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LEGAL AID SOCIETY, CAMPUS LAW CENTRE

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Legal Aid Society
Campus Law Centre, University of Delhi
Chattra Marg (North Campus), Delhi 110007



lasclc.in



legalaidociety@clc.du.ac.in
awaaz.bloglasclc@gmail.com

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LIST OF ABBREVIATIONS

S.NO.	ABBREVIATIONS	FULL-FORM / MEANING
1.	Retd.	Retired
2.	Prof.	Professor
3.	Dr.	Doctor
4.	Vol.	Volume
5.	Hon'ble	Honourable
6.	NGO	Non-Governmental Organisation
7.	Rs.	Rupees
8.	v.	Versus
9.	KGBV	Kasturba Gandhi Balika Vidyalaya
10.	BCI	Bar Council of India
11.	LAS	Legal Aid Society, Campus Law Centre
12.	LSA Act	Legal Services Authority Act, 1987
13.	PLV	Para Legal Volunteer
14.	DSLISA	Delhi State Legal Services Authority
15.	Awaaz	Awaaz- The Blog, Legal Aid Society, Campus Law Centre
16.	CLC	Campus Law Centre
17.	COVID-19	Coronavirus Disease
18.	NALSA	National Legal Services Authority
19.	FGC	Female Genital Cutting
20.	C-DSLISA	Central Delhi State Legal Services Authority

21.	S. No.	Serial Number
22.	ID	Identification
23.	&	And
24.	IST	Indian Standard Time
25.	US	United States
26.	IP	Intellectual Property
27.	GPS	Global Positioning System
28.	Etc.	Et Cetera
29.	SC	Supreme Court
30.	HC	High Court
31.	No.	Number
32.	(D)	Deceased
33.	LRs	Legal Representatives
34.	HPC	High-Powered Committee
35.	POCSO	The Protection of Children from Sexual Offences Act, 2012
36.	Ors.	Others
37.	U.P.	Uttar Pradesh
38.	CrPC	The Code of Criminal Procedure, 1973
39.	LCI	The Law Commission of India
40.	CEDAW	The Convention On Elimination Of All Forms Of Discrimination Against Women, 1979.

FROM THE PATRON'S DESK



Prof. (Dr.) Raman Mittal, Professor-in-Charge, Campus Law Centre

Madam Helena Petrovna Blavatsky, the co-founder of the Theosophical Society, always carried bags of flower seeds with herself, especially during her extensive travels. She would go on throwing those seeds out of the window whenever she travelled by train. When questioned by people she would say, “These are seeds of beautiful flowers—flowers of different colours and varieties. When the rains come, these seeds will become plants. Soon there will be millions of flowers covering the entire place. I may not be coming back on the route and may never see them, but thousands of people will see them, thousands of people will enjoy their fragrance. My joy is that so many people will be joyful. I am not a miser. Whatever I can do to make people joyful and happy, I will do; it is part of my love.” Twentieth century spiritual master Osho has said, “Gautama Buddha went into the forest and came back to share it. It is not a question of whether the other has it or not. The question is that when one has, he has to share. Sharing is out of one’s abundance. Sharing is out of one’s inner richness.”

The yoga of law and life prescribes sharing. In fact, life knows only one law and that is sharing. The more one shares something with others the more it mysteriously grows within them—it may be knowledge or money. The PLVs of CLC donned the spirit of soldiers and helped construction workers and labourers register for their identity cards at helpdesks set up by DSLSA. At the peak of the pandemic, the volunteers championed the cause of plasma donation by connecting potential plasma donors to the patients in need. The Legal Aid Society also organised programs on diverse topics such as environment, domestic violence, intellectual property and human rights.

The pandemic of COVID-19, which dragged the whole world into the abyss of inaction, also posed great challenges to Legal Aid activities in particular and the practice of law in general. The lockdown consequent to this menacing malady impacted the regular workings of the Legal Aid Society of Campus Law Centre. However, alive to its goal of ‘Access to Justice for All’, the Society converted this crisis into an opportunity by exploring and experimenting with innovative approaches of engagement with the causes that it seeks to espouse.

As always, my congratulations to the Society for the wonderful work done and best wishes for all their future endeavours. I want to end with the following message:

The pandemic and its scare
Gave us the worst nightmare
It didn't do anybody spare
But why yield to despair
As long as someone is there to care
We can overcome the worst if we share
Of our responsibilities let's be aware
‘Care and share’ is all we need in the pair

Prof. (Dr.) Raman Mittal

Professor-in-Charge

Campus Law Centre, Faculty of Law, University of Delhi

INTERVIEW WITH HON'BLE MS. JUSTICE ANJANA MISHRA (RETD.)



Chairperson, Bihar State Law Commission & Former Judge, High Court of Judicature
at Patna

1. What has been the most rewarding aspect of being a Judge of the Hon'ble High Court of Patna for your Ladyship?

After being elevated as a Judge of the Hon'ble High Court of Patna, I was quite thrilled with the honour and dignity attached to the constitutional post. It was of course, in recognition of the merit which I had shown at the Bar, as I have been practising for almost 27 years and had gained multifarious dimensions and experiences in dealing with litigants, who were both rich and poor, and therefore, I was able to expand my vision both ways. I was also aware that I had a constitutional obligation of serving the poor people, and after being elevated, I realized that I have more to contribute now to the justice delivery system. So, when I became a Judge, I took deep pains to ensure that at least, the poor and the marginalized were taken care of by my judgments, that it does not prejudice them in any manner. So, that in itself was a matter of great satisfaction for me and the most rewarding experience.

- 2. Your Ladyship has been instrumental in the inclusion of women lawyers as public prosecutors across all District Courts in Bihar. What are the struggles faced by women lawyers and how can we work for an equitable environment in the field of law?**

At the Patna High Court, the entry of women started with litigation. There was this lady called Sudhanshubala Hazra who, after taking her law degree, wanted to practice and hence, went to Patna High Court. A Full Bench was constituted to interpret the Legal Practitioners' Act, 1897. The Judges decided against her, holding that the term "person" does not include "women", and therefore her case was rejected. Nevertheless, she did not give up hope and pursued the matter further. She saw hope from another lady at the Hon'ble Allahabad High Court, which I can say was more progressive than Patna High Court in this sense, as they took in this lady. The name of the lady was Cornelia Sorabjee. Taking inspiration from her, Hazra pursued the matter further. After her concerted efforts, the Legal Practitioners (Women) Act, 1923 was passed. With that, women joined the Bar, including at the Patna High Court, and since then, there have been many leading woman practitioners from this Court, like Dharamshila Lal, Justice Leila Seth, etc. My mother was also an advocate at the Patna High Court. Several lady Judges have been appointed since. We also had a woman Chief Justice, Hon'ble Ms. Justice Rekha Manharlal Doshit, who was a very upright judge. Women have excelled in this profession, no doubt, and they are continuing to do well, but the gender stigma still exists, be it here or anywhere across the country. The litigants also are slightly wary of woman lawyers, so that is a struggle which a woman lawyer faces all along. I would like to share my own experience, on the lighter side. When I was at the Bar, one of the Judges told me "*jao, zyada ghee aur makkhan khaake aao*" (go, have some butter and ghee and then come). It was a very dismal thing to say to a young and upcoming lawyer, but there were other Judges also who were very supportive. One of them remarked, "When I shout, you must shout louder. You must not buckle!". Everywhere there are hurdles, a lot many at Patna High Court, but women have overcome it. The mindset is also changing gradually, to the extent that now most lawyers are taking in women from law schools into their offices. The struggles are still there but there has been a gradual improvement.

- 3. As part of the High Court of Patna, Your Ladyship has had the opportunity to observe the working of the Bihar State Legal Services Authority. What is your Ladyship's experience of on-ground implementation of legal aid, and how can the framework be strengthened according to your Ladyship?**

The Legal Aid system in the country started with the National Legal Services Authority Act. All states were asked to establish their own state Legal Services Authorities. It has come a long way. Time is being devoted to establishing legal aid clinics in the respective districts. They are doing great work in imparting legal education by going door-to-door and rendering legal help. People are also given Rs. 501 as an incentive to go to the villages and explain to the poor and the marginalized in simpler terms what are the legal implications and how can they alleviate their suffering. There is also a Victim Compensation Scheme specifically brought in by the National Legal Services Authority. Training is being given to the concerned persons to ensure that the compensation is given at the doorsteps of the recipients, instead of them having to go to the courts to claim it. The point where this system is lagging is that the Legal Services Authorities have negligible rehabilitation measures. Compensation is not enough; rehabilitation should be the target because compensation, once given, ends at some point; but if we rehabilitate, the victims can set themselves up for the future course of action. This ought to be a target that should be adopted by all states, and Bihar is also working in that direction.

4. Since you briefly mentioned the Victim Compensation Scheme, what do you think is its importance in the Indian justice system?

It is crucial. The logic behind bringing this was that the sufferer should get the relief at the earliest, which is why we have Section 357A in the Code of Criminal Procedure, 1973 which grants power to the Central and State Governments to prepare a scheme for providing funds for the purpose of compensation to the victims, or their dependents, who have suffered loss or injury as a result of crime and who require rehabilitation. Every word in the section is important. It is meant to give grants, which are to come from the respective State Governments, not the Central Government. Once it is granted, there is no need to wait for a certificate, which is the case when it comes to bonded labourers, where release certificates are wanted before any compensation is granted. Steps are being taken to get rid of this. The Legal Services Authorities have to come out of their shells and go out to the marginalized communities at the grassroots level to ensure that they have received their entitled compensation. We are quite aware that in most states, the compensation scheme for rescued women is bad. The women victims of trafficking need to be compensated forthwith. As soon as the report of the trafficking is received, it must be ensured by the respective thanas that the victims seek the aid of the legal services authority, grant them the necessary compensation, and ensure their rehabilitation. It should always be a chain process— Rescue,

Compensation, and Rehabilitation. Never should it happen that the victim is left unattended after being rescued. If adequate care is not given, she will again go back to the black hole of trafficking. Marginalized women do not know the procedure. In Bihar, there exists inter-generational trafficking in some parts. The victims are rescued, but before they can go back and get the compensation, the father or the brother comes to receive her, by telling the concerned authorities that they are her family. After this, they are re-trafficked. If the victims are granted compensation at the very outset, soon after their rescue, then rehabilitation would be possible. Some anti-trafficking units are taking care of this aspect now; the rescued women are placed either in the aftercare homes or in the safe custody of NGOs, and thereafter the compensation is negotiated with the appropriate legal services authority. Once compensation is granted, they are sent either to schools or welfare centres where they are given vocational training for rehabilitation. This helps the victims in establishing and sustaining themselves, resulting in a solution for one of the main factors of trafficking, which is money. In one of the cases argued by me, *Tinku Sharma v. State of Bihar*, a rescue worker was arrested and treated as a trafficker. There was nothing for the man to prove his innocence. Before we could do anything, he was sent behind bars. An NGO came to me and asked what was to be done now. I asked them to seek his bail, but this was not the solution.

There are no protective mechanisms for the victims in the Immoral Traffic (Prevention) Act. Victims are treated as criminals. Post this PIL, which went on for a long time, we got these Anti Human Trafficking Units established at each of the districts of Bihar and employed women officers there who are specially empowered to undertake the duties of an officer under the Act, for the benefit of the women victims. Many women were sent to the Kasturba Gandhi Balika Vidyalayas (KGBV) for their training and education. Gradually, these things were implemented and the victims, instead of going back to their families, were kept at these schools, given incentives to study, and now many of the girls are educated and have established themselves. Many are sent to various vocational centres to gain training in fields such as bag making, sewing, etc. It is inspiring to see such women raise themselves and help other women to do so as well. The most important thing is that people should be educated and that education should come about in the simplest of languages. The paralegal workers, who are being sent out, lack the necessary training. They need to be trained adequately by the Legal Services Authority so that they can go out and explain in the simplest of the languages to these marginalized people what to do when they are victimized and criminalized, as they are unaware of the remedies they have. Accessibility of law is a crucial feature

that the marginalized and the poor do not have at all. That is where we need to step in. In some states, compensation for trafficking is not granted because of a lack of awareness, which needs to be inculcated. It can be done by small skits. Once there is legal awareness, the victims will know when and how to seek compensation.

5. In your Ladyship's opinion, should a subject devoted exclusively to legal aid be made part of the academic curriculum of law?

I am also associated with the Bar Council of India, as a member of the Standing Committee on Legal Education. I feel that a small module pertaining to legal aid should be incorporated into the curriculum of law. Paralegal workers can't understand the intricacies of the law as well as law students, who can explain it in a pin-pointed manner. One of the considerations of the BCI while granting affiliations to law colleges is whether they have a legal aid clinic or not. If you learn through a small module in your curriculum, then the students can get together and contribute substantially towards legal aid in a much more advanced and focused manner. This will benefit the marginalized, victimized and weaker sections of the society. If the students sit down in batches in the legal aid clinics of their colleges, a lot of contribution can be made. It is a social obligation towards education, as it must spread towards society. In one of the semesters, it can be a small module. It must be there.

** Interviewed by Mr. Krishnagopal Abhay and Ms. Puja Raghavan.*

FROM THE DESK OF CONVENER, LEGAL AID SOCIETY



Dr. Kshitij Kumar Singh, Convener, Legal Aid Society, Campus Law Centre

I most sincerely congratulate the entire team of the Legal Aid Society, Campus Law Centre, Faculty of Law, University of Delhi on the release of the second volume of the E-Newsletter, and especially Awaaz's Editorial Board for producing such a wonderful volume. The LAS worked with passion and commitment in a very challenging COVID-19 period, and utilised online platforms to the maximum along with selected physical participations in a range of activities. These included Care and Share Campaign, Plasma Donation Awareness, Helpdesk for Construction Workers for Online Register and Shelter Home Visit among others.

LAS has expanded its horizons bringing into focus the issues of the stakeholders in the domain of intellectual property rights. These have gained utmost importance in the present knowledge economy. Keeping this spirit in mind, the LAS organised two international webinars: "Copyright Law and the Feminist Gaze" and "Graffiti and Copyright". We express our deepest gratitude to the keynote speakers of these webinars, Prof. Ann Bartow (Professor, Franklin Pierce School of Law, University of New Hampshire), and Dr. Enrico Bonadio (Reader, City Law School, City University of London),

respectively. Innovation is the key to bringing effective and meaningful changes in society and therefore, we value a diversity of innovative approaches at LAS to help bring to fruition the motto of NALSA- 'Access to Justice for all'.

Awaaz acts as an enabling platform for students to express their opinions and hone their skills in different modes. It encompasses blog pieces, essay competitions, webinars, etc. It organised an Article Writing Competition on the Constitution Day, as well as a National Webinar touching the core of the judicial responsibility in enforcing second and third generation rights. The Webinar was graced by Hon'ble Justice Geeta Mittal, then Chief Justice of Jammu & Kashmir High Court; Ms. Aishwarya Bhati, Additional Solicitor General of India; and Mr. Prashanto Chandra Sen, Senior Advocate, as keynote speakers. We are extremely grateful to them for the wonderful discourse. We express our deepest gratitude to Hon'ble Ms. Justice Anjana Mishra (Retd.) for allowing us to interview her and sparking a conversation around the utmost importance of legal aid.

We are overwhelmed with delight with the accomplishments of the Student Convener and Co-Conveners of LAS. We congratulate Ms. Misbah Reshi for winning the prestigious Rhodes Scholarship and Mr. Sumit for being awarded with "Outstanding contribution as a Corona Warrior" by the DSLSA during the lockdown period in 2020, and wish them great success in the future. We look forward to these achievements inspiring the next generation of LAS.

I sincerely appreciate the tremendous support extended by our Professor-In-Charge, Prof. (Dr.) Raman Mittal. I am grateful to my colleagues and teacher members of LAS for their ceaseless support, the entire team of LAS including the Student Convener and co-conveners, PLVs and registered members, and especially the Editorial Board of Awaaz.

Dr. Kshitij Kumar Singh

Convener

Legal Aid Society, Campus Law Centre, University of Delhi

ABOUT LEGAL AID SOCIETY



The Legal Aid Society, Campus Law Centre strives to ensure that each member feels personally as well as collectively responsible for contributing to the goal of ACCESS TO JUSTICE FOR ALL. The pandemic and ensuing lockdown significantly impacted the regular workings of the Society. However, this led to newer methods of engagement being developed and executed. The LAS, through its consistent efforts, made a stellar contribution to the field of legal aid, as emphasized by Article 39A of the Constitution of India and the LSA Act.

The PLVs as well as non-PLV members of the Legal Aid Society did not remain impassive during the lockdown and actively participated in on-ground legal assistance activities conducted by DSLSA. The members of the Society attempted to alleviate the grave consequences of the pandemic to the best of their abilities. The PLVs helped construction workers and labourers register for their identity cards, at helpdesks set up by DSLSA, and conducted a survey covering 60 shelter homes to understand the problems faced therein. With the motive of easing the process of plasma donation during the pandemic, the LAS started the initiative of creating awareness about plasma donation and connecting potential plasma donors to the patients in need. On the occasion of World Environment Day, the LAS launched the “Plant/Water a Sapling” campaign requesting students to click a picture of themselves planting a sapling. On Constitution Day, LAS and Awaaz held an article writing

competition. The Legal Services Clinic, a notable initiative of the LAS situated in CLC that works in collaboration with DSLSA to provide free legal aid, unfortunately, remained closed as CLC made the shift to online classes due to the COVID-19 pandemic.

In order to sustain important conversations and promote legal literacy, the LAS held various events. Webinars on the topics of “Analysing the Practicality of Domestic Violence laws during exigencies”, “Copyright Law and the Feminist Gaze” and “Graffiti and Copyright” were conducted, which were met with overwhelming responses. Awaaz too organised a webinar on “Judicial Responsibility in Enforcing Second and Third Generation Rights”.

** Drafted by Ms. Somaya Gupta.*

ABOUT AWAAZ- THE BLOG



On November 28, 2020, Awaaz marked one year of its being. It was launched with the aim of initiating justice and rights-based conversations exploring the intersection between theory and praxis. It sought to create a platform for diverse viewpoints regarding contemporary socio-politico-economic issues and promote an interdisciplinary approach to legal education. After a fulfilling year with its founding Editorial Board, the new Editorial Board of Awaaz for the year 2020-2021 was appointed on November 1, 2020.

Awaaz invites entries that place social issues within the matrix of strong legal analysis. Out of more than 150 articles received so far from law schools across India, 9 have been published. These insightful articles analyse a diverse range of issues like the mental healthcare legislation, same-sex marriages, rights of transgender persons, labour laws, anti-terror laws etc. Between the months of September and December 2020, two new pieces were published. The former, titled “Love-Jihad in India: A Reality Check”, critiques the ‘love-jihad’ trope not only as a way of enforcing patriarchy but also as a political construct for populist electoral gains. The latter, titled “Female Genital Cutting in Indian Jurisprudence: Neglecting Atrocities”, advocates for a consent-based jurisprudential approach to

crimes of sexual violence, including FGC. The submissions received during this period were on a range of diverse themes.

Month	No. of Submissions	Thematic distribution of
September	5	Constitution, Procedural laws, Labour laws, COVID-19
October	None	-----
November	26	Constitution, Gender, Internet, Criminal Law, Environmental Law, Media trials
December	6	Constitution, Information Technology, Political affairs
No. of submissions received: 37		

It was felt necessary to open dialogical spaces beyond Awaaz during the lockdown as the university remained closed. With this in mind, Awaaz organised a webinar on “Judicial Responsibility in Enforcing Second and Third Generation Rights”. It was a historic moment to have Hon’ble Ms. Justice Gita Mittal as the keynote speaker for the session. The other speakers for the event were Senior Advocate Aishwarya Bhati, Additional Solicitor General of India and Senior Advocate Prashanto Chandra Sen. The erudite discussion that followed was extremely enlightening.

On the occasion of Constitution Day of India, Awaaz and LAS held an article writing competition and received pieces critically examining our realities and contextualising the importance of Indian Constitutionalism in the present day. The top three articles were awarded prizes. The first-ranked article, titled “Indian Constitution and Role of Media: Evolving Notions of Freedom of Press and Media Trial” has also been published on Awaaz.

** Drafted by Ms. Somaya Gupta.*

LEGAL AWARENESS PROGRAMMES/ DRIVES



The LAS, in association with the DSLSA, C-DSLSA and NGOs, organized various outreach community programs / drives / camps largely in socio-economically backward areas. The following activities were undertaken by the LAS:

S. No.	Name of the Drive	Date
1.	Care and Share Campaign	June 05, 2020
2.	Plasma Donation Awareness and Collection Coordination	June 14, 2020
3.	Helpdesks for Construction Workers for Online Registration	June 24, 2020- September 13, 2020
4.	Shelter Home Visit	August 22, 2020- August 25, 202
5.	Article Writing Competition, Constitution Day, 2020	November 26, 2020

I. CARE AND SHARE CAMPAIGN

Date:	June 05, 2020
Site / Geographical Area Covered:	Campus Law Centre, University of Delhi
Team Leaders:	Mr. Akash Sachan and Ms. Manisha Aswal
Number of Volunteers:	2 PLVs
Target Audience:	20+ submissions received

The Legal Aid Society, Campus Law Centre in association with Central-DLSA, organized a program named 'Plant/Water a Sapling' on June 5, 2020, to mark the importance of World Environment Day.

Objective: The activity aimed to create awareness about the need to protect the environment by bringing attention to the scorching issues of environment pollution, climatic change, global warming, depletion of the ozone layer etc. The campaign was important from a legal perspective as the right to a clean environment is a Fundamental Right under Article 21 of the Constitution of India.

LEGAL AID SOCIETY
CAMPUS LAW CENTRE
FACULTY OF LAW, UNIVERSITY OF DELHI

Our Environment gives us a lot now it's our time to give back to the environment.

CARE AND SHARE DIGITAL CAMPAIGN

You can participate by following these two steps:

1. Care for our Environment and
2. Share your contribution.

You can send us your Pictures or Videos along with a brief description of how you care for the environment and tell us what positive environment-friendly change you have brought in your life.

We will post your photo and message on our Website and Facebook page as #ecowarrior.

You can also send us a message which you want to give others to encourage them to do something for our environment.

You can send us your Pictures/ Videos along with your Message at:
Whatsapp: +9199584266331
Email: clclegalaidsociety2016@gmail.com

Our Website: <http://lasclc.in>

Procedure: The students were asked to click a picture and send it to the Legal Aid Society. The pictures sent by the participants were published in the Annual Report of the LAS.

Impact: The Legal Aid Society received around 20 submissions which helped it raise awareness amongst the student community regarding environmental issues. It impressed upon people the need to implement actions to protect the Earth, leading to a healthy environment for all. The idea is to understand that young people have a role to play in preventing the loss of biodiversity and preserving nature for future generations.

II. PLASMA DONATION AWARENESS AND COLLECTION COORDINATION


Date:	June 14, 2020
Site / Geographical Area Covered:	India
Police Station:	Subzi Mandi, Old Roop Nagar
Team Leaders:	Shubham Jain, Akash Sachan, Daksh Aggarwal, Misbah Reshi
Number of Volunteers:	2 PLVs
Target Audience:	5 responses received

The Legal Aid Society, Campus Law Centre on June 14, 2020, initiated an Online Awareness Drive for encouraging Plasma Donation due to the outbreak of the COVID-19 pandemic. The campaign is still under way.


Objective: The Awareness Drive aimed to inspire Plasma Donation so that the plasma of an individual who had been affected by the COVID-19 virus and had recovered could be used to help others to fight off the disease. The plasma of a COVID-19 recovered individual contains COVID-19 antibodies and these antibodies provide a way for an infected person's immune system to fight the virus.

Procedure: The Legal Aid Society created a Google Form through which responses are recorded in the form of contact information of persons interested or willing to donate their plasma. The Society helps connect the people who fill the form with the hospitals, doctors or patients looking for plasma donors.

Date: 10-06-2020



LEGAL AID SOCIETY
CAMPUS LAW CENTRE
UNIVERSITY OF DELHI



Blood Plasma Donation for COVID-19 Patients

In view of the increasing number of requests we have come across during this pandemic in relation to **Blood Plasma Donation**, the Legal Aid Society of Campus Law Centre, University of Delhi aims to create a platform to connect COVID-19 patients in urgent need of **Blood Plasma (Donor)** with willing **Blood Plasma Donors** who have recovered from COVID-19.

Important Information: Blood Plasma Donor can only be someone who has recovered from COVID-19.

The information of willing Blood Plasma Donors and Donors in need of Blood Plasma can be filled in the form mentioned below:

Link: <https://forms.gle/pHLzsE82EtRmvdH5A>

Note: In case, the donor would require any transportation facility or any related help, the Legal Aid Society will facilitate such requirement at the request of the donor.

For further queries kindly contact:

Ms. Manisha Arora
Student Convener
Legal Aid Society

Ms. Niharika Dwan
Student Co- Convener
Legal Aid Society
+91-9811652852

Dr. Kshitij Kumar Singh
Convener
Legal Aid Society

Mr. Subham Kr. Jain
Student Co- Convener
Legal Aid Society
+91-9871357167

Email: clclpsahsociety2816@gmail.com
 Our Website: <http://www.lasdc.in/>

III. HELPDESKS FOR CONSTRUCTION WORKERS FOR ONLINE REGISTRATION

Date:	June 24, 2020 to September 13, 2020
Site / Geographical Area Covered:	New Delhi.
Team Leaders:	Sumit, Akash Sachan, Komal Rajput
Number of Volunteers:	5 PLVs
Target Audience:	100+ Construction Workers and labourers

The Legal Aid Society, Campus Law Centre in association with Central-DLSA, organized a campaign from 24 June, 2020 to 13 September, 2020 wherein it assisted in the implementation of a scheme of the Delhi Government for the benefit of construction workers.

Objective: The aim of the activity was to help the construction workers to register for as well as renew their Construction Worker ID.



Procedure and Impact: As many as 70 helpdesks were set-up in all the 70 constituencies of Delhi. Six PLVs from LAS were positioned at different helpdesks in various constituencies, where they interacted with more than 100 construction workers and labourers about their rights and helped them with online registration for their Construction Worker ID as well as renewal of such IDs.

IV. SHELTER HOME VISIT

Date	August 22, 2020 to August 25, 2020
Site / Geographical Area Covered:	Central District, New Delhi
Team Leaders:	Akash Sachan
Number of Volunteers:	2 PLVs
Target Audience:	100+ People

The Legal Aid Society, Campus Law Centre conducted a survey in collaboration with Central DSLSA from 22 August, 2020- 25 August, 2020.

Objective: To gather information of various shelter homes across the country in pursuance of a Delhi High Court Order which sought material on the conditions of such shelter homes all over Delhi so that a final report could be submitted.

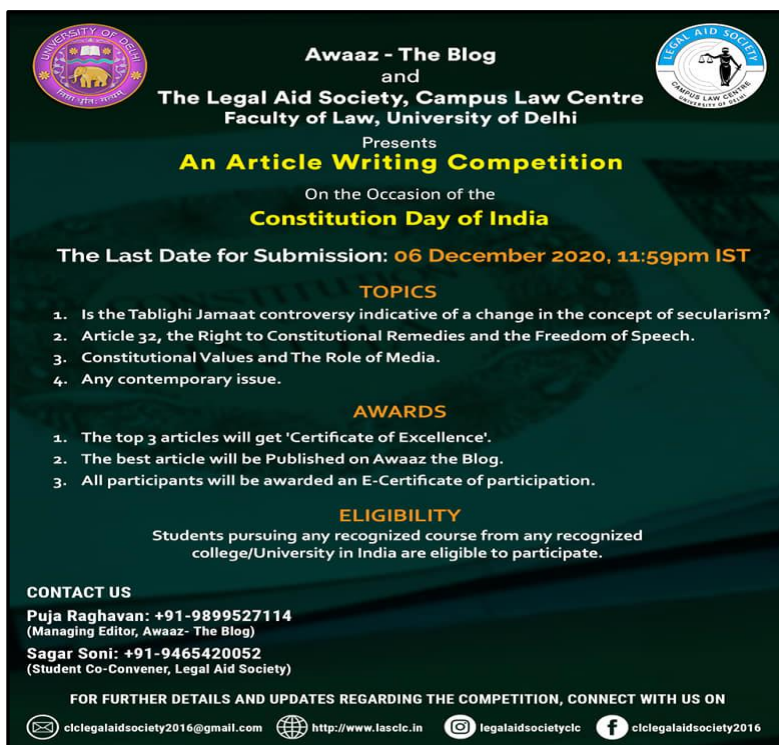


Procedure & Impact: Two PLVs of the LAS, considering the directions issued by the Hon'ble High Court of Delhi in the writ petition *Delhi Rozi Roti Adhikar Abhiyan v. Union of India and Ors.*, participated in conducting the survey and visited night shelters to assess whether there was any shortage of food or any other problems being faced by the people staying in such shelters. The visits were made between 6 PM to 10 PM. The final report was submitted to Central-DSLSA, Tis Hazari Court, New Delhi.

V. ARTICLE WRITING COMPETITION, CONSTITUTION DAY, 2020

Date:	November 26, 2020
Site / Geographical Area Covered:	India
Team Leaders:	Sagar Soni and Puja Raghavan
Number of Volunteers:	10 members of LAS & Awaaz
Target Audience:	100+ people

Awaaz and The Legal Aid Society, Campus Law Centre organised an Article Writing Competition for students of all disciplines across universities in India on the occasion of the Constitution Day on November 26, 2020.



Awaaz - The Blog
and
The Legal Aid Society, Campus Law Centre
Faculty of Law, University of Delhi
Presents
An Article Writing Competition
On the Occasion of the
Constitution Day of India

The Last Date for Submission: 06 December 2020, 11:59pm IST

TOPICS

1. Is the Tablighi Jamaat controversy indicative of a change in the concept of secularism?
2. Article 32, the Right to Constitutional Remedies and the Freedom of Speech.
3. Constitutional Values and The Role of Media.
4. Any contemporary issue.





AWARDS

1. The top 3 articles will get 'Certificate of Excellence'.
2. The best article will be Published on Awaaz the Blog.
3. All participants will be awarded an E-Certificate of participation.

ELIGIBILITY
Students pursuing any recognized course from any recognized college/University in India are eligible to participate.

CONTACT US
Puja Raghavan: +91-9899527114
(Managing Editor, Awaaz- The Blog)
Sagar Soni: +91-9465420052
(Student Co-Convener, Legal Aid Society)

FOR FURTHER DETAILS AND UPDATES REGARDING THE COMPETITION, CONNECT WITH US ON

 clclegalaidsociety2016@gmail.com  <http://www.lasclc.in>  [legalaidsocietyclc](https://www.instagram.com/legalaidsocietyclc)  [clclegalaidsociety2016](https://www.facebook.com/clclegalaidsociety2016)

Objective: The objective of the competition was to create discourse and awareness on issues flanking and involving the Constitution of India. The competition aimed to encourage deliberation and original writings on constitutional issues.

Procedure: Participants were given the choice of choosing any contemporary issue or any of the four topics namely, “Is the Tablighi Jamaat controversy indicative of a change in the concept of secularism?”, “Article 32 and the Right to Constitutional Remedies”, “Is the freedom of speech an antithesis when used in the critique of court?” and “Constitutional Values and The Role of Media”.

Impact: The Competition received more than 100 entries from students across the country belonging to various disciplines at both the undergraduate and graduate levels. The three winning articles were felicitated. The first-ranked article was published on Awaaz, and successfully marked the 71st anniversary of the adoption of the Indian Constitution.

* *Compiled by Ms. Kirti Bhushan.*

WEBINAR ON JUDICIAL RESPONSIBILITY IN ENFORCING SECOND AND THIRD GENERATION RIGHTS

20 September, 2020

A National Webinar was held by Awaaz on 20 September, 2020, on the topic, “Judicial Responsibility in Enforcing Second and Third Generation Rights”.



(Clockwise from top) Hon'ble Ms. Justice Gita Mittal, ASG Ms. Aishwarya Bhati and
Senior Advocate Mr. Prashanto Chandra Sen

INTRODUCTION

In the late 1970s, Czech-French jurist and academician Karel Vasak propagated his seminal views on what he called termed the ‘three generations of rights’ which he believed every modern nation-state should aspire towards, gradually. The first generation referred to negative rights corresponding to civil and political liberties. The second generation beseeched affirmative state action to ensure social,

economic, and cultural rights, whereas the third generation of human rights, Vasak called “rights of solidarity” imploring collective action of individuals, states and other political units.

Awaaz decided to approach this understanding from the perspective of the higher judiciary in India. The discussion was held in the august presence of Hon’ble Chief Justice Gita Mittal of the High Court of Jammu & Kashmir, Ms. Aishwarya Bhati, Senior Advocate and Additional Solicitor General of India and Mr. Prashanto Chandra Sen, Senior Advocate, Supreme Court of India. The Introductory Address was delivered by Dr. Kshitij Kumar Singh, Teacher Convenor of the LAS and was followed by the Welcome Address delivered by Prof. (Dr.) Raman Mittal, Professor-in-Charge of CLC.

DISCUSSION

Additional Solicitor General of India, Ms. Aishwarya Bhati opened the session by quoting Dr. Ambedkar on his aspirations for equality in social and economic life. She underlined the significance of second-generation rights in providing a life of dignity for all and traced the journey of constitutional rights jurisprudence by the Supreme Court of India that led to the seamless transition of first-generation rights to second and third-generation rights. She pointed out that the development of the right to privacy over the decades is a perfect example of the dynamic evolution of fundamental rights. Discussing how the *Puttaswamy* judgment led to Section 377 of the IPC being struck down, Ms. Bhati demonstrated how rights are interconnected. She concluded by explicating that the Constitution is a living document meant to be interpreted according to the times, with a golden thread of equality, liberty and justice running through its entirety.

Distinguished senior advocate Mr. Prashanto Chandra Sen spoke next. He began his address with a look at the critiques of Karel Vasak’s categorization of human rights and observed that a rigid categorization may lead to legal formalism. The primary function of the judiciary is to implement human rights without getting overly vexed about which generation the said right belongs to. While the Indian legal system missed the opportunity to be the torchbearer of LGBTQ rights despite a rich history, it paved the way in several other fields. The concept of continuing mandamus in environmental issues, the role of High Courts in developing the Right to Information regime, and the *Navtej Singh Johar* and *NALSA* judgments were a few watershed moments in Indian rights jurisprudence that Mr. Sen elucidated. He concluded by emphasizing the importance of fraternity and affirmed that tolerance and diversity have always been deeply cherished ideals of our nation.

Hon'ble Ms. Justice Gita Mittal gave an enlightening introduction to the topic of second and third generation rights, after which she regaled the audience with her experiences of upholding these rights as a judge, first in the Delhi High Court and then as Chief Justice of the High Court of Jammu & Kashmir. She spoke about striking down legislations prohibiting begging both in Delhi and Jammu & Kashmir. In addition to begging being protected under the right to life and livelihood, she had also held that a beggar conveying his plight is part of his freedom of expression. She recalled that when the government of Delhi had enhanced court fees exponentially, she undertook an exercise to understand this hike's disproportionate impact on various sections of society, especially women. Justice Mittal reiterated that access to justice is not synonymous to access to courts and articulated how enforcement of rights comes much later than their recognition, citing the example of transgender persons, whose rights have only recently been recognized. Her personal engagement with marginalized sections of society and pursuit of justice for them beyond the call of duty was inspiring and stirring to witness.

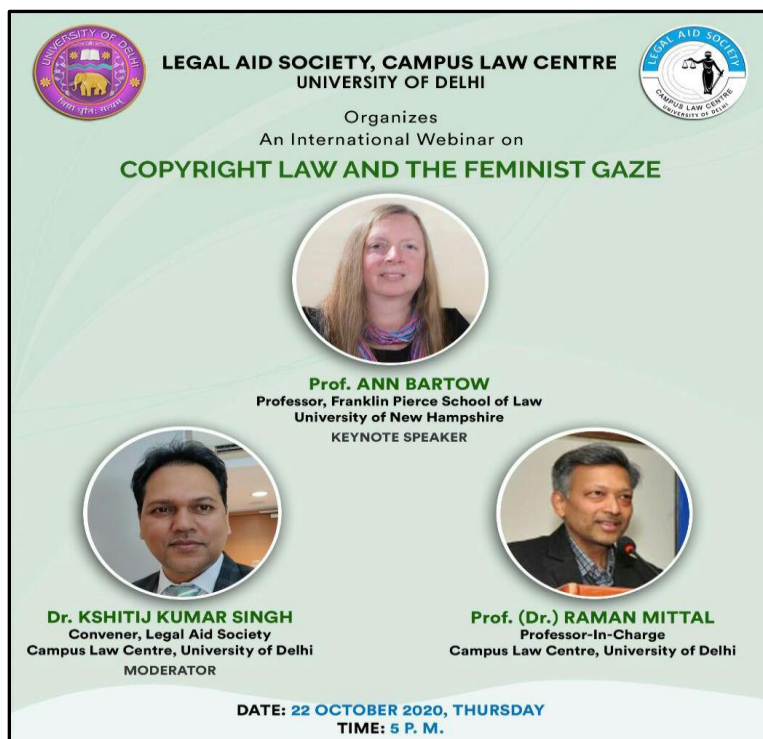
The Webinar was attended by academicians and students from across disciplines and from different parts of the country. The distinguished speakers enlightened the attendees on how the three generations of rights have developed in India and how they continue to evolve with the help of progressive and affirmative judicial intervention and what the path towards the future looks like.

** Drafted by Mr. Shashi Shekhar Misra and Ms. Vasudha Singh*

WEBINAR ON COPYRIGHT LAW AND THE FEMINIST GAZE

22 October, 2020

LAS organized an international webinar on **Copyright Law and the Feminist Gaze** on 22 October, 2020 at 5 p.m. (IST).



INTRODUCTION

The keynote speaker was eminent Professor Ann Bartow (Professor, Franklin Pierce School of Law, University of New Hampshire). Her areas of expertise are copyright law, trademark law, survey of intellectual property law, art law and torts. Her scholarship focuses on the intersection between intellectual property laws and public policy concerns, privacy and technology law, and feminist legal theory.

The session was moderated by Dr. Kshitij Kumar Singh, Teacher Convenor of the LAS and closing remarks were delivered by Professor (Dr.) Raman Mittal, Professor-In-Charge, CLC. Dr. Kshitij introduced the topic of discussion and emphasized its uniqueness. He said that the conversation could

include two aspects. The first was the exclusive rights granted over intellectual property and whether it forgoes inclusive rights with regard to the participation of people. The second was a reflection on the subject matters under copyright law covering various segments of people.



Prof. Ann Bartow, Franklin Pierce School of Law, University of New Hampshire

DISCUSSION

Prof. Ann Bartow started by elaborating on the Male Gaze Theory in pictorial form, showing how women are portrayed in visual cinema as passive objects of male desire and the audiences are forced to view them in the same way. She then discussed the Feminist Gaze and how women are affected by these processes and outcomes. Male dominance over females in every sphere of work is expressly described in Simone de Beauvoir's *The Second Sex*. She also elaborated on how men oppress woman by characterization, will, power, and acts. Beauvoir discussed the economical and logistical hurdles a woman faces in pursuing her goals. The famous quote, "One is not born a woman, but becomes one." from the book exemplifies this. Prof. Bartow emphasized the role of nature and nurture based upon which a woman can achieve a form of liberation- cultural and economic freedom. She further cited

Ms. Laura Mulvey, a feminist film theorist best known for her essay “Visual Pleasure and Narrative Cinema” in which she discussed the male gaze and patriarchal ideologies and discourses in the cinema. According to her, men are the target audience in the cinema whereas women are just bearers and not the makers.

While talking about Basic Feminist Legal Theory, Prof. Bartow discussed the scenario wherein women are either underrepresented or overrepresented in certain areas of intellectual property. Using statistics, she showed that patent law, copyright law and trademark law are the areas in which women are underrepresented. Looking at the progress pyramid, the topmost positions and consequently, the vast majority of the profitable positions, are held exclusively by men. The areas dominated by women were referred to as ‘negative’ areas of creativity, which are often ineligible for copyrights- such as cooking, makeup, hairstyling, clothing, quilting, gardens, interior designing, etc.

Prof. Bartow shed light on the view of the Supreme Court of the United States with regards to copyright in the light of *Star Athletica v. Varsity Brands, Inc.* 580 US (2017). The dispute in the case was related to the copyrightability of chevrons, zig-zags, and stripes, simple symmetric flourishes decorating cheerleading uniforms. In this case, the court observed certain provisions of the Copyright Act and held that the Act was applicable to simple ornamentation only. The differences in the uniform of men and women subject to the dispute were brought out, in that the uniform of men are intended to be comfortable and make them less conscious about their body. On the other hand, the uniform of women is made to look attractive in a sexualized manner. Going further, she highlighted Section 2 of the Lanham Act, also known as the US Trademark Act, 1946, that bars those trademarks that are offensive to women.

In support of her arguments on gender disparity in trademark law, Prof. Bartow talked about the advent of Artificial Intelligent and robotics, which has made the covert perception behind ‘male’ robots and ‘female’ robots conspicuous. Male robots are meant to be used as soldiers, war machines, drones, weapons and cars as males are considered smarter. Meanwhile, females are considered more emotional and female robots are confined to caretaking, kitchen appliances, child-related accessories, cleaning equipment, the voice of Siri, Alexa, Google Smart Speaker, GPS, etc. Prof. Bartow ended the discussion with a remarkable question - would gender fluidity in robots be acceptable and useful to humans?

QUESTION - ANSWER SESSION

Questions were put up by Prof. (Dr.) Alka Chawla and a few students about the consequences of admitting negative areas of creativity under copyright and trademarks. Prof. Bartow replied that if the negative areas are converted to positive ones by providing copyright and trademark to women, it will lower the barriers faced by women in accomplishing their goals. It will also boost equality and cultural and economic freedom among women. She added that intellectual rights would be more helpful if provided on a gender-neutral basis.

CLOSING REMARKS

Prof. (Dr.) Raman Mittal presented his views on feminism and creativity. He mentioned the position of women and their efforts from ancient times to the current century. He gave the reference to Chinese philosopher Lao Tzu, who compared the environment with a woman. He described the relationship between feminism and copyright. He also expressed gratitude to Prof. Ann Bartow for the interesting session taken by her.

In conclusion, Dr. Kshitij presented his views on IP laws. He also talked about the developments in IP laws from time to time, when the situation and requirements were different from the present. Lastly, the vote of thanks was delivered by him expressing gratitude for an enlightening session.

* *Drafted by Ms. Komal.*

WEBINAR ON 'GRAFFITI AND COPYRIGHT'

30 October, 2020

The LAS in collaboration with Dr Enrico Bonadio, Reader, The City Law School, City University of London conducted a webinar on the topic of **Graffiti and Copyright** on 30 October, 2020.

LEGAL AID SOCIETY, CAMPUS LAW CENTRE
UNIVERSITY OF DELHI

ORGANIZES
An International Webinar on

GRAFFITI AND COPYRIGHT

Dr. Enrico Bonadio
Reader, The City Law School,
City University of London
Keynote speaker

Dr. Kshitij Kumar Singh
Convener, Legal Aid Society
Campus Law Centre, University of Delhi
Moderator

Prof. (Dr.) Raman Mittal
Professor-in-charge
Campus Law Centre, University of Delhi

5 PM, 30 OCTOBER, 2020 (FRIDAY)
Register at :
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Media Partner:
JUSTRUTH

legalaidsociety@clc.du.ac.in http://www.lasccl.in clclegalaidsociety2016 legalaidsocietyclc

INTRODUCTION

Graffiti ranges from simple written words to elaborate wall paintings and has existed since ancient times. A rapidly developing art form, it remains a subject of controversy. In most countries, making or painting property without permission is considered by property owners and civic authorities as defacement and vandalism which, at times, is punished. Graffiti's legal status as a form of art has not been universally accepted and established. As the art is often incorporated by corporations in their

advertisements or copied by others without authorisation from, or acknowledgement of, their makers, the important question is how to protect these art forms under the copyright laws, especially in cases where many graffiti makers choose not to reveal their identity.

The distinguished speaker for the day was Dr. Enrico Bonadio, who is a Reader at the City Law School, City University of London and teaches various modules of Intellectual Property law. The session was moderated by Dr Kshitij Kumar Singh, Teacher Convenor of the LAS. The session commenced with Prof. (Dr.) Raman Mittal, Professor-in-Charge of CLC, reciting a mesmerising poem on graffiti titled 'Hello I am graffiti'. He further deliberated on various aspects of graffiti and copyright issues in India.

DISCUSSION

Dr. Enrico Bonadio began the discussion by highlighting his research in the area of copyright in street art and graffiti. He went on to explain the difference between wall writing and graffiti, and how the corporate appropriation of street art and graffiti has given rise to some of the most famous copyright issues. He enumerated cases such as the *Tals cru – Fiat 2011* case, *Bronk* case, *Cali keilla* case, etc. and discussed the diverse views expressed by courts in these matters.

Dr. Bonadio referred to the case of *Itoffer R. Gayle v. Home Box Office Inc.*, No. 1:2017cv05867 - Document 35 (S.D.N.Y. 2018) and explained the 'De minimis' rule, which contemplates that there cannot be an infringement of a copyright if the work was used for only a few minutes. The concept of 'fixation' requires graffiti to last for some time to be allowed to be perceived, reproduced or communicated. Further, he talked about originality in this art form and its importance in securing copyright. He explained that in the US, copyright subsists only in works fixed in any tangible medium of expression. He proposed photography as a solution to the problem of lack of fixation due to the peculiar medium of street art and graffiti.

Dr. Bonadio further explained the 'unclean hands' doctrine and why it becomes unsafe for a graffiti artist to initiate legal actions for copyright infringement. This means that if the artist has committed a crime, he shouldn't ask for copyright protection of his work or protection under any other law. He referred to the landmark case of *Villa v. Pearson Education* in 2011 where it was adjudged that it is important to determine whether the artwork has been created legally or illegally to decide whether copyright subsists. A discussion was held on various methods to prevent the destruction of illegal street art. In the landmark case of *Cohen v. G and M Realty L.P.* 2013, 2014, ("5 Pointz Case"), the right to prevent destruction was successfully enforced in the US by 21 writers and artists.

Dr. Bonadio proposed solutions to protect the artists against corporations. He said that copyright rules should conform with social norms which see graffiti and street art as an accepted sub-culture. He suggested that to tackle the conflict between artist and property owners, their rights should be balanced and taken up on a case-to-case basis. There can be an agreement that would specify the time an artwork is allowed to remain on a property. This would prevent the destruction of street art as well as the rights of the property owner. The graffiti artists do not want to be associated with consumerist messages, yet their artworks are being used by corporations. Thus, relying on copyright would give them the option of injunction vis-à-vis the appropriator. In a nutshell, Dr. Bonadio explained how copyright can prevent corporations from appropriating the artwork of graffiti artists for branding and advertisement.

Dr. Bonadio concluded by saying that through his research, he is trying to raise awareness about copyright to make it helpful for the artists to understand its relevance for their artistic career. As graffiti or street art subcultures are experiencing an evolution, more artists are taking an interest to familiarize themselves with the concept of copyright. Copyright should be neutral and flexible so that it can complement social norms. Furthermore, the rights of the property owners and artists should be balanced so that the creativity of the artists is not compromised.

* *Drafted by Ms. Kirti Bhushan.*

RECENT JUDICIAL DEVELOPMENTS IN LEGAL AID AND CONSTITUTION LAW

KEY HIGHLIGHTS			
S. No	Case Name	Date	Key Findings
SUPREME COURT OF INDIA- CONSTITUTIONAL LAW			
1.	<i>The Designated Authority v. The Andhra Petrochemicals Limited</i> Civil Appeal No(s). 3046-3048 of 2020	September 01, 2020	The SC while setting aside the judgement of the Telangana HC reiterated the principle that judicial review has to be exercised in a circumspect manner. The HC ordered the replacement of the incumbent designated authority (who decided against the levy of anti-dumping duty on certain goods from Saudi Arabia), initiated contempt against the incumbent and directed anti-dumping investigation into goods imported from the European Union.
2.	<i>Neelam Manmohan Attavar v. Manmohan Attavar (D) Thr LRs</i> Miscellaneous Application No. 42 of 2021	September 03, 2021	The SC held that a writ petition under Article 226 of the Constitution challenging an order passed by the HC in the exercise of its judicial powers would not be maintainable. The Karnataka HC made an order dismissing a revision petition, after which the petitioner challenged the order as being void under Article 226 of the Constitution of India. This writ petition was transferred to the SC under Article 139A of the Constitution of India. The SC, however, left open the rights and remedies

			available to the petitioner, including by way of a Special Leave Petition under Article 136 of the Constitution, to assail the judgment of the HC.
3.	<i>Dr. Jaishri Laxmanrao Patil v. The Chief Minister & Anr.</i> Civil Appeal No. 3123 of 2020	September 09, 2020	In a rare exercise of its extraordinary power to stay Legislative Enactments, the SC stayed the operation of the Maharashtra State Reservation (of Seats for admission in Educational Institutions in the State and for appointments in the Public Services and posts under the State) for Socially and Educationally Backward Classes Act, 2018, that originally provided 16% quota to the Maratha community in education and jobs respectively. It also referred the matter to the Constitution Bench under Article 145(3) of the Constitution of India, observing that a substantial question of law, “Whether the Constitution (102nd Amendment) Act, 2018 affects the competence of the State Legislature to declare a particular caste to be a socially and educationally backward class?”, has been raised in the appeals. The SC also granted interim relief to the appellants by observing that: “there is no absolute rule to restrain interim orders being passed when an enactment is ex facie unconstitutional or contrary to the law laid down by this Court.”
4.	<i>National Alliance for People's Movements v. State of Maharashtra</i>	September 22, 2020	The SC dismissed the National Alliance for People's Movements' plea challenging the decision of the High-Power Committee ('HPC') in Maharashtra to classify categories of prisoners who will be released on emergency

	Special Leave Petition (Criminal.) No. 4116 of 2020.		parole. The Bench observed that the categorisation by HPC cannot be considered as unreasonable and that the exclusion made has a reasonable basis and cannot be termed arbitrary and thus does not violate Article 14 of the Constitution of India. The Court said that the methodology for grant of the interim bail is with the intention to avoid overcrowding in the unprecedented circumstance.
5.	<i>Gujarat Mazdoor Sabha v. State of Gujarat</i> Writ Petition (Civil) No. 708 of 2020	October 01, 2020	The SC quashed the notification issued by the Gujarat Labour and Employment Department granting exemptions to all factories in Gujarat from provisions of the Factories Act, 1948 relating to daily working hours, weekly working hours, intervals for rest etc. According to the impugned notification, the workers in Gujarat could be made to work 12 hours in a day, 72 hours in a week with a 30 minutes break after 6 hours. The Bench led by Justice DY Chandrachud held that the notifications were an affront on the rights against forced labour under Articles 21 & 23 of the Constitution of India. The Court directed that the workers must be given overtime payment.
6.	<i>Amit Sabni v. Commissioner of Police</i> Civil Appeal No. 3282 of 2020	October 07, 2020	The SC held that the public places cannot be occupied indefinitely. The Court ruled that Dissent and Democracy go hand in hand but protests must be carried out in designated area. The Bench observed that the mode and manner of dissent against colonial rule cannot be equated with dissent in a self-ruled democracy.

			The SC held that the fundamental right of every citizen to assemble peacefully and protest against the actions or inactions of the State must be respected and encouraged by the State.
7.	<i>Vetindia Pharmaceuticals Limited v. State of Uttar Pradesh</i> Civil Appeal No. 3647 of 2020	November 06, 2020.	The SC held that The Limitation Act, 1963 <i>stricto sensu</i> does not apply to writ jurisdiction. The discretion vested in the Court under Article 226 of the Constitution of India therefore has to be judiciously exercised after considering all pros and cons of the matter, including the nature of the dispute, the explanation for the delay, whether any third-party rights have intervened etc. While invoking the jurisdiction under Article 226, questions of proportionality in considering whether the impugned order merits interference or not will also arise.
8.	<i>Ram Sharan Maurya and Ors. v. State of U.P.</i> Civil Appeal No. 3707 of 2020	November 18, 2020	The SC observed that, considering the large number of candidates who appeared for the Assistant Teacher Recruitment Exam, 2019 as well as the nature and difficulty level of the examination, the cut off was designed to draw the best available talent. The endeavour on part of the State in attempting to secure the best of the teachers was therefore fully justified. It needs no emphasis that the Right to Education guaranteed in terms of Article 21A of the Constitution of India would envisage quality education being imparted to the children which in turn, would signify that the teachers must be meritorious and the best of the lot.

9.	<i>Arnab Manoranjan Goswami v. The State of Maharashtra</i> Criminal Appeal No. 742 of 2020	November 27, 2020	“Liberty across human eras is as tenuous as tenuous can be. Liberty survives by the vigilance of her citizens, on the cacophony of the media and in the dusty corridors of Courts alive to the rule of (and not by) law. Yet, much too often, liberty is a casualty when one of these components is found wanting.” The SC held that the Bombay HC did have the power to protect a citizen by an interim order in a petition invoking Article 226 of the Constitution of India. There was a failure of the HC to discharge its adjudicatory function at two levels – first in declining to evaluate prima facie at the interim stage in a petition for quashing the FIR as to whether an arguable case has been made out, and secondly, in declining interim bail, as a consequence of its failure to render a prima facie opinion on the first.
10.	<i>Madras Bar Association v. Union of India</i> Writ Petition (Civil) No. 804 of 2020	November 27, 2020	The SC directed the Union of India to set up National Tribunals Commission as suggested by this Court in its order dated 07.05.2018. Setting up such Commission would enhance the image of the Tribunals and instil confidence in the minds of litigants. Dependence of the Tribunals for all their requirements on their parent departments will not extricate them from the control of the executive. Thus, an independent National Tribunals Commission would give effect to Separation of Power theory.

11.	<i>State of Jharkhand v. Brahmaputra Metallics Ltd., Ranchi</i> Civil Appeal No(s). 3860-3862 of 2020	December 01, 2020	The SC observed that the State must discard the colonial notion that it is a sovereign handing out doles at its will. Its policies give rise to legitimate expectations that the State will act according to what it puts forth in the public realm. This is an elementary requirement of the guarantee against arbitrary State action which Article 14 of the Constitution of India adopts. A deprivation of the entitlement of private citizens and private business must be proportional to a requirement grounded in public interest.
12.	<i>Skill Loto Solutions Pvt Ltd v. Union of India</i> Writ Petition (Civil) No. 961 of 2018	December 03, 2020	It was held by the SC that writ petition alleging the violation of Article 14 of the Constitution of India especially with respect to a Parliamentary Act can very well be entertained under Article 32. Article 32 is an important and integral part of the basic structure of the Constitution of India and is meant to ensure observance of rule of law.
13.	<i>State of Maharashtra v. Keshao Vishwanath Sonone</i> Civil Appeal No. 4096 of 2020	December 18, 2020	The SC observed that an HC cannot look into the evidences to find out and decide that a particular tribe is part of Scheduled Tribe which is included in the Constitution (Scheduled Tribes) Order, 1950. The power to include or exclude, amend or alter the Presidential Order is expressly and exclusively conferred on and vested with the Parliament and Courts cannot and should not extend their jurisdiction to deal with the question as to whether a particular caste or sub-caste or group or part of tribe is included

			in any one of the entries mentioned in the Presidential Order.
HIGH COURTS- CONSTITUTIONAL LAW			
1.	<i>Abhishek.K.A @ Bhanu v. State Of Kerala</i> Criminal Appeal No. 1087 of 2019 <i>Kerala High Court</i>	September 09, 2020	Justice PB Suresh Kumar observed that lack of professionalism is writ large in the investigations in cases under The Protection of Children from Sexual Offences Act, 2012 ('POCSO'). The HC issued directives in exercise of the power under Articles 226 and 227 of the Constitution of India, with a view to protect the children involved in the cases from the risk of secondary victimisation and to make the justice delivery under the statute effective and meaningful. These included the operationalization one stop support centres as directed by the SC in <i>Nipun Saxena v. Union of India</i> . The HC observed that professionalism in POCSO investigations is necessary to protect the personal dignity of the child under Article 21 of the Constitution of India.
2.	<i>X v. State of Kerala</i> Criminal Miscellaneous Case No. 3463 of 2020 <i>Kerala High Court</i>	September 09, 2020	The Kerala HC issued future guidelines for maintaining rape victim's anonymity. Justice PB Suresh Kumar, while considering a petition arising out of a bail order passed by Courts set up under The Protection of Children from Sexual Offences Act, 2012 ('POCSO'), observed that in several matters instituted before the HC the identity of the victim is disclosed directly or indirectly. The HC said that the inadequate procedure in place in the Court

			to maintain victim anonymity is against the spirit of Section 228A of the Indian Penal Code, Sections 24(5), 33(7) and 37 of the Protection of Children from Sexual Offences Act, 2012, and the decision of the SC in <i>Nipun Saxena v. Union of India and others</i> . The SC observed that the disclosure of the identity of the victim violates her personal dignity under Article 21 of the Constitution of India.
3.	<p><i>Vineet Ruia v. The Principal secretary ministry of Health & Family Welfare, Govt of West Bengal & Ors.</i></p> <p>Writ Petition No. 5479 of 2020</p> <p><i>Calcutta High Court</i></p>	September 16, 2020	The Calcutta HC was of the view that the right to live a dignified life extends up to the point of death including the dignified procedure of death as per religion of the deceased, under Articles 21 and 25 of the Constitution of India. Balancing the different aspects relating to public order, morality and health and the need of the dear and near ones of the unfortunate victims of COVID-19 or comorbidity, the Bench proposed to issue certain guidelines which may be meaningfully understood and applied at the level of the local self-government institutions as well as the State Government.
4.	<p><i>Employer in relation to Management of Food Corporation of India v. Anil Kumar</i></p> <p>Writ Petition (L) No. 3754 of 2009</p>	October 21, 2020	The Jharkhand HC, while considering a petition filed by a management for quashing the Award passed by Central Government Industrial Tribunal directing regularization in service of a workman, observed that: "Equal pay for equal work is not expressly declared by the Constitution as a fundamental right but in view of Directive Principles of State Policy, as contained in Article 39(d) of the Constitution of

	<i>Jharkhand High Court</i>		India, 'Equal pay for equal work' has assumed the status of fundamental right in service jurisprudence having regard to the Constitutional mandate of equality in Articles 14 and 16 of the Constitution of India."
5.	<i>Dominic Presentation v. State of Kerala</i> Criminal Miscellaneous Case No. 7029 of 2018 <i>Kerala High Court</i>	November 06, 2020	The Kerala HC observed that some meetings may be peaceful in the beginning and subsequently may turn violent. Therefore, a blanket protection cannot be given to all processions or marches under the guise of freedom of speech and expression and peaceful assembly under Article 19(1)(a) and (1)(b) of the Constitution of India. Each case has to be examined based on its own facts.
6.	<i>Ram Gopal Varma and Ors v. Amrutha Pranay</i> Civil Miscellaneous Appeal No. 351 of 2020 <i>Telangana High Court</i>	November 08, 2020	When the events which occurred in the life of the respondent are already in the public domain, she cannot plead any violation of the right of privacy by the appellants in making a movie based on such events.
7.	<i>Salamat Ansari v. State of U.P.</i> Writ Petition No. 11367 of 2020	November 11, 2020	The Allahabad HC held that right of an individual to live with a person of his/her choice irrespective of religion professed by them, is intrinsic to right to life and personal liberty. Neither any individual nor a family nor even the State can have an objection to the relationship of two major individuals who out of their own free will are living together. The Court did not

	<i>Allahabad High Court</i>		see the consenting couple on the parameters of religion, but as two grown-up individuals who out of their own free will and choice are living together peacefully and happily over a year.
8.	<i>Aboobacker Kanniyar v. Kerala State Election Commission</i> Writ Petition (Civil) No. 24044 of 2020 <i>Kerala High Court</i>	November 16, 2020	It was decided by the Kerala HC that successive reservation to the offices of the Chairpersons and President in violation of the Constitutional directives is illegal and unsustainable. It is also arbitrary as it would deny aspirations of the candidates of non-reserved categories to occupy the offices of the Presidents or Chairpersons.
9.	<i>P.J. Joseph v. Election Commission of India</i> Writ Petition (Civil) No. 18556 of 2020 <i>Kerala High Court</i>	November 20, 2020	It was held that if the Election Commission is not to be disabled from exercising effectively the plenary powers vested in it under Article 324 of the Constitution of India in the matter of allotment of symbols and for issuing directions in connection therewith, it is plainly essential that the Commission should have the power to settle a dispute in case claim for the allotment of the symbols of a political party is made by two rival claimants.
HIGH COURTS – LEGAL AID			
1.	<i>Karan v. State NCT of Delhi</i>	November 27, 2020	The Delhi HC observed that Section 357 of the The Code of Criminal Procedure, 1973 ('Cr.P.C') confers a duty on the Court to apply

	<p>Criminal Appeal No. 352 of 2020</p> <p><i>Delhi High Court</i></p>		<p>its mind to the question of compensation in every criminal case. Court has to take into consideration the effect of the offence on the victim's family even though human life cannot be restored but then monetary compensation will at least provide some solace. Upon receipt of the judgment and the affidavit of the accused, DSLSA shall conduct a summary inquiry to compute the loss suffered by the victims and the paying capacity of the accused and shall submit the <i>Victim Impact Report</i> containing their recommendations to the Court within 30 days.</p>
2.	<p><i>District Collector Alappuzha v. District Legal Service Authority, Alappuzha and others</i></p> <p>Writ Petition (Civil) No. 7250 of 2014</p> <p><i>Kerala High Court</i></p>	<p>December 22, 2020</p>	<p>According to the Kerala HC, Section 357A (1)(4) & (5) of The Code of Criminal Procedure, 1973 ('Cr.P.C.') are substantive in character. Under Section 357A (4) of the Cr.P.C., the victims are entitled to compensation for incidents that occurred prior to coming in force of the said provision. By giving the benefit to victims under Section 357A (4) Cr.P.C., for crimes that occurred prior to 31.12.2009, the statutory provision is not given retrospective effect, and instead a prospective benefit is given based on an antecedent fact.</p>

* Compiled by Mr. Rishabh Duggal and Ms. Rupali Prashar.

FROM THE EDITORIAL BOARD

LAW AND TECHNOLOGY: BUILDING AN EQUITABLE FRAMEWORK

The effects of the COVID-19 pandemic were truly unprecedented. The whole world came to a standstill for most of 2020, and no sphere of life remained unaffected. This included the justice delivery system, as courts of law all over the country came to a standstill due to the pandemic-induced lockdown. As attempts were made towards keeping the courts functioning, increasing reliance was placed on internet technology while devising methods that would replace ordinary court processes.

The following pages are dedicated to analysing the nature of changes brought about by the aforementioned transition, followed by an assessment of their consequences. The article then seeks to examine the relationship between the law and access to the internet and calls for the inclusion of the right to access the internet within the broader framework of Fundamental Rights.

In doing so, one is guided by those famous words of Sir Winston Churchill, spoken when the concept for the United Nations was being formulated while the Second World War raged on: 'Never let a good crisis go waste.' The pandemic, as unforgiving and painful as it has been, provides us with an opportunity to scrutinize the status quo and make some fundamental alterations to the manner in which age-old systems function. If one were to capitalize on the momentum, the present interregnum can be seen as a good occasion to move a step further and devise creative solutions for long-term benefit.

Technology and the courtroom: turning a necessity into a force multiplier

As noted above, all the courts in our country [closed](#) their (physical) doors to the public when the nationwide lockdown was announced. This caused great uncertainty amongst litigants and lawyers alike, as nobody knew how the judicial machinery would respond to this new reality. An earnest effort, spearheaded by the [e-committee](#) of the Hon'ble Supreme Court of India, was made to ensure that doors of justice were not closed to the public in the metaphorical sense. The Hon'ble Supreme Court and the Hon'ble High Courts must be commended for swiftly transitioning to digital/virtual hearings.

Yet, ad hoc arrangements are never watertight, and this was [no exception](#). Given how this novel regime of virtual hearings marked a near-complete departure from the conventional courtroom processes, only "urgent matters" were heard in the early days. Resultantly, many pending matters saw

further prolongation. Even after teething troubles had faded away, many advocates preferred to seek adjournments as they felt that they would be able to better present their arguments in a physical courtroom.

Speaking of the larger picture, while it was the pandemic that thrust digitization upon us, digitization is undoubtedly the way of the future. As far back as 1988, the [124th report](#) of the Law Commission of India (**'LCI'**) highlighted the importance of the Hon'ble High Courts and Subordinate Courts adopting what it then termed as "computer technology." At this stage, it would be apposite to mention that the [eCourts Mission Mode Project](#) had made great strides in creating the digital infrastructure necessary to facilitate the integration of technology into court processes even prior to the pandemic. On the ground, however, there was (and is) a noticeable preference for conventional methods, which may be attributed to a sense of comfort that has crystallized around the familiar way of transacting the business of the court. Thus, the adoption of technology by the judicial system before the pandemic had only been partial and half-hearted, largely guided by the preferences and initiatives of presiding officers. An obvious manifestation of this trend is the sight of courtrooms stacked with bulky files containing countless reams of paper that are still used up in the functioning of courts on a daily basis. In fact, archaic rules related to single-side printing have been changed in the apex court [only recently](#). It is submitted that the ongoing pandemic provides an opportunity to integrate technology into the workings of the justice delivery system in a manner that endures. The momentum created during the pandemic ought to be sustained in this sphere, to prevent a return to the old ways.

It is desirable that some of the steps taken while organizing virtual hearings ought to be retained. For example, dispensing with the physical presence of the litigant/accused at every hearing and instead, accepting attendance via videoconferencing is a step worthy of consideration. Collection of evidence and examination of witnesses via videoconferencing may also be explored. Additionally, the system of e-filing and e-summons that has gained acceptability during the pandemic can be adopted under normal circumstances as well. Further, many court documents such as Cause Lists are readily available on websites and mobile applications. Daily printing of these in large quantities does not appear to be relevant anymore. Technology can be useful for intra-court processes as well. The [230th report](#) of the LCI noted that where numerous cases are filed on similar points and a single judgment can settle all such issues, technology can be used for aggregation of the same. The Commission opined that such an approach would substantially reduce arrears.

Therefore, technology has the potential not only to improve the court-litigant/counsel interface but also to make transacting the business of the court more efficient. These gains will ultimately benefit the litigant in particular and the justice delivery system in general.

Nature and scope of the right to access internet technology

While there can be little opposition to the value of technology-driven court processes, such methods must be placed in context. [Issues of access to internet technology](#) must be kept in mind while undertaking any such activity, i.e., there is a need to ensure that such integration, while desirable in the interests of efficiency, does not cause prejudice to the litigant or their counsels. In a country like ours, access to technology is determined by a complex set of factors, with visible disparities dictated by class, gender, caste and other socio-economic factors. In addition to this, the nature of the right to access the internet is itself not well-defined.

On one hand, an ever-increasing list of basic services is becoming dependant on access to the internet. On the other hand, the State has become more willing to impose blanket restrictions on the right of a section of the population to access the internet purely as an implication of geographical location. To explore this concept further, reference must be made to judicial interpretation of the right to access the internet, especially in relation to the Fundamental Rights guaranteed under Part III of the [Constitution of India](#) (**‘Constitution’**).

Such interpretation is necessitated by the fact that the Constitution-makers never contemplated such advancements in technology. Our judiciary, to its credit, has consistently held that the Constitution is a dynamic and living document, particularly when it involves giving a broad interpretation to the Fundamental Rights in light of contemporary realities. This is particularly true in the case of the Right to Life and Liberty guaranteed under [Article 21 of the Constitution](#). In recent years, there have been two important judgements that examined the scope of the right to access the internet in relation to Fundamental Rights under [Articles 19](#) and 21 of the Constitution.

The case of [Faheema Shirin R.K. v. State of Kerala](#) (**‘Faheema Shirin’**) came up before a Single Judge Bench of the Hon’ble High Court of Kerala in the form of a writ petition. The petitioner challenged the decision of college authorities to impose restrictions on the use of mobile phones and laptops in the hostel. For disobeying said decision, the petitioner had been expelled from the hostel. She contended that the restrictions amounted to a denial of her right to obtain knowledge through the internet, as well as infringement on the right to freedom of speech and expression guaranteed under

Article 19(1)(a). In support, various policies and programs of the Union and the state government that aimed to increase internet penetration and usage were cited.

After considering the averments, the Hon'ble High Court observed as follows:

The mobile phones which were unheard of once and later a luxury has now become part and parcel of the day to day life and even to a stage that it is unavoidable to survive with dignity and freedom.

The college authorities as well as the parents cannot be permitted to shut their eyes on the innumerable advantages out of internet on various aspects of learning with worldwide connectivity, on its proper usage.

Drawing on the observations made by the Apex Court in [*Visbaka v. State of Rajasthan*](#), the learned Judge held that where no domestic legislation occupies the field, the courts have a responsibility to interpret Fundamental Rights in light of international covenants and norms (provided there is no inconsistency between international norms and Fundamental Rights). Pursuant to this, the Hon'ble High Court referred to [United Nations Humans Rights Council \('UNHRC'\) Resolutions](#) that emphasize the positive role that internet technology can play in the empowerment of women, with special reference to promoting the aims contained in the [Convention on Elimination of All Forms of Discrimination Against Women \('CEDAW'\)](#), 1979.

Additionally, the Hon'ble High Court referred to [a landmark UNHRC Resolution](#) of 2016, the key provisions of which are:

1. *Affirms* that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with Articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;
2. *Calls upon* all States to promote and facilitate access to the Internet, and international cooperation aimed at the development of media and information and communication facilities and technologies in all countries;
3. *Affirms* that quality education plays a decisive role in development, and therefore calls upon all States to promote digital literacy and to facilitate access to information

on the Internet, which can be an important tool in facilitating the promotion of the right to education;

In the final analysis, the Hon'ble High Court unequivocally held that the right to have access to the internet forms a part of the Right to Education as well as the Right to Privacy guaranteed under Article 21.

The second judgement that merits attention is the three-Judge Bench decision of the Hon'ble Supreme Court of India in [*Anuradha Bhasin v. Union of India*](#) (***Anuradha Bhasin***), which dealt with the [internet shutdown](#) prevailing in the valley of Kashmir since the revocation of special status along with bifurcation of the State of Jammu & Kashmir on August 5, 2019. *Inter alia*, the following question of law was framed: Whether the freedom of speech and expression and freedom to practise any profession, or to carry on any occupation, trade or business over the Internet is a part of the Fundamental Rights under Part III of the Constitution?

The key contention of the petitioners was that curtailment of the right to access the internet constitutes an infringement of the right to freedom of speech & expression [Article 19(1)(a)], as well as the right to freedom of trade [Article 19(1)(g)] and hence, is required to be tested on the basis of reasonableness (as prescribed under Article 19 itself) and proportionality. Additionally, they argued that the orders imposing an internet shutdown were not in compliance with the [Temporary Suspension of Telecom Services \(Public Emergency or Public Service\) Rules, 2017](#) (**'the Rules'**), notified under the [Indian Telegraph Act, 1885](#). They were also opposed to the State resorting to blanket internet restrictions, arguing that it must use the least restrictive measure and, in this regard, a distinction has to be made between general internet and social media sites.

The Court cited the views of Mr. Vinton Cerf, one of the founders of the internet, who has [stated](#) that the internet, while being a potent enabler of rights, cannot acquire the status of a human right in itself. Building on these observations, the Court drew a distinction between the internet as a tool and the freedom of expression through the internet. Taking note of a multitude of past decisions, the Court noted that the freedom of expression includes the right to disseminate one's opinion, and in this regard, the internet is of great value.

Hence, the Apex Court held that "freedom of speech and expression through the medium of internet is an integral part of Article 19(1)(a) and accordingly, any restriction on the same must be in accordance with Article 19(2) of the Constitution." In the same vein, it also held that "the freedom of trade and

commerce through the medium of the internet is also constitutionally protected under Article 19(1)(g), subject to the restrictions provided under Article 19(6).” For good measure, it was clarified that no remarks were being made about the right to access the internet as a fundamental right in and of itself.

It is another matter that the Apex Court, in its wisdom, held that the balance tilted in favour of security considerations, which necessitated a continuation of the internet shutdown. The only solace was that the administration was mandated to ensure greater transparency in decision-making. Simultaneously, a high-level periodic review of decisions was also ordered.

Ossifying the Right to access the internet

Anuradha Bhasin brought to light the larger issue of internet shutdowns in India, which in turn highlights a [contradiction](#) in the approach of the State towards internet technology, as mentioned previously. On one hand, large-scale and sincere efforts are being made to expand internet connectivity (for example, the [PM WANI](#), and [BharatNet](#) projects) and to integrate such technology into government processes. On the other, State machinery does not hesitate to employ blanket internet shutdowns, along with other measures that either leads to a denial of the right to access the internet or reduce its value as a means of expression.

India enjoys the dubious distinction of having the [largest number](#) of internet shutdowns globally. In 2018, the Software Freedom Law Centre released a [report](#) on the effects of such shutdowns. Apart from documenting the commercial and economic impact of such measures (many other studies focus exclusively on this aspect), the report spoke about how they constitute a denial of human rights since health and educational services cannot be accessed by the section of the population that is affected. This dimension was also highlighted during the pandemic when nearly all educational services went online.

If technology is to be incorporated into the judicial system (or any other system of government for that matter), the current framework with its twin afflictions of easy internet shutdowns and wide disparity in access, is evidently unsustainable and incompatible with such aspirations. The citizenry must have an assurance that access will be convenient and reliable, apart from being free from arbitrary and prolonged disruptions. This aspect of prolonged disruptions has also received judicial attention. While passing an order in the matter of [Banashree Gogoi v. Union of India](#) (*‘Banashree Gogoi’*), the Hon’ble Gauhati High Court, without expressing any opinion on the legality of internet shutdowns, nevertheless commented that the State should not needlessly prolong such deprivation, since many

aspects of day-to-day come to standstill when the right to access the internet is taken away from the people.

When technology-infusion into governmental processes is seen in the light of inequality in access to the internet, there is a risk of an endeavour intended to simplify processes turning into one that increases the hurdles to access. For instance, migrant labourers were required to fill forms online to avail the benefit of free rations during the pandemic. However, they were ill-equipped to comply with the requirements properly, thereby putting them at risk of being denied their right. The Legal Aid Society of the Campus Law Centre provided assistance to them. This episode indicates that while government-process digitization is being zealously pursued, the groundwork necessary to ensure that these facilities benefit the citizenry is [not proceeding at the same pace](#).

In view of the judgments in *Fabeema Shirin* and *Anuradha Bhasin*, there is a strong case to be made for the inclusion of the right to access the internet within the framework of Fundamental Rights, as was done with the [Right to Education](#) at the turn of the century. Adopting a rights-based approach to internet access would prove to be an effective way of measuring progress made towards increasing access to internet facilities, from the twin perspectives of digital literacy and digital infrastructure creation. Entitlements, along with reasonable restrictions on access must be clearly spelt out in such a framework, so that the people can easily understand their rights, which becomes difficult in the maze of regulations as they exist today. An additional benefit would be that the judiciary would be in a better position to interpret the right.

We have before us a moment to build on the momentum and establish a sustainable model pertaining to internet rights that would ensure equitable distribution of the benefits of internet technology to each citizen. It is humbly submitted that we must take full advantage of this opportunity and pioneer the cause of the right to access the internet.

* *Authored by Mr. Svarit Uniyal Mishra*

ACHIEVEMENTS OF LAS MEMBERS

MS. MISBAH RESHI BAGS RHODES SCHOLARSHIP

Misbah Reshi, the Student Convenor of LAS, CLC has been awarded the prestigious Rhodes scholarship to pursue her post-graduate studies at the Oxford University. She has been associated with the Society as a PLV since her first year. She was a Student Co-convenor and Senior Editor of Awaaz in her second year.

Misbah's motivation to apply for the Rhodes Scholarship stemmed from her deep interest and commitment towards human rights law. Being involved in human rights work was an inescapable concomitant of her identity. In the current scenario, she feels the need to work consistently on human rights and law and use it for emancipation and betterment of society. Her experiences in the LAS further strengthened her resolve towards making justice more accessible.

Misbah would also be happy to help anyone who is interested in applying for the Rhodes Scholarship. She pointed out that she was lucky to be surrounded by who helped her in her journey. At the same time, she is aware that not everyone has access to the same resources, and it is important to make these opportunities equally accessible to all.

MR. SUMIT AWARDED BY DSLSA



On the occasion of National Legal Services Day, 09 November, 2020, Mr. Sumit, a third-year PLV of LAS, CLC has been presented with an award by DSLSA for his "Outstanding contribution as a Corona Warrior during lockdown period, 2020". Shri Kanwal Jeet Arora, Member Secretary, DSLSA presented the award to Mr. Sumit. All the Corona Warriors were felicitated with commendation shields in the ceremony.

Mr. Sumit has been actively participating in activities organized by DSLSA and LAS. These include organization of Registration Desk, Ration card, filling form of E-ration Coupon, distribution of mask/food/ration, EWS/DG drive at Kabir Basti, Clean and Green March Drive, Legal Awareness Drive, assisting National Lok Adalat, DSLSA summer internship program, 2019 among numerous other activities.

MESSAGE FROM STUDENT CONVENOR, LEGAL AID SOCIETY



Ms. Misbah Reshi, Student Convener, Legal Aid Society, Campus Law Centre

The Legal Aid Society was in the midst of providing aid to riot affected victims in North-East Delhi in the middle of March, when the lockdown was announced. All our activities came to a halt and we were confined to our homes. We realised, while staying indoors was necessary and compulsory, it could not be an excuse for us to stop our work. We sprang into action immediately and started working towards providing assistance to migrant workers and daily wage labourers who were left most distressed due to the lockdown. None of us had comprehended the amount of help that was needed, and it only strengthened our resolve to work harder.

As the months progressed, we got more comfortable in the virtual set-up. All too soon, it was time to bid farewell to the Executive Board of 2019-2020, and give charge to the new one. The process of the virtual communications and easing in began all over again. The new team was selected, introduced, and bonded (hopefully) – all online and has been working so since. The Executive Board of 2020-21,

spread across the country, has been extremely accommodative of the circumstances they were compelled to work in.

During the lockdown, student PLVs of the Society were dedicatedly involved in providing relief to those unable to access both legal and material help due to the lockdown. They participated in various types of camps organised by the DLSAs. Student PLVs assisted the C-DLSA at the helpdesk set up for construction workers and were able to make an impact quantitatively and qualitatively. Student PLVs were also involved in inspection of Shelter Homes in Delhi in furtherance of the guidelines issued by the Supreme Court.

To expand the scope and range of our activities, we organised two webinars to create awareness on the different perspectives on Intellectual Property Rights. The novelty of the lecture taken by Professor Ann Burtow on “Copyright Law and the Feminist Gaze” was appreciated by all students and faculty members. The discussion on Copyright and Graffiti headed by Dr. Enrico Bonadio shed light on the important legal aspects of the creative field.

Despite the pandemic, Team Awaaz has been tirelessly working to create legal awareness on important issues and engage students intellectually and creatively. The Society and Team Awaaz successfully organised an Article Writing Competition for Constitution Day. The wide range of engaging and pertinent topics led to a large number of submissions, making it a difficult task for the committee tasked with awarding the best entries. The National Webinar organised by Team Awaaz on “Judicial Responsibility in Enforcing Second and Third Generation Rights” saw a great participation from students and lawyers from across the country. With Hon'ble Justice Ms Justice Gita Mittal, Senior Advocate Aishwarya Bhati, Additional Solicitor General of India, and Senior Advocate Prashanto Chandra Sen as the speakers, both the lecture and the discussion were highly enlightening and interactive. A big congratulations to Team Awaaz for creating this excellent Newsletter as well. The hard work of all the team members is truly reflected in the highly nuanced and well researched work that is at display in the Newsletter.

The mental fatigue endemic to this lockdown and the pandemic plagued us all. I am extremely grateful and proud of Team Awaaz, Student Co-Conveners, PLVs, and all the members of the Society who contributed towards ensuring that we continue our work towards betterment of people. When I was given the charge of the Society as the Student Convener, I did not completely comprehend the nature of work that I would have to be engaged in during this time. My understanding and experience of the

work of the Society was limited to its physicality – to awareness drives and institutional visits – but all of that changed. This past semester led the Legal Aid Society to have important conversations on issues we did not prior to the pandemic consider as part of our work. These conversations aided our work and helped in our endeavour to be more inclusive – we spoke about and worked towards access to food, access to work, access to knowledge, access to public services and access to internet, while being wholly dedicated to access to justice.

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2. Mr. Krishnagopal Abhay and Mr. Rishabh Duggal for compiling and formatting the present edition of the E-Newsletter.

Despite the best efforts of the editorial board, some mistakes may have crept in inadvertently. In our capacity as editors, we take full responsibility for any such oversight.

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