



REPORT OF ACTIVITIES CONDUCTED

SESSION 2021-22 (July-December, 2021)

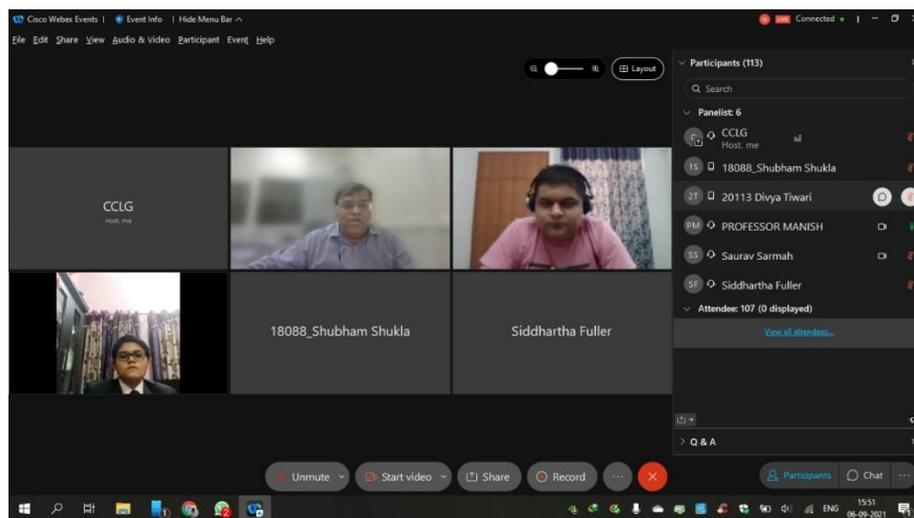
ONLINE LECTURES

1. IMPLICATIONS OF THE FALL OF THE NATIONAL GOVERNMENT OF AFGHANISTAN

Speaker: Prof. (Dr.) Manish, Dean, School of International Studies, Central University of Gujarat

6th September, 2021 [LECTURE RECORDING](#)

<https://www.lawctopus.com/rgnul-lecture-implications-fall-afghanistan-government/>



The Centre for Constitutional Law and Governance (CCLG), RGNUL organised an online lecture via Cisco Webex on the topic “Implications of the Fall of the National Government of Afghanistan” on 6 September 2021, Monday at 3 pm. The lecture was delivered by Prof. (Dr.) Manish, Dean of School of International Studies and Chairperson and Professor of the Centre for International Politics, School of International Studies, Central University of Gujarat, Gandhinagar. He discussed five main issues: (i) the current state of affairs in Afghanistan created by the complete withdrawal of the US military personnel, (ii) the history of the war-torn nation from the 19th century, (iii) the origin of the Taliban that for the second time has captured power there, (iv) the role of neighbouring countries – China, Russia, Iran and Pakistan, and (v) the strategic options of India.

RGNUL faculty members, Dr. Sangeeta Taak, Siddhartha Fuller and Saurav Sarmah participated



in the discussion, along with more than 120 students. Prof. Manish responded to the queries

RGNUL holds lecture on Afghan crisis

TRIBUNE NEWS SERVICE

PATIALA, SEPTEMBER 7

The Centre for Constitutional Law and Governance, Rajiv Gandhi National University of Law (RGNUL), discussed 'Implications of the fall of the national Government of Afghanistan' during an online lecture today.

The lecture was delivered by Prof Manish, Dean, School of International Studies, Central University of Gujarat.

Discussing the issues, including the current state of affairs in Afghanistan and history of the war-torn nation, Prof Manish said: "The weakening resolve of American society to support the Afghan Government and inability to bear any more expense or casualty for the purpose had made it expedient for the Biden administration to withdraw, but it was done too hastily and in an inefficient manner."

He said the investments made by India in Afghanistan on infrastructure projects were to improve India's soft power and not for economic profit.

"There is nothing India can do but wait and watch. The atrocities committed by the Taliban with the aid of Pakistan cannot be forgotten, despite all the professions of moderation," he said.



come out in the streets of Kabul to protest. We can only feel sad for their plight.

The lecture was live streamed on [YouTube](#). RGNUL student Divya Tiwari introduced the speaker and offered the vote of thanks and Mridull Thaplu handled the technical aspects of the event.

presented by the participants on various aspects of the Afghan crisis, including the dubious role of the US, status of India's approx. \$3 billion investments for the Afghan people, possible international recognition of the terrorist regime of Taliban, the feasibility of resistance from the Panjshir valley and response of Afghan civil society to Taliban rule. The weakening resolve of the American society to support the Afghan government and inability to bear any more expense or casualty for the purpose had made it expedient for the Biden administration to withdraw, but it was done too hastily and in an inefficient manner. The investments made by India in Afghanistan, e.g. infrastructure projects like building the Salma Dam and the Parliament Building and renovation of the Stor Palace were to improve India's soft power, rather than for economic profit. There is nothing India can do but wait and watch. The atrocities committed by the Taliban with the aid of Pakistan cannot be forgotten, despite all the professions of moderation. In the case of India, the biggest incident was the hijacking of IC814 and release of three dreaded terrorists for the safety of the passengers. The destruction of the Bamiyan Buddhas was another horrific act of the Taliban. However, there is little India can do. Unlike between 1996 and 2001, Iran and Russia aren't opposing the Taliban and there is no way India can help the Panjshir Resistance due to geographical limitations. The humanitarian crisis is immense. There are a number of Afghan students in India who have expressed their anguish. Women have

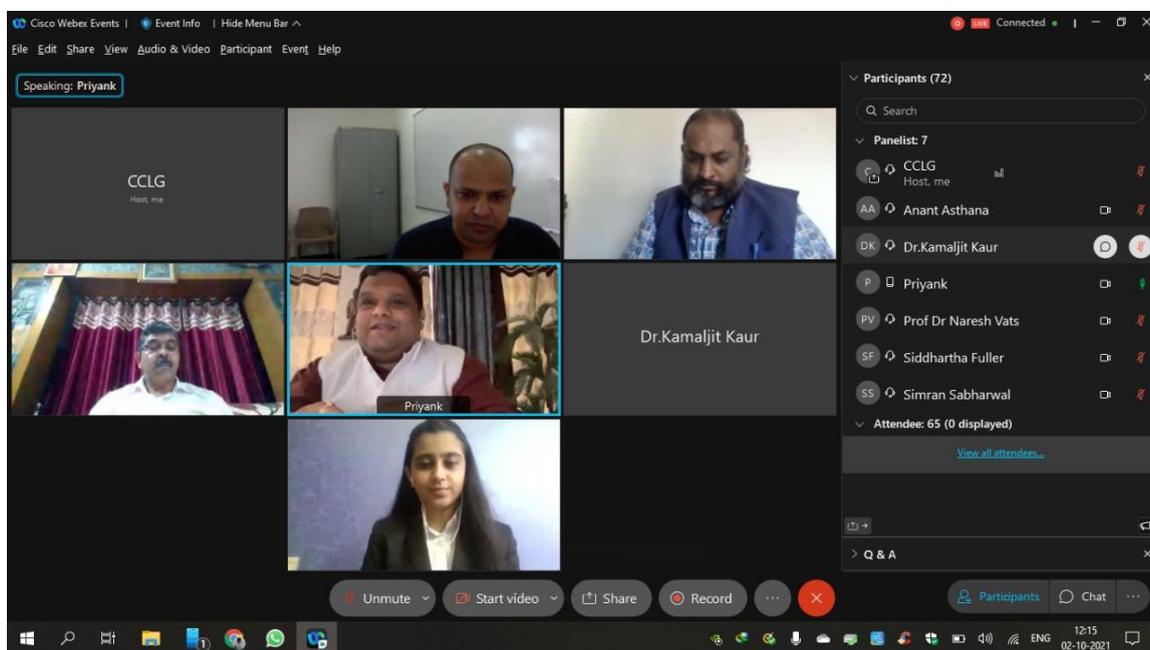


2 HISTORICAL SURVEY OF CHILD RIGHTS LAW IN INDIA

Speaker: Mr. Priyank Kanoongo, Chairperson, National Commission for Protection of Child Rights and **Mr. Anant Kumar Asthana**, Advocate, Delhi High Court and Member, Core Group on Children, National Human Rights Commission.

2nd October, 2021 [LECTURE RECORDING](#)

<https://www.lawctopus.com/rgnul-online-lecture/>



The Centre for Constitutional Law and Governance (CCLG), RGNUL *in collaboration with* Internal Quality Assurance Cell (IQAC), RGNUL organized an online lecture on the topic 'Historical Survey of Child Rights Law in India' on 2nd October 2021, Saturday at 12 PM. The lecture was delivered by Shri Priyank Kanoongo, Chairperson, National Commission for Protection of Child Rights and Shri Anant Kumar Asthana, Advocate, Delhi High Court and Member, Core Group on Children, National Human Rights Commission. They highlighted the comparatively distinct position of India as a civilization in the matters of child rights.

RGNUL faculty members, Prof. (Dr.) Naresh Vats, Dr. Kamaljit Kaur and Mr. Siddhartha Fuller participated in the discussion, along with more than 120 students. NCPCR Chairperson, Mr. Priyank gave examples of how India has always remained peaceful even when the whole world was fighting. He said, "India has no such guilt of violation of child rights in history because of its culture and traditions. Indian laws and legislations are much more advanced than UN Convention



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on Rights of Children. Chandragupta, a slave child, was rescued by a teacher Chanakya who freed him from slavery and set an example.” While talking about Child marriages, he referred to Rajasthan government’s decision regarding registration of child marriages and said that there’s a need to criticize and repeal such law. He further said, “There was no such concept of orphanage in ancient India and it was missionaries who brought it.” He informed that NCPCR conducted social audit of such orphanages and other welfare measures adopted to ensure no maltreatment is done on Orphanage children. He gave a clarion call for future lawyers of the institute to dedicate at least one weekday for free legal aid in the matters concerning child rights.

Mr. Anant Asthana agreed with NCPCR Chairman’s views that the laws of India on child rights are way forward and advanced than United Nation Convention for Protection of Child Rights. He said, Lord Krishna was like the modern child in conflict with law who manifested that such children are not always destructive but many a times progressive as well. The speaker gave example of a small country, Sierra Leone which established Truth and Reconciliation Commission in line with Gandhian ideas. It was children who were the first one to be called to share their story of struggle during the conflicts. He further said, “There’s a greater need to research on Ancient Indian texts like Arthashastra to know about the ancient Indian governance. It was not Macaulay but Yajñawalkya Samhita, which laid down for the first time that children are presumed to be innocent.”

The lecture was live streamed on YouTube. Prof. (Dr.) Naresh Kumar Vats, Registrar, RGNUL also shared his views and insights on the theme and also thanked the Honorable guests for their valuable insights. RGNUL student Simran Sabharwal introduced the speaker and offered the vote of thanks. Mridull Thaplu handled the technical aspects of the lecture.



3. LECTURE ON 'RAM JANMABHOOMI JUDGMENT' (M. SIDDIQ V. MAHANT SURESH DAS & ORS.)

Speaker: Ms. Pragya Parijat Singh, Asst. Professor, Jindal Global Law School

30th October, 2021 [LECTURE RECORDING](#)

<https://www.barandbench.com/apprentice-lawyer/online-lecture-ram-janambhoomi-judgement>

The screenshot displays a Cisco Webex meeting interface. The main content is a slide titled "Legal Timeline of the Ayodhya Dispute". The slide features a horizontal timeline with five key events:

- 1950:** Right to Pray suit filed by Gopal Singh Visharad who requested for offering prayer as per his religious customs.
- 1959:** Suit filed by Nirmohi Akhara (NA) for management and charge of the temple (that existed until 29 Dec 1949).
- 1961:** Suit filed by Sunni Central Wakf Board (SCWB) for declaration of their title to the disputed suit.
- 1989:** Suit filed by a next friend on behalf of deity Bhagwan Shri Ram Lalla Virajman (RLV). Suit founded on the claim that law recognizes idols and the birthplace as judicial entities.
- 1989:** These 4 suits, together with a separate suit were transferred to Allahabad High Court (AHC) from Faizabad Civil Court.

The meeting interface includes a top menu bar with "File", "Edit", "Share", "View", "Audio & Video", "Participant", "Event", and "Help". Below the menu, there are video thumbnails for participants: CCLG (Host, me), Pragya P Singh, Shubham Shukla, Siddhartha Fuller, Kamaljit Kaur, and Rajat Dixit. On the right side, there is a "Chat" window and a "Participants (76)" list. At the bottom, there are controls for "Unmute", "Start video", "Share", and "Record". The system tray at the very bottom shows the time as 18:22 on 30-10-2021.

The Centre for Constitutional Law and Governance (CCLG), RGNUL in collaboration with Internal Quality Assurance Cell (IQAC) organized an online lecture on '**Ram Janmbhoomi Judgment**' (*M. Siddiq v. Mahant Suresh Das & Ors.*) on 30th October 2021, Saturday at 6 PM. The lecture was delivered by Ms. Pragya Parijat Singh, Assistant Professor, JGLS and Managing trustee, Vidhivarenyam Foundation.

The session commenced with an introductory note delivered by Shubham Shukla. Ms. Pragya began the lecture by sharing the timeline of the main events in the Ayodhya dispute, which was followed by analysis of the Supreme Court judgment in the said case (*M. Siddiq (D) Thr Lrs v. Mahant Suresh Das & Ors.*). The speaker shed light on sitemap of disputed land by sharing the map and analyzing the historical reasons behind the dispute. Moreover, she explicated the contentions of all the parties to provide the students with a foundation to self-assess and critically evaluate the judgment. Asserting the remarkable nature of the case, she emphasized on the continuous hearing of 41 days, *the second longest hearing in the history of the Supreme Court.*



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She discussed about the demarcation between inner and outer structure and informal understanding regarding praying at the site before the ban on entry was imposed. She explained the institution of four suits along with a short analysis of the Faizabad Civil Court decision to club the four cases into one and inclusion of Archeological Survey of India as a party to the dispute, which was then sent to Allahabad High Court. She further discussed about the institution of a case on behalf of Shri Ram Lalla Virajman, wherein Lord Ram was admitted to be a legal entity (Juristic Person) in the eyes of law, who contended for his right to the immovable property through his representatives. She substantiated her argument by summarizing the first such case of *Shiromani Gurudwara Prabandhak Committee v. Shri Som Nath Das & Ors*, where the sacred book of Guru Granth Sahib ji was held to be a juristic person.

Furthermore, she enlightened the audience on the findings of the Archeological Survey of India, as per which certain “non-islamic” structures were found, dating back to 12th Century, which were apparently demolished and Babri masjid was constructed later by Babur. Based on the findings and facts, the Allahabad High Court trifurcated the disputed land among Nirmohi Akhada, Ram Lalla Virajman and Sunni Central Waqf Board. However, the said decision was challenged in the hon’ble Supreme Court through an appeal. She highlighted the intricacies of the dispute and that how a Civil dispute on immovable property reached the doors of Supreme Court, with an amalgamation of administrative, Constitutional, faith and property related facts and legal points. Moreover, the speaker explained the efforts that were undertaken before the failure of mediation process in bringing forth an amicable solution.

Thereafter, the speaker discussed about the ‘outcome certainty rule’ used by the Supreme Court as per which the matter was put to continuous hearing until resolution by the constitutional bench and ‘moulding of relief’ as an option was also provided as an option to all the parties. At last, she lucidly gave an analysis of the directions of the courts and the judgment and said that “*We must appreciate the law and rule of law should be upheld... Civil dispute must be seen from the periscope of law rather than observing the judgment as a dispute between construction of Mosque or temple.*” She also reiterated that Supreme Court’s judgment was meticulously constructed and encouraged all the students to read and understand the beauty of law as exemplified in the case under discussion. The second part of the session involved Q & A session where Ms. Pragya answered all the queries of the participants.



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The session concluded at 7: 20 PM with a vote of thanks by Mr. Siddharth Fuller, Faculty Coordinator, CCLG.



THE CHARTER- CCLG BLOG

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

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

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

The website can be accessed at www.cclg.in

Activities

Call for Blogs (submissions on rolling basis): 16th September, 2021

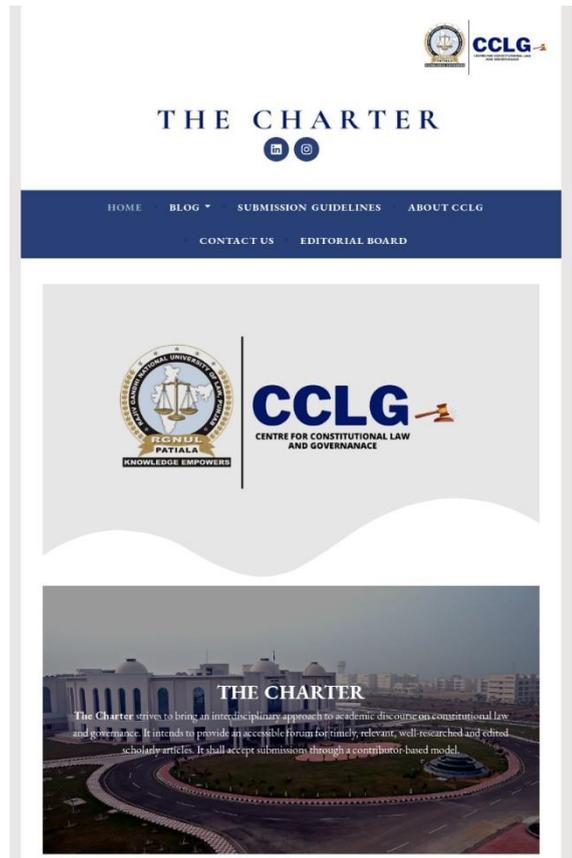
<https://www.lawctopus.com/rgnul-centre-for-constitutional-law-and-governance-blogs/>

Total entries received: 42

Total entries published: 7

Details of the published blogs

1. [Critique of High Court Judgment in the case of *Javed v. State of U.P.*](#)
2. [The Fate of the MDS Counselling Still Hanging; Supreme Court Should Decide Upon the Validity of 10% EWS Reservation as soon as Possible](#)
3. [The Defense and Security in India- Fictitious or Factual](#)





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4. [Interpretation of Statutes: Critically Analyzing Leading Theories of Denning, Holmes and Cardozo](#)
 5. [Application of the Basic Structure Doctrine to Ordinary Laws of Parliament \(Part-I\)](#)
 6. [Application of the Basic Structure Doctrine to Ordinary Laws of Parliament \(Part-II\)](#)
 7. [Legality of Population Control in a Constitutional Democracy: An analysis](#)
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NEWS BULLETIN

News Bulletin is an initiative of CCLG members to increase awareness about the contemporary developments in the field of constitutional law and governance. It is an attempt to disseminate information about such issues from an academic perspective through communication briefs of around 400-500 words, prepared by the members of the Centre.

1. [Dedicated police force for Judges not feasible: Central Govt](#)
2. [Allowing 'Kashmiri Migrant' Retired Government Employees to Retain Government Housing for an Indefinite Period of Time is Unconstitutional: Supreme Court](#)
3. [Kerala Govt to Conduct Survey for EBC Persons among Forward Castes](#)
4. [Is Right to Protest Restricted?](#)
5. [Legislative Enactment cannot take away 'Constitutional Power' to punish for Contempt: SC](#)
6. [Haryana government has passed a bill guaranteeing 75 percent job reservation for locals, which would take effect on January 15, 2022.](#)
7. [G20 Summit 2021: Crux and Relevance for India](#)
8. [Offences Under Special Statutes including SC/ST Act can also be quashed in exercise of powers under Section 482 of CRPC and Article 142 of Constitution](#)
9. [Delhi HC Seeks DDA's Response on Plea by Street Vendors over Master Plan 2021](#)
10. [Right to Meaningful family life is Covered Within Right to Life under Article 21: Delhi High Court](#)
11. [Swachh Survekshan 2021](#)
12. [Not adequate to characterize the Randomness in fixing Cut-off for Reservation as Arbitrary](#)
13. [Farm Laws and Farmers' Protests](#)



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14. [\[Article 227\] Will fail in our duty if we don't examine perverse orders of tribunals, courts: Delhi High Court](#)
 15. [Prisons and Prisoners: Violation of Article 21 or longer than sentence stays justified? Observation of Uttarakhand High Court](#)
 16. [72nd Constitution Day of India celebrated today](#)
 17. [National Multidimensional Poverty Index](#)
 18. [Supreme Court on Fundamental Right of Witnesses to Testify in Courts](#)
 19. [Center to revisit EWS criteria](#)
 20. [Parliament passes a bill repealing three farm laws](#)
 21. [Indian Air Force on plea challenging different pension rules contrary to article 14, 21 and 300A](#)
 22. [Ecuador's Highest Court Upholds Rights of Nature in an Unprecedented Judgement.](#)
 23. [Right of Women of Exercising her Reproductive Choice is a dimension of Personal Liberty under Right to life](#)
 24. [Barbados becomes Republic](#)
 25. [Surveillance Legislation Amendment \(Identify and Disrupt\) Bill 2021](#)
 26. [Foetus' life not more valuable than that of Mother: Telangana High Court allowing Rape Victim to abort child](#)
 27. [Parliament passes 127th Constitutional Amendment Bill on OBC list.](#)
 28. [Justice BV Nagarathana to become first Woman Chief Justice of India in 2027](#)
 29. [Right to protest doesn't include hindering traffic/public movement](#)
 30. [Fall of National Government in Afghanistan](#)
 31. [27% OBC Reservation in All India Quota Seats in Tamil Nadu Medical Colleges](#)



[Permissible, 10% EWS Reservation Subject to Apex Court Approval: Madras High Court](#)

32. [Right to Virtual Hearing](#)
33. [Army Coup in Guinea](#)
34. [Supreme Court says no to West Bengal plea on appointment of DGP](#)
35. [Union Government refuses to conduct Caste based Census](#)
36. [100% Women Reservation in Government House Allotment Scheme declared Unconstitutional: Andhra Pradesh High Court](#)
37. [Objective of RTI act getting defeated.](#)
38. [Canadian Supreme Court on Legislation based on Unwritten Constitutional Principles](#)
39. [Paying 450 rupee per month is 'forced Labour' & violation of article 23: Allahabad HC](#)
40. [For Article 21A to become a reality, Needs of Underprivileged children to receive online education cannot be denied](#)
41. [The Delhi high court on the 27th of September reserved their judgment on a petition that challenged the appointment of Rakesh Asthana as the Commissioner of Delhi Police.](#)
42. [Supreme Court will set panel to investigate Pegasus issue.](#)
43. [Judicial Review in Departmental Proceedings not warranted unless infraction of rule, regulation or violation of Principal of Natural Justice made out: Supreme Court](#)
44. ['Nobody Can Take Benefit Of Mistake Of Court' : Supreme Court Refuses To Rely On 'Inadvertent' Order Enhancing Compensation](#)
45. [India in Global Hunger Index 2021: An Insight](#)
46. [Supreme Court lays down broad principles on Parole & Furlough](#)



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CASE COMMENTS

The analysis of following cases has been done by CCLG student members in around 2500 words explaining the background and issues involved along with judgment analysis and comments on the case. These three cases are peculiar in a sense that they're amongst the only five cases which are pending for adjudication before 9-judges bench of Hon'ble Supreme Court of India.

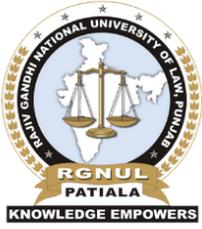
1. Property Owners' Association v. The State of Maharashtra
2. The Secretary, Ministry of Defence v. Babita Puniya
3. State of UP v. Jaibir Singh

MENTORSHIP

CCLG member Ms. Akanksha Trivedi, a second-year student is participating in the Essay Writing competition organized by Election Commission of India. She's being mentored by Mr. Siddhartha Fuller, Faculty Coordinator, CCLG.

MISCELLANEOUS

- The review work of guest articles submitted by authors for the publication of Book on Contemporary Constitutionalism by the Centre is under process.
- Some of the Centre members have been engaged as Research Assistants to the guest authors writing chapters for the aforementioned book.



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UPCOMING ACTIVITIES

- 2nd edition of Contemporary Constitutionalism Paper Presentation Competition *in collaboration with* Think India.
- Advancement of News Bulletin with a column in the name of CCLG Reacts, highlighting the opinion of the Centre from an academic perspective on such issues.
- Decoding the original intent of the Constitution framers on various contested provisions of the Constitution with the help of Constitutional Debates. Different issues may be covered in the form of small pieces of writing, further compiled to prepare an anthology.
- Physical workshop/seminar in Campus.