



REPORT OF THE
SEMINARS, DEBATES AND DISCUSSIONS SOCIETY
(October 2016 - March 2017)

About the Seminars, Debates and Discussions Society (SDS)

“It is better to debate a question without settling it, than to settle a question without debating it.” – Joseph Joubert

The SDS has been formed for encouraging critical thinking and providing the students a platform to debate and discuss ideas. The society aims to be a melting pot of diverse opinions, drawn from students belonging to a wide array of academic backgrounds. To promote a culture of free and independent thought, the SDS seeks to hold discussions on contemporary legal issues as well as course-related topics by organising weekly seminars, where a presentation is made by a student or a team of students. The presentation is a culmination of in-depth research on a chosen theme. This is followed by a round of extensive conversation amongst those present where questions are put forth and ideas debated. In addition, the society also regularly invites legal luminaries to enlighten Campus Law Centre’s budding lawyers. At the society’s core is a desire to inculcate an appreciation for the art of public speaking as well as reasoned and coherent inquest into legal matters.



Presentations/Discussions Organised by the SDS

Talk on: Government and Business Interface: A Lawyer's Perspective



A talk by Dr. Harsh Pathak, Advocate, Supreme Court of India was organized on 25th October, 2016 on the topic 'Government and Business Interface: A Lawyer's Perspective'. He discussed the role of lawyers in building bridges between the government and the private sector. He explained the thought process that a lawyer

should exercise so as to understand the objectives behind any government or private action. By contrasting historical perspectives and present economic set up of India, Dr. Pathak showed how the dynamics of the business interactions with the government have become more regulatory in nature with the advent of globalisation. In this background, he discussed the entire business regime in India and the various compliances which any business entity has to fulfil. He also discussed relevant Constitutional and statutory provisions.



The talk was followed by an interactive session between the students and Dr. Pathak. Mr. Parikshet Sirohi, Assistant Professor, Campus Law Centre was the moderator for the discussion. The discussion ended with a vote of thanks by Dr. Monica Chaudhary, Teacher Convener, SDS.



Presentation on: Scope and Ambit of Right to Information Act, 2005

Two L.L.B final year students of Campus Law Centre, Ms. Sonali Malik and Mr. Trinad Kumar Potina discussed the ambit and scope of the RTI Act, 2005 on 28th October, 2016 by categorizing the



relevant provisions of the Act under four distinct blocks. Under the first block, provisions related to the Right to Access in context of 'information', 'public authority', 'record', 'right to information' as given under Section 2 and Section 3 of the Act and the interpretation accorded to the same by the State Information Commissions, Central Information Commission and the various High Courts and the

Supreme Court during the last decade were discussed. The second block explained the procedural guarantees that ensured efficient and effective disposal of application seeking information. The third block dealt with Sections 8, 9, 10, 11 and 24 of the Act and explained the exceptions that prohibit information disclosure under the Act. The fourth block discussed the provisions related to Appeals, Sanctions and Protections. The presentation also substantiated relevant case laws related to the RTI Act and highlighted the challenges confronting the RTI regime and suggested ways to move forward.





Presentation on: Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Bill, 2014

A presentation by Ms. Kanupriya Mehndiratta, a second year LL.B. student of Campus Law Centre, on 30th November, 2016 highlighted the unfortunate condition of people suffering from AIDS in India through studies which exhibited the overwhelmingly negative social reactions towards people with AIDS.

The speaker discussed the objective which the Bill seeks to achieve, that is, prohibit discrimination against the HIV positive person and highlighted important provisions of the Bill. The speaker further deliberated upon informed consent, disclosure of HIV status, role of government and ombudsman, guardianship of HIV affected person, disposal of related cases on priority basis and insurance cover for HIV positive people without discrimination.



The Bill was critically analysed and castigated because it overlooked the vulnerable sections of the society namely intravenous drug-users, FSWs, MSMs, and transgendered people as they do not have the luxury to express themselves or define their identities and are victims of violence and stigma in both public and private spaces.



Presentation on: Sports Law in India - Growing Significance, Opportunities and Challenges

Mr. Deepak Sati, Mr. Pranav Pathak and Mr. Faraz Anees, LL.B. final year students of Campus Law Centre explored the domain of sports law in India on 27th January, 2016. Mr. Sati introduced the topic and talked about cultural and political significance of sports in India and around the world. He explained the role that law plays in terms of expertise and values in the field of sports. He further discussed the jurisprudence of Sports Law and in doing so argued why this field ought to be referred to as 'Sports Law' and not as 'Sports and Law'. He cited various cases such as the 1968 Olympics Black Power Salute case, Dutee Chand case, BCCI case etc. to substantiate his argument.



Mr. Pathak, thereafter, elaborated on the issue of legality of betting in India through various statutes and recommendations. He vehemently argued how betting is lawful under the Indian Contract Act, 1872 as betting in sports is more of a game of skill than a game of chance.

Mr. Anees elaborated on the topic of sports broadcasting, its growing economic and constitutional importance by emphasizing on Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharti) Act, 2007 and Sony-BCCI fiasco.



Presentation on: The Transgender Persons (Protection of Rights) Bill, 2016

A presentation was made by Ms. Ankita Gandhi (LL.B. final year student of Campus Law Centre) and Mr. Aakash Shankar (LL.B. first year student of Campus Law Centre) on 10th February, 2017 on the Transgender Persons (Protection of Rights) Bill, 2016. They analysed the Bill for protection of the rights of the transgender persons. The speakers began by stating that transgender persons deserve to be given the minority status on account of the discriminatory treatment meted out to them. They then proceeded to explain that this discrimination is rooted in the concept of heteronormativity due to which those who do not subscribe to the “man-woman” gender binary are seen as “abnormal”. Transgender persons are those whose gender identity differs from the sex assigned to them at birth by doctors, thereby challenging gender binaries.



Till April 15, 2014, the Indian legal system accorded no legal recognition to this class of citizens. The Supreme Court’s judgment in *NALSA v. Union of India* (2014) legitimized the right to self-determination of gender identity. The government decided to give legislative sanctity to the spirit of the said judgment and tabled the aforementioned Bill. However, the Bill has reneged on some of the key principles propounded by the apex court such as taking away the right of self-expression and omitting the guarantee of the OBC quota for the transgender community. Nonetheless, it does mark a step forward as it has provisions to prevent and punish discrimination, as well as to establish a comprehensive healthcare strategy which focuses on HIV surveillance.

The presentation concluded with a pertinent discussion on the inadequacy of solely granting legal recognition without the concomitant amendment to section 377 of the IPC which takes away the transgender community’s right to choose a partner of their choice.



Workshop on Legal Research using SCC online

Ms. Garima Verma, LL.B. final year student of Campus Law Centre, shared her expert knowledge on conducting legal research using SCC online with the participants on 1st March 2017. She highlighted the importance and relevance of legal research for a lawyer.

SCC online being a specialised tool, the speaker explained the methodology of random search and specific search. Further, special inputs such as AND, OR, NOT and NEAR were explained for the purpose of advanced search. The speaker touched upon and explained all the symbols used in SCC online such as symbols for digest notes, judgment, coram and overruled judgments through examples.



It was an interactive session and the speaker clarified the doubts of the audience. Two participants were awarded SCC online coupons for correctly answering the questions posed by the Speaker. The workshop was highly informative and interactive.