

Centre for Law and Policy Research

Annual Report 2019-2020 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020

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## I. INTRODUCTION

2019-20 was an important year for CLPR. During this time we had multiple and exciting projects supporting our work, and these projects pushed us to work in areas that not only were new for us but also cutting edge globally in the field of legal research. Being the year just before the pandemic hit, little did we know how important some of our work would become and the impact that it had.

CLPR's flagship events such as ConQuest and TransForm, continued in 2019-20 with excellent responses signalling to us that the need for both these events were higher than ever. We had more than 700 students participating in ConQuest, and more than 150 people attending TransForm including students who had come to Bangalore at their own costs to attend and meet the well-known speakers and activists at the conference.

Our work on the Supreme Court Observer in 2019 increased substantially, and ultimately after we received appropriate funding support for it, it was decided to have this work done by a separate organisation. This is a great sign of growth and the need for such independent reporting on the Supreme Court.

With our project on Caste and Intersectionality taking off, in 2019 we conducted workshops for lawyers and civil society groups on caste discrimination laws such as The SC and ST (Prevention of Atrocities) Act 1989, the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013 and the Protection of Civil Rights Act 1976. These workshops enabled us to really get to the root of the hurdles faced by Dalit and Adivasi persons in getting these laws implemented.

Our most exciting work was the drafting of the Equality Bill and having national consultations on it in different cities with variety of stake holders. This has not only helped us at CLPR understand the nuances of anti-discrimination legislation, but also push the conversation on the need for an equality law in India and what the contours of such a law should be.

Jayna Kothari Executive Director

#### II. CONSTITUTIONAL CULTURE

# 1. The Constitutional and Civic Citizenship Project

The Constitutional and Civic Citizenship project began in July 2015. At the time, the scope of the project was limited to the development of a CADIndia India website. Since then, the project has expanded and now comprises a range of activities that include the development of digital educational resources, workshops, public events and student-led constitutional educational initiatives. The project aims to create public awareness and engagement with India's constitutional and political history and build a popular constitutional culture in India. Friedrich Naumann Foundation had supported this project since its inception and continues to be our partner into 2019-20.

#### 1.1 CADIndia

CADIndia, through an open-access website, makes Indian constitutional and political history materials easily accessible through an innovative and unique search engine. While the 'search' continues to be the flagship and widely popular feature of the site, over the years, CADIndia has now transformed into a comprehensive portal that hosts a variety of content that includes: constitutional education materials, sharp historical-analytical takes on contemporary events and informational pages on Constitution framers and the constitution-making process.

# **Content Addition:**

In 2019-20, CLPR continued to review editorial tagging and formatting of Constituent Assembly Debates (CADs) transcripts to improve the accuracy of the search engine. We added the following to our content this year:

- 10 new Historical Constitutions: These are pre-1946 documents that express indian constitutional aspirations and British legislation.
- 20 biographies of Constituent Assembly members.
- Summaries of the Constituent Assembly Debates around 50 articles of the Constitution.
- Monthly content: We also produced range of content that engages with contemporary political legal and social developments through the historical-analytical lens. We have continued to upload two types of monthly content: 'This Month in Constitution Making' and 'Assembly Member of the Month'. We have also added to the 'Constitution in the Classroom' that contains educational materials specially developed for K-12, undergraduate and postgraduate students.
- We have added over 45 Blog Posts.
- 8 Desk Briefs which are emailers to our subscribers which have a constitutional take on contemporary matters.

# Website Usage:

The CADIndia website had a total of 324K users in 2019-2020. The total number of users increased by 214% from the previous year.

There was no major revamp of the CADIndia website in 2019-20. However, along with our web developer we made tweaks to the site's functionality and resolved technical issues that arose.

# **Events**

We conducted a series of Indian constitutional history workshops in Mumbai that extended CADIndia materials to classrooms across the country. These workshops aimed to orient participants to the CADIndia website and facilitate engagement with its materials.

- (i) Workshops were conducted at leading educational institutions across India that included Maharashtra National Law University, Mumbai; KLE College of Law, Kalamboli; St. Xavier's College, Kolkata; Ramanujan College, Delhi University; and Hinduja College of Commerce, Mumbai, Loreto College Kolkata, St. Xavier's College, National Law University Delhi, Indraprastha College for Women.
- (ii) In September 2019, the CADIndia team visited Ananya Trust, an organisation that provides a unique learning space for poor and underprivileged children. We first organised a session for the right to life and housing for the children, and then visited the Trust to celebrate Constitution Day on 26<sup>th</sup> November through fun constitutional education activities.
- (iii) As a part of the 28<sup>th</sup> Karnataka State Jamborette, 2019 organised by the Bharath Scouts and Guides, CLPR supported and organised a Youth Parliament event on 30<sup>th</sup> December at the Dr. Annie Scouts and Guides State Training & Camping Centre. The Youth Parliament was conducted to familiarise the students with the procedures of the Parliament of India. As students acted out the various non-legislative and legislative business that takes place in the Lok Sabha.
- (iv) Dr Sudhir Krishnaswamy participated in the <u>National Law School of India University</u>'s <u>Student Bar Debate XII</u>. The motion to be debated is: "This House rejects the legitimacy of the Constituent Assembly" on April 6<sup>th</sup>, 2019.
- (v) Dr Sudhir Krishnaswamy spoke at "<u>Transformative Constitutionalism in India:</u> <u>Reflections on Shifting Paradigms</u>", organised by KLE Society's Law College on 8<sup>th</sup> April 2019. Former <u>Chief Justice Dipak Misra</u> inaugurated the national conference.
- (vi) Friedrich Naumann Foundation along with CLPR organised the Liberal Innovation Bootcamp: The Future of Storytelling in Bengaluru from 14<sup>th</sup> to 19<sup>th</sup> October 2019.
- (vii) CLPR conducted a workshop titled 'Exploring Citizenship' for students at NALSAR University on January 24<sup>th</sup>, 2020 leading up to the republic day celebrations.

# **1.2 Conquest 4.0**

Since the inaugural 2016 edition, ConQuest has become an annual event that has gained a formidable reputation as India's foremost public educational event. The event aims to celebrate and generate excitement around India's constitutional tradition among students from diverse educational backgrounds. The fourth edition of ConQuest was organised in 2019 for undergraduates and graduate students from all disciplines. ConQuest 2019 comprised 4 regional rounds and a national grand finale.

CLPR partnered the following universities: National Law University, Delhi (North Regional Rounds); Loreto College, Kolkata (East Regional Rounds); Shankarrao Deo Law School, Pune (East Regional Rounds); St. Joseph's College of Law, Bengaluru (South Regional Rounds) and School of Law Christ (Deemed to be University) for the finals. 239 three-member teams participated in Conquest 2019. Over 2000 students, faculty, and the general public attended the rounds as an audience. A team from the National Law School of India University, Bangalore bagged the first prize and another one from National Law School of India University, Bangalore tied with the team from IIT Kharagpur for second place.

Senior Advocate Arvind Datar continued his support for prize money and trophies. Walnuts Knowledge Solutions was our knowledge partner. The Print came on board as a digital partner.





# 1.3 Supreme Court Observer Website ("SCO")

In 2017 CLPR set up the SCO as a non-partisan, living archive of the Supreme Court of India. SCO strives to build public engagement and enhance popular understanding of the Court, by making its work accessible and easily readable to any person interested in public affairs. On its website (available at <a href="https://www.scobserver.in/">https://www.scobserver.in/</a>), SCO provides in-depth coverage and analysis of all major cases before the Court, both in writing and through graphical representation.

# Content

Between April 2019 and March 2020, the following content was added:

- SCO tracked 12 new cases of public importance. The coverage included detailed reports of substantial hearings, and plain English explanations of complex petitions, other submissions, orders and judgments.
- In addition to tracking cases, SCO wrote analytical reports on reservations, religious rights, and vacancies in the Supreme Court. Data driven analysis of the Supreme Court included its judgment output, diversity and representation among judges, and pendency. This was discussed with graphical representation on the Court Data page of the SCO website.

#### **Events**

- (i) On July 12<sup>th</sup>, 2019 SCO organised the 'Supreme Court by Numbers: Making the Court Work for Us' workshop, where key findings from the Statistics Pack was presented, and avenues of further research and judicial reform were discussed.
- (ii) As part of its 'Supreme Court in the Classroom' series, SCO presented on the right to privacy at St. John's Medical College, Bengaluru. The session held on October 30<sup>th</sup> 2019, was attended by the first-year undergraduate students of the College
- (iii) On December 20<sup>th</sup> 2019, SCO hosted 'The Supreme Court in Review, 2019' in partnership with the NCS chapter of the St. Joseph's College of Law, Bangalore. The event brought

together judges, lawyers, litigants, academics and students from across India to discuss the landmark judgments delivered by the Supreme Court in 2019. The event comprised three panels that touched upon the themes of democracy, Supreme Court reform, and faith and religion. It facilitated critical public engagement with the Supreme Court of India, and its judgments.

- (iv) On February 1<sup>st</sup> 2020, SCO conducted a workshop at the Indian Institute of Journalism and New Media (IIJNM) for under-graduate and graduate students. The workshop introduced the students to the fundamentals of the Indian Constitution, and acquainted them with essential components of reporting of a case before the Supreme Court of India.
- (v) A similar workshop was conducted for the students of the College of Journalism and Mass Communication at Dayananda Sagar University, on March 7<sup>th</sup> 2020. The workshop included an interactive lecture and a worksheet, followed by a discussion.

# Institutional Developments

In 2019 the Indian Public Spirited Media Trust approved a grant to the SCO. IPSMF is a public charitable trust, established with the aim to foster and accelerate public-interest journalism.

The Legal Observer Trust was incorporated on March 12<sup>th</sup> 2020 under the Indian Trusts Act, 1882. SCO is set to function independently under the Trust from the following financial year (2020-21).

# 1.4 National Constitutional Society

The National Constitution Society (NCS) is a network of Constitution societies in colleges/universities across India that aims to create and sustain a vibrant constitutional culture in India that has been set up by CLPR.

# Events:

(i) In December 2019, the NLSIU Chapter of the NCS organised an interactive lecture that critically engaged with the *Rojer Mathew* judgment. The discussion closely analysed the judicial reasoning in light of the precedents cited, reasons for citing specific precedents and, the internal politics in the Supreme Court as evident from the judgment.



(ii) In December 2019, the NCS's CHRIST (Deemed to be University) Chapter organised a discussion that aimed to understand citizenship in light of the recent Citizenship Amendment Act, 2019.

(iii) The NCS Christ (Deemed to be University) Chapter also organised a film screening and discussion on Ruth Bader Ginsburg for their students from diverse disciplines in February 2020. The event focused on Justice Ginsburg's contribution in shaping gender equality jurisprudence in the United States.



(iv) In February 2020, NCS Chapter at St John's Medical College hosted a film screening and discussion on the film "Stop the Boats – the lie of saving lives at sea" a film on asylum seekers and their detention. The discussions responded to the issues of refugees and citizenship in the Indian context.

#### 2. Publications

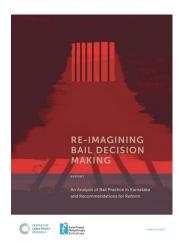
- (i) Satya Prasoon, 'CJI Gogoi sexual harassment case: What can SC do to regain credibility after latest crisis?', The Print, May 1, 2019.
- (ii) Kruthika R,' The Argumentative Constituent Assembly: How the Constitution was framed', Deccan Herald, January 24, 2020.
- (iii) Jayna Kothari,' 'Bar associations in Karnataka instructing members not to represent accused in sedition cases violates constitutional morality, Indian Express, February 29, 2020.
- (iv) Vineeth Krishna, 'Modi's new love: Fundamental duties Indira Gandhi inserted in Constitution during Emergency', The Print, November 26, 2019.
- (v) Vineeth Krishna, 'Legally, BJP govt can revoke Article 35A but Ambedkar would have asked if this was prudent', The Print, August 2, 2019.
- (vi) Kruthika R, 'Does the First-Past-the-Post System Still Make Sense for India?', The Wire, May 29, 2019.

#### III. GOVERNANCE REFORM

During 2019-20, our work in the field of governance reform covered research on criminal justice reform and urban planning research.

# 1. Re-Imagining Bail Decision Making: An analysis of Bail Practice in Karnataka & Recommendations for Reform 2020

In late 2018, CLPR had received a grant from APPI to do a study on what impacts bail decision making in Karnataka and what factors increase the chances of bail at the time of first production of the accused in court. We conducted a study in trial courts in three districts in Karnataka – Bengaluru, Dharwad and Tumakuru. The Report documents the outcomes on the first production of an accused before the court and evaluates the influence of different factors on a decision on whether bail is granted or not. We adopted two methods of data collection for the study: (a) Through court observations of 'first production' of accused persons, over a period of 45 days to examine if a majority of arrested persons were detained at this stage and (b) Examining court records of cases in the pretrial stage, over a period of 6 months for a broader review of bail decision making in the pre-trial stage. At each stage, we studied the influence of certain identified substantive and procedural factors on bail decisions. The report finally makes a set of recommendations to reform the bail process.



# 2. Events:

(i) Dr Sudhir Krishnaswamy and Mathew Idiculla discussed the Greater Bengaluru Governance Bill at the *Governing Cities* consultation, organised by <u>Janaagraha</u> on 29<sup>th</sup> April 2019.

#### 3. Publications:

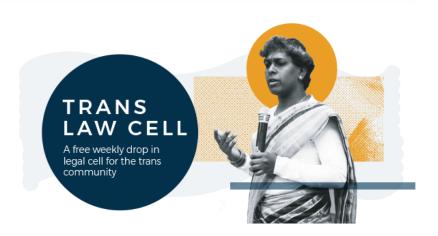
(i) Mathew Idiculla, 'Rahul Gandhi wants to directly elect mayors. But is it a workable idea for India?' The Print, April 4, 2019.

- (ii) Mathew Idiculla, 'Will the nationalist card be enough for NDA to retain power?', Deccan Herald, April 13, 2019.
- (iii) Dolashree Mysoor, 'Education and the 2019 Elections Is it a Crucial Point?', The New Leam, April 18, 2019.
- (iv) Sudhir Krishnaswamy & Deekshitha Ganesan, 'Bail Decision Making in Karnataka's Lower Criminal Courts: Why the Nature of the Offences Matters', National Law School of India Review, June 6, 2019.
- (v) Sudhir Krishnaswamy, 'Is the Indian Constitution Liberal?', Academic Foundation, July 3, 2019.
- (vi) Mathew Idiculla, 'The shape of an urban employment guarantee', The Hindu, March 29, 2019
- (vii) Dolashree Mysoor,' Education and the 2019 Elections Is it a Crucial Point?', The New Leam, April 4, 2019.
- (viii) Mathew Idiculla, 'The primacy of the elected', The Hindu, July 4, 2019.

#### IV. TRANSGENDER RIGHTS

CLPR's work on transgender rights continued with great vigour in 2019. CLPR received support its trans rights work from Give Out, a UK based charity and also from FNF. Our work encompassed legal research, litigation, legal aid and advocacy.

## 1. TransLaw Cell



The transgender community remains one of the most marginalised communities, discriminated against on a daily basis because of their gender identity. The community repeatedly faces hurdles within the legal system as they do not have access to lawyers practicing in this field of law and in generally getting legal advice – whether the matters culminate in litigation or do not. The TransLaw Cell is an initiative by the Centre for Law and Policy Research ("CLPR") that provides free legal aid and advice to the transgender community, and empowers members of the trans-community to better understand, and fight for, their rights. It is a free walk-in legal clinic which takes place every week on Tuesdays, between 5-6 PM.

In 2019-20, the Cell has provided aid to around 17 persons. These legal services included:

- changing their names and gender in identity documents,
- preparing affidavits that record their full and informed consent for undergoing Hormonal Replacement Therapy and Sex Reassignment Surgery,
- legal opinion on property related issues,
- assisting with litigation.

#### 2. The South Asian TransLaw Database

The South Asian Translaw Database consolidates law and policy resources on transgender rights in South Asia. The Database includes legislation, executive policy documents and decided cases from India, Nepal, Bangladesh, and Pakistan. Through the database, we aim to advance transgender rights

in South Asia through a comprehensive and accessible digital resource for members of the transgender community, civil society organisations, legal professionals and the academic community from the South Asian region and beyond. Currently the site hosts a range of primary materials that include case notes, judgment summaries, legislations, draft bills, national and state policies, research reports international conventions and declarations and more.

The database had 12,430 views during 2019-20.

#### 3. TransForm 2019

On 13-14th September 2019, CLPR held the third edition of the Transform: An International Conference on Transgender Rights. Many pressing issues were the focus of the conference this year. Even after the *Navtej Johar* judgement completing one-year, transgender persons continue to face inequality, discrimination and legal hurdles in exercising their fundamental rights. The aim of the conference was to chart the way forward for the trans and intersex community in a post-Section 377 world, for the realization of rights and the guarantee of inclusivity, equality and justice. The two-day conference discussed wide range of issues ranging from gender identity in sports, transgender rights in the North-East, issues faced by transgender persons with disability, gender identity & equality movements, and next steps for statutory reforms. Some of the speakers at this conference were Pinky Pramanik, Justice Swaminathan (Judge, Madras High Court) Carmeliza Rosaria, (Centre for Law and Social Transformation, University of Bergen) Daniel Mendonca (Intersex Rights Activist) Dr. Jeff Reading (University of Melbourne) among others.







# 4. Litigation

- (i) <u>Jeeva v. State of Karnataka & Ors</u>: Writ petition before the High Court of Karnataka seeking change of name and gender of the Petitioner in his school and pre-university educational documents. The High Court granted the prayer and also directed the Education department to issue a circular stating that all transgender persons' applications for the name change will be done by the authorities on receiving the applications and that they need not approach the court.
- (ii) <u>Ms. Amulya C v. KPSC and Anr; Suman v. KPSC and Anr</u>: Individual writ petitions filed before Karnataka Administrative Tribunal for seeking reservation for transgender applicants in First Division Assistant posts in Karnataka.
- (iii) <u>Deepika v. Tamil Nadu Uniformed Services Recruitment Board; Thenmozhi v. Tamil Nadu Uniformed Services Recruitment Board; Saratha v. Tamil Nadu Uniformed Services Recruitment Board</u>: Individual

- writ petitions filed before the Madras High Court for providing age relaxations and concessions for transgender candidates for police constable post selections.
- (iv) <u>Grace Banu v. State of Tamil Nadu & Ors.</u> In order to realise the Supreme Court's direction in NALSA v. Union of India on providing reservations for transgender persons, CLPR filed a petition before the Madras High Court representing Grace Banu, a transgender rights activist seeking horizontal reservations for transgender and intersex persons in educational institutions and public employment and for the removal of any requirement of physical or medical examination in the issuance of transgender identity cards.

#### 5. Events

- (i) CLPR in collaboration with the National Human Rights Commission (NHRC) organised a Conference on "Human Rights of LGBTQI: Challenges and Way Forward" on 26<sup>th</sup> February 2020.
- (ii) CLPR organised a talk titled "Conversations on the Transgender (Protection of Rights) Act, 2019 on 13<sup>th</sup> March 2019 to discuss the legal issues related to the new law, legal challenges, and the way forward.
- (iii) Jayna Kothari spoke on strategic litigation on LGBTQ+ rights at The LSE Legal Aid Conference 2020 at the London School of Economics in London. This was a flagship event of- The LSESU Law Society Pro Bono Division.
- (iv) CLPR in collaboration with The International Commission of Jurists and Sangama organised a panel discussion on "Human rights violations faced by LGBTQ persons in housing, work, and public spaces," on 26th July 2019 in Bangalore.

# 6. Publications

- (i) Jayna Kothari,' Section 377 and Beyond: A New Era for Transgender Equality?', Academic Foundation, July 3, 2019.
- (ii) Activist Spotlight, Jayna Kothari, available at: <a href="https://giveout.org/activist-spotlight-jayna-kothari">https://giveout.org/activist-spotlight-jayna-kothari</a>.

## V. DISCRIMINATION AND INTERSECTIONALITY

CLPR's work on discrimination and intersectionality primarily revolved around a project funded by the European Instrument of Democracy and Human Rights (EIDHR) that began in February 2018. In the 2019-20, the project comprised a range of elements including workshops, public events, publications, educational resources and litigation.

# 1. Workshops and Training for Lawyers and Civil Society Organisations

Between November 2019 and January 2020, CLPR conducted a series of three workshops for lawyers in Madurai (Tamil Nadu), Bangalore (Karnataka), and Ernakulam (Kerala). These workshops were a platform for lawyers working in the field on discrimination and intersectionality to brainstorm and develop strategies to ensure the better implementation of laws related to caste-based dissemination. CLPR brought together a stellar group of resource persons for these workshops that included Retd. Justice Chandru, Madras High Court, Martin Macwan, Navsarjan Trust and Bezwada Wilson, Safai Karamchari Andolan.



CLPR organised another set of three workshops for civil society organisations (CSOs) members between January 2020 to February 2020 in Tamil Nadu; Hyderabad, Telangana and Kochi, Kerala.



The sessions focused on the challenges faced by civil society organisations in dealing with caste atrocity cases and on capacity building. Resource persons from various CSOs were invited to speak at these workshops. These included: Kathir Vincent Raj, Executive Director, Evidence; Karunanidhi, Advocate, Madurai HC; Kiruba Munusamy, Supreme Court lawyer and Dr. Shyamala Gogu, Dalit Feminist, Writer and Researcher.

# 2. Equality Bill 2019

CLPR worked on three drafts of an Equality Bill for India with a public draft released on February 2020. This draft Equality Bill takes a new step in addressing discrimination experienced by people on the basis of caste, gender, religion, transgender and intersex identity, disability, and other grounds. It aims to promote equality, prohibit different types of discriminatory conduct, provide adequate civil remedies, and set up fora for redressal that are accessible and effective in addressing discrimination.

CLPR organised two stakeholder consultations on Equality Bill 2019 ("Bill") in Hyderabad on 15<sup>th</sup> May, 2019 and in New Delhi on 30<sup>th</sup> July, 2019. These consultations were attended by academics, CSOs, activists, and members from marginalised communities, all of whom provided feedback and suggestions on the Bill. A conversation around the Bill with students from universities across Bangalore was also organized on 26<sup>th</sup> June 2019.



# 3. 'Introducing Intersectionality' - Course taught at Law Universities

CLPR developed a novel course on <u>Introducing Intersectionality</u> in December 2019 after extensive research and consultations with stakeholders. Jayna Kothari and Vikramaditya Sahai anchored the development of the course curriculum. The course uses academic writing, legal texts, commentaries, personal narratives, fiction and cultural texts to understand how intersectionality affects our study of the law, advocacy, and activism; how the law, legal studies and legal practice is transformed by intersectionality; and how intersectionality challenges, resists, and reimagines legal normativity. The course was made available free on the CLPR website on February 2020.



# 4. Equality Fellows

In 2019 CLPR selected 6 Equality Fellows who assisted and worked with the larger CLPR team on litigation and advocacy in the states of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu. These fellows closely engaged with communities facing discrimination on the basis of caste, gender, disability, sexuality, gender identity and minority status.

#### 5. Publications

- (i) "Intersectionality: A Report on Discrimination based on Caste with the intersections of Sex, Gender Identity and Disability in South India", 2019. As part of its Project on Caste and Intersectionality, CLPR conducted a study on the experience of intersectional discrimination in South India between May November 2018. The objective of the study was to understand the relationship between different intersecting identities and various sites of discrimination. In August 2019, CLPR published the findings in this report.
- (ii) "Intersections of Caste and Gender: Implementation of Devadasi Prohibition Laws" 2019. This policy brief examines the Devadasi practice in States like Tamil Nadu, Karnataka, Andhra Pradesh, and Maharashtra. It investigated the prevalence of the Devadasi system, paying close attention to the intersectional discrimination faced by Devadasi women due to their caste, class, and gender. The policy brief suggests a range of recommendations from statutory amendments to regular empirical studies and training programs to strengthen the working of the legislation.
- (iii) "Tackling Caste Discrimination Through Law: A Policy Brief on Implementation of Caste Discrimination Laws in India", 2020: It reviews the status of implementation of the three important legislations addressing caste discrimination in India namely, the Protection of Civil Rights Act, 1955, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act), and the Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013 in Andhra Pradesh, Karnataka, Kerala and Tamil Nadu.
- (iv) Jayna Kothari, "One year after Navtej: Imagining an Equality Law", The Hindu, Sep 11, 2019

# 6. Litigation

(i) <u>HLSA v. State of Karnataka (2018):</u> In this petition we are representing Thamate an organisation allowed to be impleaded in a Public Interest Litigation filed against the State Government for failing to implement the provisions of the Prohibition of Employment of Manual Scavengers and Rehabilitation Act, (PEMSRA), 2013. Despite the provisions of the Act, the inhumane practice of using persons in manual scavenging has continued, leading to 68 deaths since 2008. As a result of this litigation, surveys of manual scavengers and insanitary latrines are being done, and rehabilitation measures have been provided to the families of victims. This petition is currently pending.

(ii) <u>Madhavan & Ors. v. District Collector cum District Magistrate & Ors.</u>: CLPR is representing the petitioners, who are family members (father, mother and brother) of a victim of caste atrocity in Tamil Nadu seeking compassionate appointment in a government post or undertaking and allotment of agricultural land. These measures are to be provided by the District Administration to family members of a deceased person from a Scheduled Caste or Scheduled Tribe community who died as a result of a caste atrocity, in accordance with the PoA Act. Notice has been issued to the State Government and their response has been sought. The case is currently pending before the Madras High Court.

#### 7. Events

- (i) CLPR conducted a "Coffee and Conversations" meeting on 26<sup>th</sup> June 2019 for students at the CLPR office.
- (ii) CLPR organised the Occasional Talks series with a short lecture led by <u>Dr Annapurna</u> <u>Waughray</u>: Caste Discrimination and Equality Law in the UK Public Discourse and Legal Change on 22<sup>nd</sup> March 2019. In this short talk, she elaborated on the current legal position and debates on caste discrimination in the UK. She focused on the Equality Act, 2010.
- (iii) CLPR conducted a consultation meeting on Equality Bill, 2019 on 30<sup>th</sup> July 2019 at India International Centre (IIC).
- (iv) CLPR conducted a consultation meeting on the Equality Bill 2019 on 15<sup>th</sup> May 2019 at Guruswamy Centre, Hyderabad.
- (v) CLPR organised a book discussion and a presentation by Sameena Dalvai on her book 'Bans & Bar Girls- Performing Caste in Mumbai's Dance Bars' on 7th December 2019 at the CLPR office.

## VI. GENDER AND SEXUALITY

CLPR's work on gender issues focused on reproductive rights mainly during 2019-20. Most of it was facilitated by a grant from the University of Bergen. Though our projects on child marriage laws enforcement ended last year, CLPR continued its advocacy around the enforcement of child marriage legislation as well as part of its work around the rights of adolescent girls.

# 1. Conference on Sexual and Reproductive Rights in India

On 14<sup>th</sup> and 15<sup>th</sup> April 2019 CLPR hosted a conference titled 'Sexual and Reproductive Rights: Social Movements and Legal Battles' conference, in collaboration with the University of Bergen, Norway and the University of Sussex, at the Bangalore International Centre. The conference brought together prominent activists, academics and lawyers to discuss important issues and approaches that have developed in sexual and reproductive rights (SRR) advocacy in India. One of the key objectives of the conference was to shed light on issues and on communities that are at the margins of SRR discourse and action. Some of the panelists and speakers in this conference were: Siri Gloppen (University of Bergen), Maya Unnithan (University of Sussex), Dr. Aparna Chandra (NLSIU), Prof. Jaya Sagade (ILS, Pune), Dr. Suchitra Dalvie (Asia Safe Abortion Partnership), Dr. Anita Ghai (Ambedkar University) among others.





# 2. Litigation

(i) Nansheen Bano v. Union of India: This was a petition where a married woman who was 30 weeks pregnant was seeking permission of the High Court to terminate her pregnancy. It was only around the 28th week that the scans revealed that the fetus had multiple abnormalities including partial unbalanced Atrio-Ventricular Septal Defect (partial unbalanced AVSD) which is a congenital heart defect, duodenal atresia or blockage of the stomach. The High Court passed an order on 31.10.2019 permitting the Petitioner to terminate the pregnancy considering the grave mental injury caused to her, and her fundamental right to make reproductive choices.

## 3. Events

- (i) CLPR Associate Deekshitha Ganesan discussed 'Early and Child Marriage' on September 27<sup>th</sup>, 2019. This meeting was held in continuation of national-level consultations held by PLD with CEHAT and RCI- VAW (TISS) in Mumbai.
- (ii) Jayna Kothari spoke on Gender Equality under the Constitution at a conference titled, "Advancing Constitutional Economic, Social, and Equal Rights: Supporting Collaborative Work Across Settings", February 26–28, 2020 Naivasha, Kenya, organized by the WORLD Policy Analysis Center, UCLA Fielding School of Public Health.

#### 4. Publications:

(i) Jayna Kothari, Maya Unnithan & Siri Gloppen, A Half-Written Promise', The Hindu, April 23, 2019

# VII. DISABILITY RIGHTS

Disability rights work in 2019-20 has been mainly disability rights litigation, which includes both individual writ petitions representing persons with disabilities and strategic PILs. CLPR has not received any funding for any disability rights work, and hence we continue to do pro bono disability rights litigation.

Some of the litigation filed during this period is as follows:

# 1. Litigation – individual writ petitions in matters relating to government employment:

- (i) Anupama D v. Directorate of Senior Citizens Empowerment.
- (ii) Arvind Sajjanar v. Karnataka Power Transmission Corporation Limited.
- (iii) Managing Director KSRTC v Jeevan Santosh Martis & Managing Director KSRTC v. Chandrasekhar Puttappa.

# VIII. TEAM UPDATES

In 2019-20, the CLPR leadership team comprised Executive Director Jayna Kothari and Managing Trustee Sudhir Krishnaswamy.

CLPR Associates included Kruthika R, Vineeth Krishna, Jai Brunner, Balu Nair, Satya Prasoon, Saumya Dadoo, Deekshitha Ganesan Almas Shaik and Aj Agarwal. Krithika Balu, C Prabhu and Jayalakshmi worked as CLPR's Equality Fellows.

In this period, Disha Choudhary and Satya Prasoon left CLPR to pursue their LL.M at Harvard Law School and Melbourne Law School respectively.

In September 2019, Sudhir Krishnaswamy was appointed as the Vice-Chancellor of the National Law School of India University, Bangalore.