Sharan analysed "**Augmenting Judicial Federalism: Proffering the Proposition of Specialized Branches of the Supreme Court of India**", suggesting structural changes to India's judicial system to enhance federalism.

4. TECHNICAL SESSION 4: SAME-SEX MARRIAGE AND LGBTQ+ RIGHTS

Chair: Prof. (Dr.) Rakesh Kumar, University School of Law and Legal Studies, GGSIPU	Panellist: Dr. Sangeetha Sriraam, Assistant Professor, Department of Law, School of Legal Studies, Central University of Tamil Nadu
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- I. Anshika Singh and Kirti Shankar presented on "**Unfolding the Legal Landscape of Same-Sex Marriages in India**", discussing the current legal framework, and advocating for legislative reform to recognize same-sex marriages.
- II. Pooja Tiwari explored "**Placement of Marital Ties for Sexual Minorities in India - Finding Space through the Indian Constitution**", examining the constitutional basis for extending marriage rights to sexual minorities.
- III. Kashish Bhushan discussed "**Navigating the Legal Landscape: Equal Marriage Rights and Advancements for the LGBTQ+ Community in India**", highlighting recent legal advancements and ongoing challenges.
- IV. Dashami Sunil and Goda Mano Abhiram analysed "**Constitutional Inconsistencies: Why India Needs to Recognize Same-Sex Marriage**", arguing for a more consistent constitutional approach to same-sex marriage.
- V. Darsana Vikram presented on "**Challenges and Progress: The Legal Journey of Same-Sex Marriage in India**", outlining the historical legal battles and current status.
- VI. Devika Bhamri and Ishani Sharma discussed "**Legal Landscape of Same Sex Marriage**", focusing on comparative legal perspectives.

VII. Ruchita Mitra and Dr. J. Pratima explored "**Intersectionality and Legal Advocacy: Addressing Inequality of Same-Sex Marriage Law**", emphasizing the need for an intersectional approach in legal advocacy for LGBTQ+ rights.

5. TECHNICAL SESSION 5: ELECTORAL SYSTEM AND DEMOCRACY

Chair: Dr. Nitesh Kumar Upadhyay, Associate Professor of Law, Symbiosis International University Noida	Panellist: Mr. Raj Kiran Tripathy, Assistant Professor of Law, GNLU
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| <p>I. Prachi Pallavi presented "Did the Electoral Bond Scheme Infringe the Fundamental Right of the Electorate?", critiquing the electoral bond scheme for its impact on transparency.</p> <p>II. Mamta Patel discussed "Strengthening Democracy: The Role of Political Parties in the Right to Information Act 2005", advocating for greater transparency in political financing.</p> <p>III. Devika G Thampi analysed "Supreme Court Verdict on Electoral Bonds", detailing the legal arguments and implications of the ruling.</p> <p>IV. Subham Sarkar & Anushree Saha presented on "The Voice of The Unheard: An Untold Story of the 'Vulnerables' at Sandeshkhali West Bengal", a case study on electoral practices in marginalized communities.</p> <p>V. Aditi Das and Dr. Pratima Jeggumantri discussed "Decoding the Supreme Court's Ruling on Electoral Bonds: Implications and Analysis", focusing on the constitutional and democratic implications.</p> <p>VI. Janmejay Bhardwaj & Neha Shree Reddy presented "Examining India's Electoral Bond System", providing a comprehensive analysis of its design and consequences.</p> <p>VII. Saksham Vishal Sood analysed "Unveiling Transparency: The Supreme Court's Ruling on India's Electoral Bond Scheme", discussing the potential for reform following the verdict.</p> | |
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6. TECHNICAL SESSION 6: CONSTITUTIONAL LAW AND TECHNOLOGY

Chair: Dr. Kumar Gaurav, Assistant Professor of Law, CNLU Patna	Panellists: i. Ms. Chetana Bhargava, Advocate, Supreme Court of India and,
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	ii. Ms. Reva Gupta, Assistant Professor of Law, Indore Institute of Law, Indore
I.	Dr. Sukriti Yagyasen and Rose Paul discussed " Navigating the Data Divide: Balancing Data Localization and Cross-Border Data Flow ", exploring the implications for privacy and national security.
II.	Neha Raj and Shailja Trivedi revisited " Examining the Impact of Technology on Privacy Rights: Balancing Security and Civil Liberties in the Digital Age ", focusing on the tension between technological advancement and privacy protections.
III.	Shubhanshi Suman analysed " Borderless Data, Bounded Rights: Constitutional Challenges in Cross-Border Data Transfers ", discussing international data transfer challenges.
IV.	Ramyani Bhattacharya and Astha Singh presented " Judicial Structure and Federalism: A Comparative Study Between India and the U.S.A. ", comparing judicial approaches to federalism and technology.
V.	Rhea Saini and Adrija Hazra explored " Privacy Surveillance and Data Protection ", examining the balance between surveillance for security and individual privacy rights.
VI.	Nisheeth Chandrachoor discussed " Constitutional Complexities of Balancing Acts: Understanding the Interface of the Right to Information and the Right to Privacy ".

7. TECHNICAL SESSION 7: FEDERALISM AND LEGISLATIVE RELATIONS

Chair: Mr. Prashanto Chandra Sen, Senior Advocate, Supreme Court of India	Panellist:
	i. Ms. Ankita Chakroborty, Assistant Professor of Law, NLU Meghalaya
	ii. Ms. Shivangi Khandelwal, Assistant Professor of Law, NIU Noida
I.	Sanjampreet Singh and Harman Kaur presented paper titled, " Watershed Federalism: Cooperative Governance Models for Managing Inter-State Water Disputes " discussing various cooperative governance models aimed at resolving inter-state water disputes in India.

- II. Vaishnavi Balusu and Ac Narmitha presented paper titled, **“An Analysis on Cooperative Governance in Relation to the Indian Inter-state Water Disputes”** exploring the intricacies of cooperative governance in the context of inter-state water disputes, analysing existing legal frameworks, and proposing improvements to enhance cooperation among states.
- III. Salman Shaikh and Pradhumn Rana presented paper titled, **“Balancing Civil Liberties and Public Order: Judicial Review of Right to Protests under Article 19 in Unofficial Spaces”** examining the judicial review process concerning the right to protest under Article 19 of the Indian Constitution, focusing on unofficial spaces.
- IV. Lavanya Joshi and Nidhi presented paper titled, **“Unraveling the Hydro-Political Knot: Towards Cooperative Federalism and Integrated Management of Interstate Rivers in India”** discussing the concept of cooperative federalism in managing interstate rivers, advocating for integrated management practices to address the hydro-political challenges in India.
- V. Shashwata Sahu and Anisha Kar presented paper titled, **“Federalism for Sustainability: Leveraging Multi-Level Governance for Environmental Protection in India”** exploring the role of multi-level governance in promoting environmental sustainability in India.
- VI. Shruti Singh presented a paper titled, **“Digital Personal Data Protection Act 2023: Analysing the Relationship between Privacy, Government, and Identity”** analysing the Digital Personal Data Protection Act 2023, examining its implications on privacy, government surveillance, and identity protection. It provides insights into the balance between individual rights and state interests.

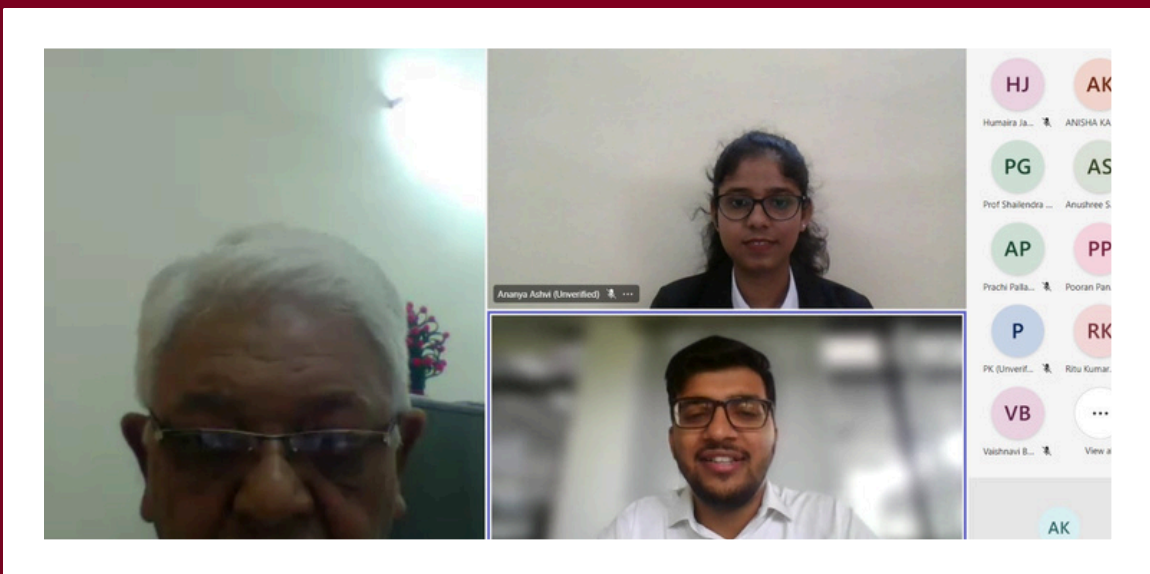
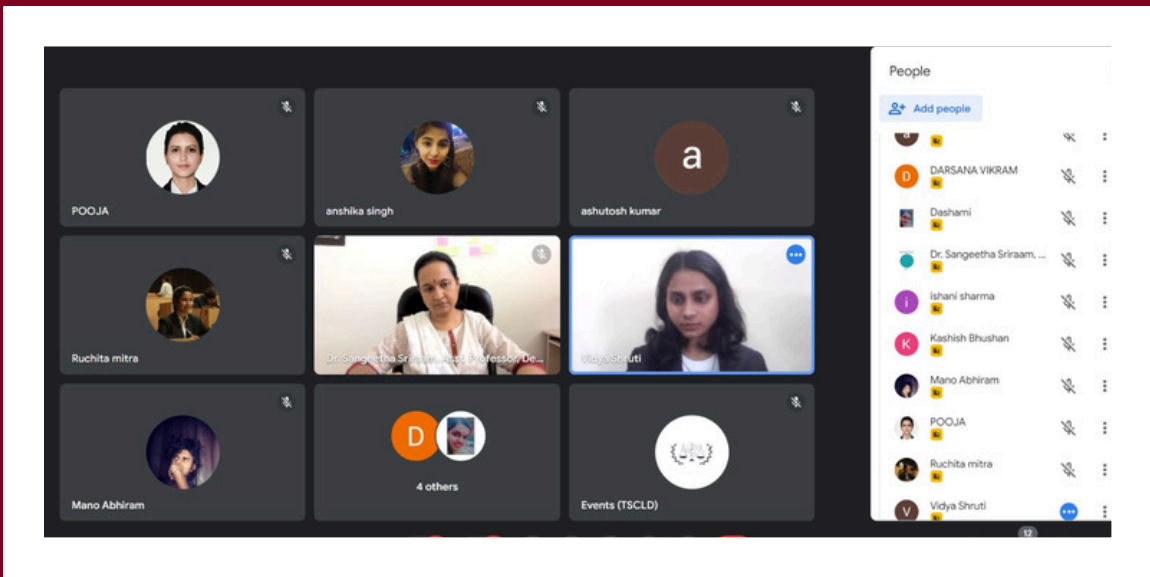
8. TECHNICAL SESSION 8: RIGHTS AND SOCIAL ISSUES

Chair: Prof. (Dr.) Shailendra Kumar Gupta, Faculty of Law, BHU	Keynote Address: Ms. Bhavna Mahadew, Lecturer in Law, Adjunct Professor, Mauritius University	Panellist: Ms. Swarlata Pandey, Assistant Professor of Law, Sastra University
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- I. Chayan Chakraborty presented a paper titled, **“Rights of the Climate-Induced Migrants of the Sundarban Delta: A Socio-Legal Analysis Under Constitutional Jurisprudence”** addressing the socio-legal challenges faced by climate-induced migrants in the Sundarban Delta.
- II. Lavanya Joshi and Nidhi presented a paper titled, **“Unraveling Reproduction Rights: Legal Ambiguities and Inconsistencies Constricting Women's Autonomy”** exploring the legal ambiguities and inconsistencies surrounding women's reproductive rights in India.
- III. Ritu Kumari presented a paper titled, **“Child Delinquency and Child Rights: Victim’s Perspective”** examining child delinquency from the perspective of child victims.
- IV. Sanya Pahouja and Vijaishree Tiwari presented a paper titled, **“Contour and Concerns with Respect to Anti-Defection Law in India: Need for Change”** discussing the anti-defection law in India and analysing its contours and raising concerns about its effectiveness.
- V. Bandhan Kumar Verma presented a paper titled, **“Right to be Forgotten: A New Trend of Fundamental Rights in India”** exploring the emerging concept of the right to be forgotten in India and analysing its implications for privacy and data protection.
- VI. Aastha Choudhary presented a paper titled, **“Inclusive Education: Ensuring the Right to Education for Children with Disabilities”** emphasising the importance of inclusive education for children with disabilities.

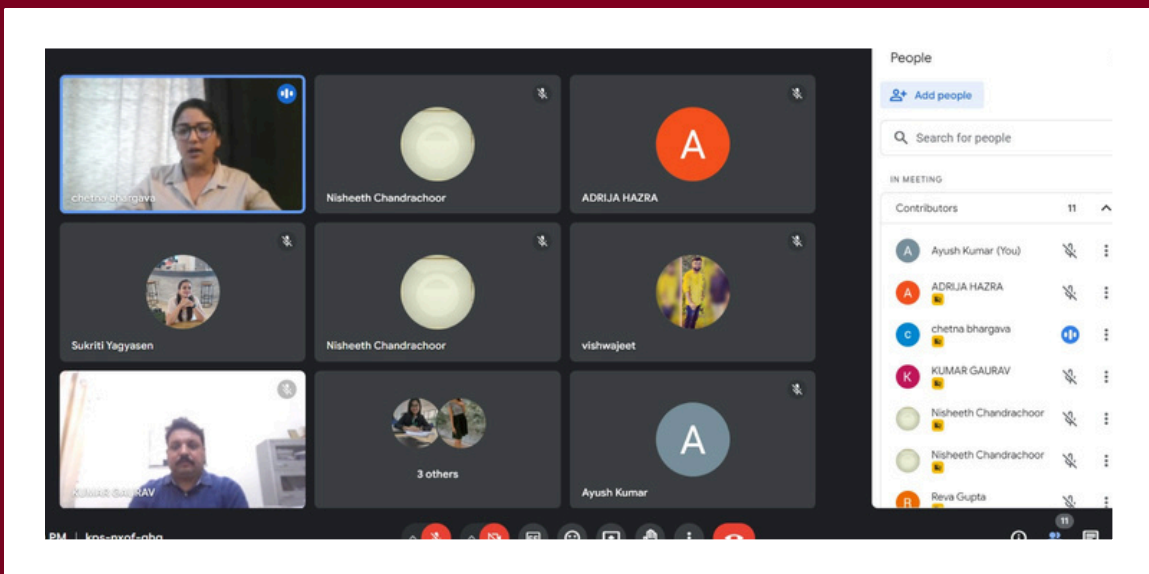
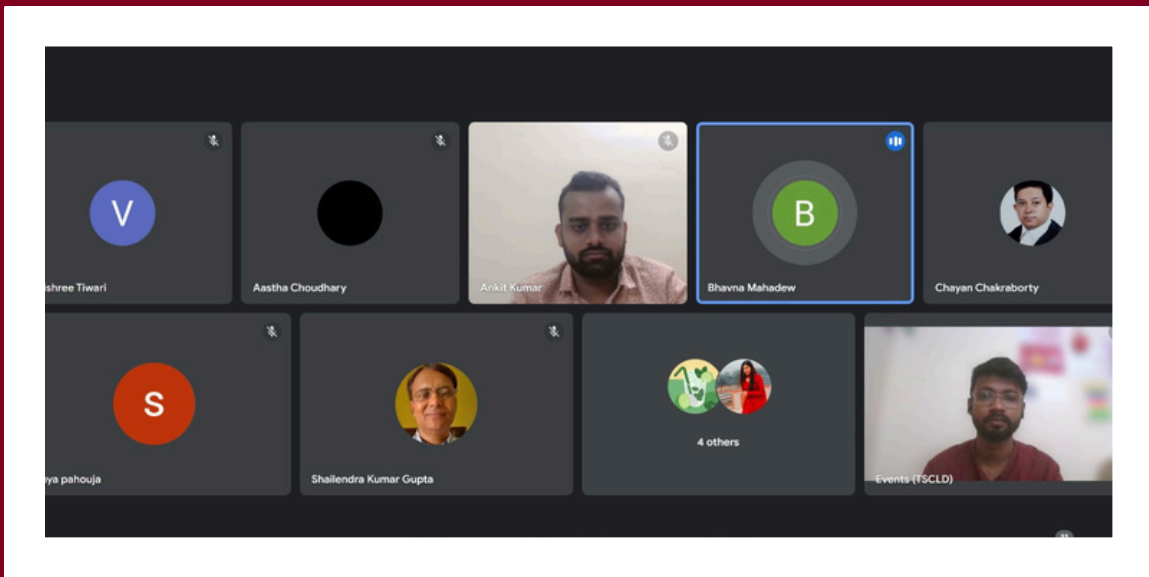
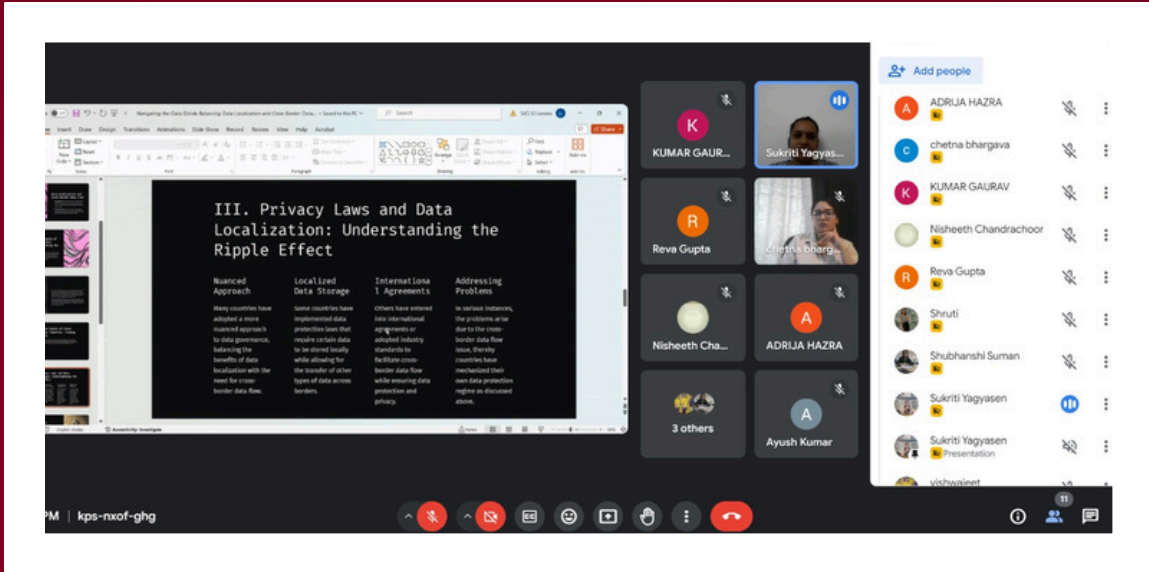


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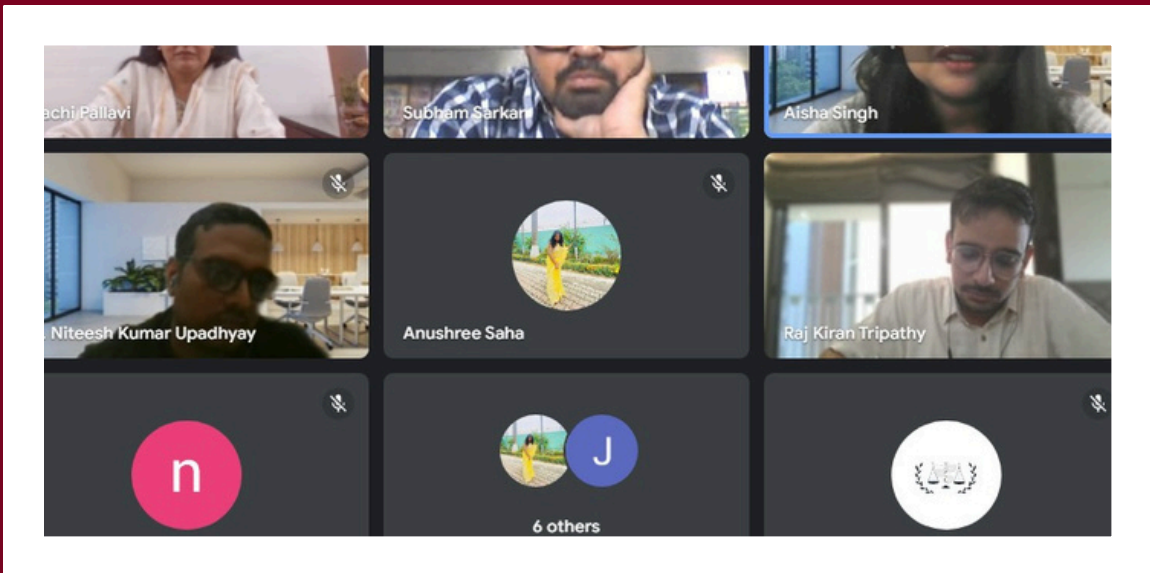
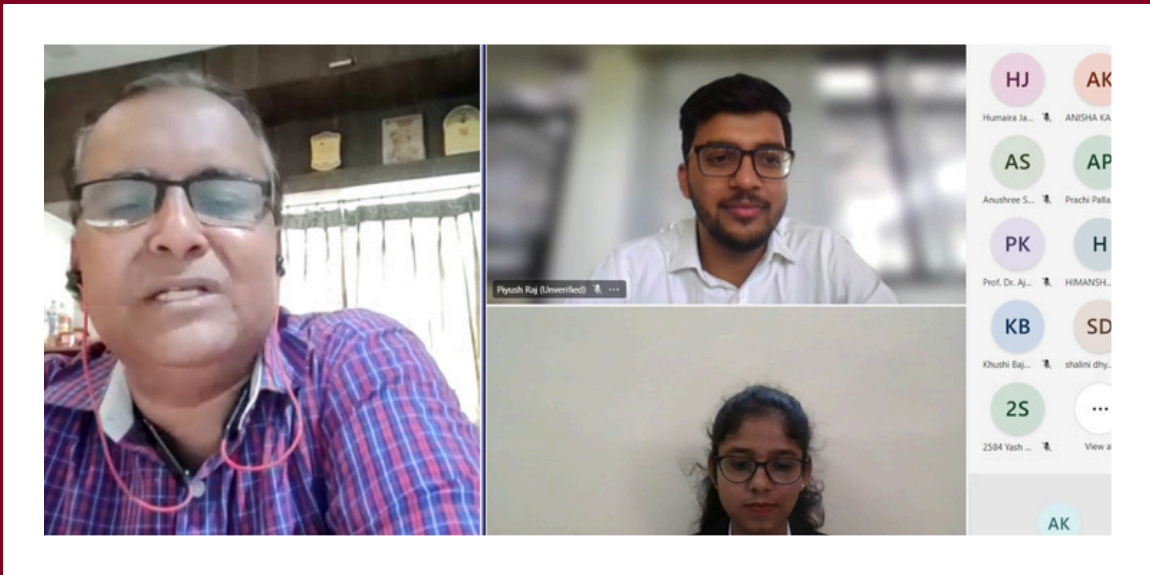
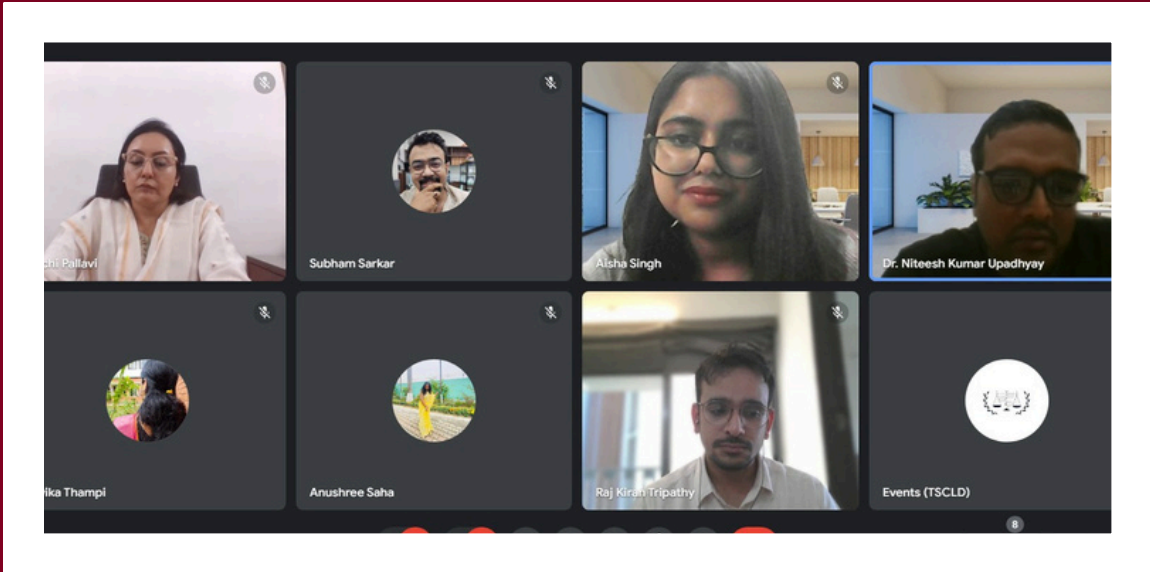


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