

Work Report

2023-2024

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I. CONSTITUTIONAL CULTURE

In 2023–24, CLPR's Constitutional Culture work saw significant developments, including the launch of a new and improved version of Constitutionofindia.net. Additionally, CLPR secured new projects and funding in 2023–24 that expanded our existing digital, public education, and academic work on the Constitution.

1. Constitutionofindia.net

ConstitutionofIndia.net is CLPR's flagship open access digital platform that provides insights into India's constitutional and political history through its rich archive of historical and contemporary primary materials. ConstitutionofIndia.net is routinely accessed by schools, universities, civil society organizations, lawyers, academics, and the general public. It is widely cited in numerous popular and academic books, journals, and news media.

1.1 COI 3.0 Website Launch

In April 2023, a new version of the website went live, featuring a completely refreshed brand identity, which included a new logo, an improved user interface, reorganized pages, new content additions, enhanced functionality, a transition from Ruby on Rails to WordPress for the backend, and superior advanced search capabilities.

1.2. Content Addition

A significant portion of the content work for the new website involved migrating content from the old platform, which was an enormous task. However, we also added new materials to the site, including 17 blog posts and 10 historical constitutions.

1.3. Website Visits

In 2023, our website had a total of 1,778,806 users, marking a 4.33% annual decrease from the previous year. This decline was due to the transition from the old platform to a new one. However, in 2024–2025, website visits returned to the expected level.

2. Pluralist Agreement and Constitutional Transformation (PACT) Project

In early 2022, CLPR in collaboration with SOAS University London, Pembroke College at Oxford University, the University of York, and the National Law School of India University, achieved a

significant milestone by securing the Arts and Humanities Research Council (AHRC) Grant. This grant supports a project titled 'Pluralist Agreement and Constitutional Transformation,' with the objective of producing cutting-edge scholarship, creating a new digital archive building on ConstitutionofiIndia.net, and organizing public engagement events related to the making of the Indian constitution.

Among the key personnel involved in this project, CLPR's Managing Trustee, Sudhir Krishnaswamy, and Senior Associate, Vineeth Krishna, serve as co-investigators alongside Nicholas Cole (Oxford) and Udit Bhatia (York). Rochana Bajpai (SOAS) is the principal investigator for the project.

In 2024–25, CLPR organized two workshops on Indian constitutional history at Shankarao Chavan Law College, Pune, and National Law University, Delhi. Additionally, its PACT personnel worked on three academic publications, which were presented at a workshop at Pembroke College, Oxford, and selected for the 2023 Annual Meeting of the American Political Science Association

4. ConQuest 2023

n October 2023, CLPR announced the 7th edition of ConQuest: India's Premier National Quiz, focusing on the Indian Constitution, History, and Politics. The 2023 edition was held in October and November, featuring regional rounds in Pune, Kolkata, Delhi, and Bengaluru, with the National Finals in Bengaluru. These events were organized in collaboration with the following regional partner institutions:

East Regional Round | Loreto College, Kolkata | 6 October

West Regional Round | Shankarrao Chavan Law College, Pune | 13 October

North Regional Round | National Law University Delhi | 21 October

South Regional Round | School of Law, Christ University, Bengaluru | 27 October

National Finals | Ramaiah College of Law, Bengaluru | 25 November

ConQuest 2023 saw active participation from 169 teams, totalling 507 students. Notable institutions among the participants included Goa University, NUJS, NLU Odisha, GNLU, Symbiosis Law School Pune, Armed Forces Medical College, Government Law College Mumbai, NLU Delhi, JNU, Hindu College, NLSIU, Christ University, and the Indian Institute of Technology, Madras.

A significant addition to the event was the partnership with the Government of Karnataka through the state's social welfare department's Ambedkar Research Institute in Bengaluru. This collaboration recognized ConQuest's decade-long effort to promote constitutional engagement among India's youth. As part of this partnership, a special edition of ConQuest was conducted for 300 school students from the Karnataka Educational Institutions Society (KREIS), which is administered by the social welfare department of the Government of Karnataka. This initiative expanded ConQuest's reach, allowing more students to deepen their engagement with the Indian Constitution.

After five rounds of intense quizzing, Goa University emerged as the champion with 155 points, followed by National Law University Delhi. Gujarat National Law University secured the second runner-up position after a challenging tie-breaker.

The Print served as our digital partner, Mr. Arvind Datar played a pivotal role as our partner for prize money and trophies, and the Friedrich Naumann Foundation was our primary supporter.





The winning teams of ConQuest 2023

5. Events

- **5.1** On June 23, 2023, CLPR organized a talk titled 'Human Rights, Accountability, and the Role of International Financial Institutions' by Varsha Iyengar, a CLPR alumnus, certified lawyer, mediator, policy expert, and currently a PhD candidate at American University Washington College of Law (WCL).
- **5.2** On July 10 and 11, 2023, CLPR organized a two-day Constitution workshop for students from Ananya Trust in Chikkabelandur, Bangalore. The workshop, led by Anish Saha, CLPR's Senior Communications Associate, aimed to cultivate an appreciation for civic and democratic processes, particularly elections, while providing an introductory understanding of the Indian Constitution.
- **5.3** On July 14, 2023, CLPR's Senior Research Associate, Vineeth Krishna, along with Managing Trustee Sudhir Krishnaswamy, presented a paper at Pembroke College, University of Oxford, addressing debates surrounding constitutional borrowing in India. This workshop was part of the international collaborative project, PACT, involving CLPR, University of Oxford, SOAS London, University of York, and the National Law School of India, Bangalore.
- **5.4** On August 31, 2023, CLPR's Managing Trustee Sudhir Krishnaswamy and Senior Research Associate Vineeth Krishna presented papers at the 2023 Annual Meeting Conference of the prestigious American Political Science Association (APSA). Sudhir's paper aimed to quantitatively

analyze borrowing in the Indian Constitution, while Vineeth's paper traced the intellectual history of the Indian Constituent Assembly in the 1930s–40s.

- **5.5** On September 1, 2023, CLPR hosted its first panel discussion in collaboration with Aweksha, titled 'Uniform Civil Code: Understanding its Implications on Indian Society'. Panellists included Jayna Kothari, CLPR Executive Director, and Sharadha Shinde, Assistant Professor at NLSIU.
- **5.6** On September 23, 2023, CLPR announced the seventh edition of ConQuest: India's Premier National Quiz on the Indian Constitution, History, and Politics. The theme for this year was Artificial Intelligence (AI) and its intersection with constitutional matters and related technologies.
- **5.7** On October 11, 2023, as part of the PACT project, Senior Research Associate Vineeth Krishna anchored an Indian Constitutional History Workshop titled "Exploring Freedom of Speech" at Shankarrao Chavan Law College, Pune.
- **5.8** On October 13, 2023, CLPR, in association with Tulika Books, hosted a panel discussion and the book launch of "Constitutional Concerns", authored by Supreme Court Advocate Mr. Kaleeswaram Raj.
- **5.9** On October 21, 2023, as part of the PACT project, Senior Research Associate Vineeth Krishna anchored an Indian Constitutional History Workshop titled Exploring Freedom of Speech at National Law University, Delhi.

6. Publications

- 6.1 Naibedya Dash, 'Euthanasia and the Right to Die in India', CLPR blog, 26 May 2023
- **6.2** Anish Saha, 'Workshop on the Constitution of India and Elections at Ananya Trust', CLPR blog, 15 July 2023
- **6.3** Anish Saha, 'Unraveling the Supreme Court's Verdict: Upholding the Abrogation of Article 370', CLPR blog, 04 January 2024
- 6.4 Jayna Kothari, Medha Garg, 'Is there such a thing as a "good" UCC?', Splainer, 24 March 2024

II. GOVERNANCE REFORM

1.1 Comic Strip on Privacy

Under this project, CLPR aims to produce a strip that will illuminate how modern state surveillance through census and data gathering impacts fundamental human rights, including the right to privacy, the right to assembly, and the right to equality and non-discrimination. This initiative is particularly targeted at creating critical understanding and awareness among youth.

As of January 5, 2024, a final colorized version of the comic book has been completed and sent out for feedback.

1.2 Source book

The Sourcebook will serve as a primer for legal academics, civil society members, students, and others seeking an introduction to the Indian State's policy on 'AI and Big Data.' It provides readers with an overview of the current policy in 4-5 key governance areas, such as healthcare policing and governance delivery while also introducing some of the critical issues raised by these policies. Adopting a constitutional lens, the Sourcebook will focus on how the State's proposed regulation of these emerging technologies may affect fundamental rights, such as the right to non-discrimination and the right to privacy.

Each chapter will cover a key governance area and will include: (i) excerpts from relevant policy documents and laws; (ii) excerpts from key secondary materials, such as academic essays and civil society reports; (iii) a brief written primer on the governance area. Chapters will be no longer than 10–12 pages.

As of March 1, 2024, the typesetting document, along with the first chapter, *Policing*, has been finalized and is available.

2. Publications

2.1 Jayna Kothari, 'The need to disclose political donations', The Hindu, 28 Nov 2023

III. TRANSGENDER RIGHTS

Transgender Rights stands as one of CLPR's most dynamic and vibrant focus areas. In the year 2023-24, we continued our unwavering commitment to expand our efforts on different fronts. This includes providing crucial legal services and launching strategic impact litigation aimed at advancing the rights of the transgender community. In addition, we have curated a diverse range of conferences, events, and writing.

1. TransLaw Cell

The TransLaw Cell, an initiative by CLPR, offers free legal aid and guidance to the transgender community, empowering its members to better understand and advocate for their rights. This free walk-in legal clinic operates every Tuesday between 5-6 PM.

In 2023 and 2024, the TransLaw Cell assisted 25 clients with various legal services, including:

- Facilitating the change of name and gender on official documents such as Passport,
 Aadhar, Voter ID, Driving License, and Educational Documents.
- Providing legal support for the registration of FIRs in cases of rape and sexual assault.
- Assisting in the preparation of affidavits and publishing newspaper notices when required.

2. South Asian Trans Law database

The South Asian Translaw Database plays a crucial role in supporting law and policy engagement efforts by a wide range of stakeholders, including the transgender community, legal professionals, government officials, and academics hailing from both the South Asian region and beyond. This comprehensive database encompasses rules and legislations at national, regional, and international levels, policy documents, as well as pertinent court decisions pertaining to the rights of transgender, non-binary, and intersex individuals.

In 2024-25, the Trans Law Database registered an impressive user base of 72,513 users who accessed the website, underscoring its significance as a valuable resource for information and research.

3. Events

- **3.1** On April 29, 2023, CLPR Executive Director Jayna Kothari was invited by Ashoka University's Centre for Studies in Gender and Sexuality as part of their first edition of Transformative Arts and Research Initiatives Fellowship (TAARIF), to conduct a session on transgender rights for their emerging trans scholars.
- **3.2** On December 23, 2023, CLPR in association with Nisarga and community members organised a KYRE session on the legal and constitutional rights of trans community and sex workers in Chikkabellapur.
- **3.3** On April 15, 2024, CLPR Executive Director Jayna Kothari was invited by the Society for Transmen Action and Rights (STAR) on the occasion of the 10th anniversary of the landmark NALSA v Union of India case, as an expert panellist to discuss about the relevance of the case in advancing trans rights issues.

4. Litigation

4.1 Vyjayanti Vasanta Mogli v. State of Telangana & Ors.

CLPR on behalf of transgender activist, Vyjayanti Vasanta Mogli and others, filed petitions in the Telangana High Court challenging the vires of the Telangana Eunuchs Act, 1329 Fasli, a draconian act that allowed for transgender persons to be arrested without warrants for cross-dressing, singing, dancing, or participating in other public entertainment and which also stated that transgender persons were suspected of kidnapping or emasculating of young boys as well as other unnatural offences.

CLPR challenged the act on the grounds that it criminalised and discriminated against transgender persons, that it violated the rights of trans persons under Article 14 and 15 (1) of the Constitution as well as placed severe restrictions on their freedom of speech and expression and right to privacy, which is guaranteed under Articles 19(1) and 21 of the Constitution, respectively. There were also other petitions filed, seeking coverage for transgender persons under the Asara Pension Scheme, seeking reservations in public employment among other reliefs sought.

After a 5-year struggle, the High Court finally delivered its judgement in favour of the petitioners. The final judgement recognised that the Telangana Eunuchs Act was identical to the Criminal Tribes Act of 1871, and since the said Criminal Tribes Act was repealed, there was no reason why the Telangana Eunuchs Act should still remain on the statute book. It concluded that the Act was an anathema to our constitutional philosophy because, just like the former Section 377 of the

Indian Penal Code, it perpetuated old stereotypes that typecasted transgender persons into performing 'unnatural offences' against the order of the society.

Finally, the Court also directed the inclusion of transgender persons within the ambit of the Asara pension scheme started by the Telangana government and it directed the State government to provide reservation of seats for transgender persons in admission to education institutions and in Government employment.

4.2 Vihaan Peethambar v. Manipal University & Ors.

On 14th June 2023, a writ petition was filed by CLPR on behalf of Vihaan Peethambar who sought help in getting his name and gender markers changed on his educational certificate, namely his postgraduate MS Communication degree certificate from Manipal University. He further sought direction for universities in Karnataka to update degree certificates of Transgender Persons to reflect the change in their name & gender and to provide revised degree certificates to transgender persons based on applications made by them without having to approach the Courts.

The High Court of Karnataka allowed the case and directed educational institutions not to compel Transgender Persons to approach Courts for change in name and gender in educational certificates and directed educational institutions in Karnataka to follow guidelines laid down by Hon'ble Supreme Court of India.

The Court permitted the Petitioner to file a representation along with his original Marks card and degree certificate to Manipal University Registrar within a month and directed the university to process his request in accordance with established legal precedents within four weeks.

4.3 Dr. Beoncy Laishram v. The State of Manipur & Ors.

CLPR on behalf of Dr. Beoncy Laishram filed a writ petition in the Manipur High Court to seek change of her name and gender in her educational documents. Her case was rooted in the Constitution, citing violations of fundamental rights to life, equality, and gender identity under Articles 14, 15, 19(1)(a), and 21. She also draws strength from the Supreme Court's judgment in National Legal Services Authority v. Union of India (2014), a landmark case recognising the right to self-identify gender and mandated legal recognition of transgender persons' self-identified gender.

The Hon'ble High Court of Manipur has considered her case and issued a notice to the Respondents. The case has been posted to be heard again on 17 July 2024.

5. Publications

- **5.1** Mansi Singh, 'Transgender Persons and Public Spaces: Lack of Protection from the Law', CLPR blog, 25 March 2023
- **5.2** Sudhasri Yadavalli, 'Striking down the Telangana Eunuchs Act: A Step in the Right Direction', CLPR blog, 31 July 2023
- **5.3** Anish Saha, 'Trans Law Cell Testimonial Vihaan Peethambar', CLPR blog, 19 March 2024

IV. DISCRIMINATION AND INTERSECTIONALITY

1. Constitution Defender's Project

This project targets transgender persons, women and girls, persons with disabilities, and Dalit, Adivasi, and Bahujan communities, all of whom have historically faced social exclusion, discrimination, and lack of access to education, healthcare, and employment in three districts namely Bangalore, Tumakuru, and Chikkaballapur.

The project aims to enhance access to justice for these vulnerable groups in across India through:

- Paralegal Training: Community members will be trained to assist with legal applications, RTI requests, interactions with police, welfare schemes, and authorities like Protection Officers and Disability Commissioners.
- Constitution Defender Fellows: Young lawyers will undertake a 2.5-year fellowship to
 provide legal representation, hold legal clinics, conduct Know-Your-Rights sessions, and
 offer specialized legal assistance.

In April 2023, CLPR identified 10 Community Paralegal Volunteers (PLVs) each, in collaboration with partner CSOs, from each of the 3 target groups - Scheduled Caste, Transgender persons, Persons with Disabilities and from the intersections, in the three towns (Bangalore, Tumkur, and Chikkaballapur), totalling 30 PLVs. Post this, the Constitution Defender Fellows, who are practising lawyers, were recruited, one each from the 3 districts in Karnataka (Bangalore, Tumakuru, and Chikkaballapur). Subsequently, we expanded on the project and recruited 7 more Constitution Defender Fellows (all practising lawyers) across India. These fellows practise in places such as Maharashtra, Delhi, Uttar Pradesh, Madhya Pradesh, Nagaland, and Kerala.

Following this, CLPR till April 2024, has conducted 4 Paralegal Volunteer trainings in the areas of access to justice and caste-based discrimination, legal rights of transgender persons, capacity building: addressing violence against women, and disability rights and access to justice. Additionally, CLPR also organised 2 Know Your Rights and Entitlements Sessions (KYRE), one on the legal and constitutional rights of transgender community and sex workers and the other along with Aweksha (a women's rights organization) on marital rights of women, including Maintenance, custody, and domestic violence.

2. Equality Now! Series Project

The aim of this project is to produce 4 resource books that make accessible complex court decisions through concise and easy to read summaries, providing the activists an effective advocacy tool, increasing awareness among students and the larger community, and serving as a ready reckoner for legal practitioners, judges and other authorities involved in implementing the law. The books will highlight the key judgments that have shaped the legal discourse and made a significant impact on the rights of marginalised persons. The books are as follows:

- Disability Justice: Court Decisions on Disability Rights in India
- Why Caste Matters: Court Decisions on Caste Discrimination in India
- Transforming Courts: Court Decisions on Transgender Persons' Rights in India
- Gendering Equality: Court Decisions on Women's Rights in India

With the aim of making this process participatory and inclusive of the communities, CLPR plans to conduct 4 National Consultations in 2024, one for each book, inviting feedback on our draft. The Consultations will include leading community activists, academics, lawyers and experts in the field. The feedback received during these consultations will be instrumental in shaping the structure and content of the books. To enhance accessibility, QR Codes linking to free and accessible versions of the judgments will be incorporated, including screen-reader-friendly formats.

This project is made possible with the support of the Embassy of the Federal Republic of Germany.

3. Litigation

3.1 Dr. Balram Singh v. Union of India & Ors.

Dr. Balram Singh filed a PIL on January 31, 2023, under Article 32 of the Indian Constitution, seeking the implementation of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, and the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013.

On June 11, 2023, CLPR filed an Impleadment application on behalf of Thamate, a rural empowerment organization. After several hearings, on October 20, 2023, a Supreme Court bench issued 14 directions to ensure proper enforcement of the Acts.

As an intervenor, CLPR highlighted disparities in the treatment of manual scavengers and hazardous cleaning workers, advocating for a broader definition to include all involved in sewer and septic waste cleaning. The next hearing, scheduled for February 1, 2024, will review progress on implementing these directions.

3.2 Dr. Rajshree Nagaraju v. Union of India and Ors.

CLPR filed a writ petition in the Supreme Court on behalf of educator and social worker Ms. Rajshree Nagaraju, for the implementation of a framework for palliative care in India and recognition of a right to it. The petition argues that the right to die with dignity comes within the field of right to live with dignity as well as the right to health under Article 21 of the Constitution of India. It is also a part of the human right to health and has been internationally recognized as such. India currently has no framework or a clear declaration of a right to palliative care.

On 07 March 2024, the Supreme Court admitted the writ petition, issuing notice to the Union and State Governments and directing the Union to file a detailed reply on steps taken and policies in place for palliative care for terminally ill patients.

3.3 Mr. Vaibhav Vyankatrao Kamble & Ors. v. The State of Maharashtra & Ors.

Students from disadvantaged and weaker sections in Maharashtra could apply to private unaided or self-financed schools within a radius of one to three kilometres of their homes under the Right to Education (RTE) Act, 2009. However, a recent gazette notification dated 09th February 2024 issued by the state government states that private schools will be exempted from the 25% RTE quota if there is a government school within a 2km radius.

4.Events

- **4.1** On 28 September 2023, CLPR organised its 3rd training on Capacity Building: Addressing Violence against Women- for Advocates and Paralegals at the Karnataka High Court.
- **4.2** On 03 February 2024, CLPR hosted a Paralegal Volunteers (PLV) Training on Disability Rights at National Law School of India University (NLSIU), Bengaluru.

- **4.3** On 22 March 2024, CLPR Executive Director Jayna Kothari, served as a n expert speaker in a 3-part podcast series to discuss on Oxford professor Sandra Fredman's monograph, Discrimination Law.
- **4.4** On 23 March 2024, the second part of the podcast series on Oxford professor Sandra Fredman's monograph, Discrimination Law was hosted and CLPR Executive Director Jayna Kothari gave her insight on the four dimensional kind of understanding of substantive equality and the concept of indirect discrimination in cases.
- **4.5** On 08 April 2024, the final part of the podcast series on discrimination law was hosted and CLPR Executive Director Jayna Kothari spoke on how reservation policies have played an important role in achieving equality in India, especially for scheduled castes, scheduled tribes, and more recently for people with disabilities.

V. GENDER AND SEXUALITY

Although there is no funding or project specifically focused on this area at the moment, CLPR personnel are still engaged with issues related to gender and sexuality through various strands of other projects. They also conducted public engagement activities, which took on different forms.

1. Events

- **1.1** On 18 March 2023, Jayna Kothari, Executive Director at CLPR was invited as a panellist by Maharashtra National Law University, Mumbai for their Colloquium on "Gender Justice and Human Rights: Deciphering the Social and Legal Implications of Same-Sex Marriage in India."
- **1.2** On 20 March 2023, Jayna Kothari, Executive Director at CLPR served as a panelist at BML Munjal University's (BMU) first Women in Leadership (WIL) conference which celebrated the accomplishments of Women In Leadership programme (WIL) graduates as well as provided a platform for women micro-entrepreneurs to showcase their work.
- **1.3** On 11 July 2023, Jayna Kothari, Executive Director at CLPR was invited as a speaker at Alternative Law Forum to share her experience representing petitioners in the Marriage Equality case at the Supreme Court, along with the key legal developments and future prospects moving forward.
- **1.4** On 17 August 2023, Aparna Mehrotra, Litigation Associate at CLPR was invited as a panellist at the "International Seminar on Ethnic Conflict & Women", organised by the Department of Media Studies at Christ university, Bangalore.
- **1.5** On 18 February 2024, CLPR in collaboration with Aweksha organised a KYRE session on marital rights of women, including Maintenance, custody, and domestic violence.

2. Publications

- **2.1** Ananya Sukruta Mysore, 'The Role of Language in Shaping a Gender-Neutral World', CLPR blog, 03 May 2023
- **2.2** Priyanka Vaidyanath, 'The Marriage Equality Judgment and What It Entails for The Queer Community', 18 October 2023
- **2.3** Shwetha Ramachandran, 'Supriyo and the Fundamental Right to Marry', CLPR blog, 06 November 2023

2.5 Alexander Blitzer, 'Gaps the Law', 01 April 2024	Identified in the Implemen	C.1 DOCTI A . A 11 1.1	
the Law? 01 April 2024	1	ntation of the POSH Act: Ambiguitie	s in
the Law, or April 2024			

VI. DISABILITY RIGHTS

Although we do not currently possess a grant for this focus area, our commitment to assisting individuals with disabilities remains steadfast. We continue to offer legal services to support this community in the form of specific individuals but also

1. Events

- **1.1** On 20 April 2023, CLPR organised a day-long orientation programme for the first batch of the Constitution Defender Fellows on disability and transgender rights.
- **1.2** On 18 July 2023, CLPR Litigation Associate Aparna Mehrotra, served as a panellist at a panel discussion on realising SDG 16 with a focus on inclusivity, accessibility and justice to people with disabilities. This was organised by the Department of Media and Communication Studies of Christ University, Bangalore.

2. Publications

2.1 Anish Saha, 'Paralegal Volunteers (PLV) Training on Disability Rights at National Law School of India University, Bengaluru', CLPR blog, 05 February, 2024

VII. TEAM UPDATES

In 2023-24, the CLPR leadership team comprised Executive Director Jayna Kothari and Managing Trustee Sudhir Krishnaswamy.

During this period CLPR Associates and Staff included Vineeth Krishna, Anish Saha, Lavanya Lave, Priyanka Vaidyanath, Medha Garg, Payal Gaikwad, Shankara K. and Aparna Mehrotra.