



# RESEARCH

@NATIONAL LAW UNIVERSITY DELHI





**RESEARCH**  
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**National Law University Delhi**  
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**National Law University Delhi**  
Sector-14, Dwarka, New Delhi-110078, India [www.nludelhi.ac.in](http://www.nludelhi.ac.in)



॥ अक्षयान्तो ज्ञानार्थं वसुधैव ॥  
**DELHI**  
www.njudelhi.ac.in

**DELHI JUDICIAL ACADEMY**  
DJA  
Sector-14, Dwarka, New Delhi-110075

**LICCO BANK**  
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॥ न्यायस्तत्र प्रमाणं स्यात् ॥



O U R

L o g o

The logo of National Law University Delhi is composed of 3 elements: n (N), L (L) and U (U) which are interlinked by the second element (L or Law). In its totality it represents the harmonious confluence of disparate elements (disciplines) and levels: a rule that Law and its executive, the judicial system, also performs. Individually, the “N” and “U” are downward-and upward - facing respectively, symbolising polar (and complementary) outlooks through which Law threads its way. The extension of “L” or Law to the last level (or layer) attempts to encapsulate the concerns of social justice. The emphasis is on the rule of Law (represented by the ‘L’) in promoting social justice, particularly targeting the vulnerable population. Its columnar arrangement suggests an upholding of justice, equality, fraternity and human rights in all their facets in a secular democracy.



# VISION

The National Law University Delhi established in 2008 by Act No.1 of 2009 is premier Law University established in the capital city of India. Dynamic in vision and robust in commitment, the University has shown terrific promise to become a world-class institution in a very short span of time. It follows a mandate to transform and redefine the process of legal education.

Our sincere endeavor will be to make legal education as justice education, as an instrument of social, political and economic change, and to prepare Lawyers who will be competent in the art of advocacy both at the trial, appellate level and also skilled in judicial administration.

The students of the National Law University Delhi will be shaped as agents of change as the country mandates to achieve its developmental goals for future generations. The primacy mission of the University will be to create Lawyers who will be professionally competent, technically sound and socially relevant, and will not only enter the Bar and the Bench but also be equipped to address the imperatives of the new millennium and uphold the Constitutional values.

The University aims to evolve and impart comprehensive and interdisciplinary legal education which will promote legal and ethical values, while fostering the rule of Law. This education will be an instrument of social, political, and economics change; preparing lawyers who are competent in the art of advocacy both at the trial and appellate level, and skilled judicial administrators.



# **OBJECTIVES OF THE UNIVERSITY**

**To evolve and impart comprehensive legal education including distant and continuing legal education at all levels to achieve excellence;**

**To organize advanced studies and promote research in all branches of law;**

**To disseminate legal knowledge and legal processes and their role in national development by organizing lectures, seminars, symposia, workshops and conferences;**

**To promote cultural, legal and ethical values with a view to promote and foster the rule of law and the objectives enshrined in the Constitution of India;**

**To improve the ability to analyse and present for the benefit of the public, contemporary issues of public concern and their legal implications;**

**To liaise with institutions of higher learning and research in India and abroad;**

**To publish periodicals, treaties, study books, reports, journals and other literature on all subjects relating to law;**

**To hold examinations and confer degrees and other academic distinctions;**

**To promote legal awareness in the community for achieving social and economic justice;**

**To undertake study and training projects relating to law, legislation and judicial institutions;**

**To do all such things as are incidental, necessary or conducive to the attainment of all or any of the objectives of the university.**



# MESSAGE FROM THE VICE CHANCELLOR

At National Law University Delhi, our focus is to develop and advance interdisciplinary legal education and scholarship. We challenge normative pedagogy and believe in establishing and implementing new approaches towards teaching and learning. Internationalisation, is central to our mission to encourage student and faculty mobility, enhance collaborative academic research and spur innovation in learning assessments.

We value and embrace diversity of thoughts, opinions, values and expressions. We believe that education institutions should be fair and inclusive spaces that help everyone in achieving their true potential.

As a leading research-oriented institute, we encourage unrestricted academic imagination in the belief that thinking outside-the-box leads to original, relevant and impactful research. Thus, we incubate research on a range of diverse and unconventional ideas, including but not limited to, intellectual property, internet governance, forensics and criminal law. We take pride that our effective and impact-driven research has brought both national and international recognition to our name.

We are also committed to disseminating legal knowledge and developing the pedagogical acumen necessary to engage with contemporary legal issues of public importance. We aim to play a role in national development by promoting legal awareness in the community so as to realise political, social and economic justice.

Since our inception in 2008, we have seen more than 800 graduates, who have gone on to excel in diverse fields, such as academia, legal practice, administrative services and entrepreneurship. This is a testament not only to our students' drive, talent and intellect but also to our sincerity and diligence.

The National Law University Delhi (NLUD) has a strong research culture. The university encourages faculty and students to pursue research in diverse areas of law. NLUD's research culture is evident from the number of journals, seminars and conferences that it organizes throughout the year. The research culture in Research Centres at the National Law University Delhi is one of innovation and excellence. The faculty and students at the Research Centres are encouraged to pursue innovative research that contributes to the growth and development of the law and society. The Research Centres provide a platform for researchers to engage in legal research, hone their research skills, and to collaborate with experienced faculty members. The Centres have also developed a number of research-related activities which include national and international conferences, workshops, seminars, and trainings with national and international project assigned.

The Centres also provide an opportunity for students to participate in research projects led by faculty members. Furthermore, the Centres are committed to using the latest technologies to facilitate research, and to provide access to a wide range of research resources. All of these activities are aimed at fostering a culture of research excellence at the Research Centres, and to provide students with the opportunity to develop their research skills and gain valuable experience.

In a short span of time, we have become one of India's premier law universities. Our endeavour is to become a global hub of legal studies, pedagogy and research.



**Prof. (Dr.) G.S. Bajpai**  
Vice Chancellor, NLU Delhi



## **1. E-PG Pathshala Project of UGC**

The MHRD, under its National Mission on Education through ICT (NME-ICT), has assigned work to the UGC for development of e-content in 71 subjects at postgraduate level. The content and its quality is the key component of education system. High quality, curriculum-based, interactive content in different subjects across all disciplines of social sciences, arts, fine arts & humanities, natural & mathematical sciences, linguistics and languages is being developed under this initiative named e-PG Pathshala. E-PG Pathshala project aims to prepare and upload an open access study material for post graduate students in different subjects. For the preparation of study material in the field of Law, the UGC has assigned the responsibility to National Law University, Delhi. There are sixteen papers in the subject of Law. Each paper is divided into approximately 25-30 modules. The Course content for every module is divided into four quadrants viz: the E-text, Self Learning (Video/Audio recording of the lecture), Self-Assessment and Learn More.

The development team of E-Pathshala at NLUD includes:

- The Principal Investigator- The Vice Chancellor, Prof. (Dr.) Ranbir Singh
- The Co-Principal Investigator- The Registrar, Prof. (Dr.) G.S. Bajpai
- Paper Coordinators- 15
- Content Writers
- Reviewers

The sixteen law papers include the following subjects:

Access to Justice  
Environment Law  
Advanced Constitutional Law  
Intellectual Property Law  
Advanced Jurisprudence  
International Human Rights Law  
Comparative Constitutional Law  
International Trade Law  
Competition Law  
Information and Communication Technology  
Corporate Law  
Judicial Process and Administration  
Criminal Law  
Research Methodology  
Criminal Justice Administration  
Substantive Criminal Law

### **·E-PG Pathshala project of UGC in Criminology**

The UGC has entrusted this major project to develop e-text and video lectures in 12 papers consisting of more than 483 modules in criminology. This project involved as many as 150 persons to write e-text modules. Prof. (Dr.) G.S. Bajpai is the Principal Investigator for this project. E-PG Pathshala project aims to prepare and upload an open access study material for post graduate students in different subjects. For the preparation of study material in the field of Law and Criminology, the UGC has assigned the responsibility to National Law University, Delhi.

## **2. Status of Crime against Women & Gender Justice in Northern Region of India**

This Major Project sponsored by the Indian Council of Social Science Research (ICSSR), New Delhi has been completed and the report has been submitted to ICSSR. This study highlights the implementation of the law relating to gender, domestic violence and the status of the victims and response by the agencies involved. This study significantly brought out the crucial factors responsible for the problems and implementing of the law in this area. Prof. (Dr.) G.S. Bajpai is the Project Director for this study.

## **3. Exploring Critical Criminal Law**

The Centre for Criminology & Victimology has undertaken a project on 'Exploring Critical Criminal Law - A Research Study'. The Project identifies and explores the development of critical perspectives in criminal law scholarship. It is to document and analyse the specific works especially those carried out by Ashworth, Duff, Norrie, Nicola, Gardner, Husak etc. and to conduct a critical analysis with regard to the critical outcomes in criminal process like acquittal, wrongful prosecution, wrongful conviction, abuse of power, arrear of criminal process. Prof. (Dr.) G. S. Bajpai is the Director for this Project.

## **4. Massive Open Online Courses (MOOCs)**

The University has also been entrusted to develop MOOCs Courses in the selected subjects of Law. Presently 10 subjects have been chosen to develop modules. Prof. (Dr.) Ranbir Singh is the Principal Investigator and Prof. (Dr.) G.S. Bajpai is Co-Principal Investigator in this Project. All these projects from S. No. 1 to 4 are being undertaken by the Centre for Criminology & Victimology, NLU, Delhi.

## **5. Patents and Competition Law:**

The Principal Investigator of this project is Mr. Yogesh Pai with Mr. Nitesh Daryanani contributing to it.

## **6. Open Science for an Innovative India:**

The Principal Investigator of this project is Dr. Arul George Scaria. Ms. Shreyashi Ray (Research Fellow - Law) and Mr. Satheesh Menon (Research Fellow - Economics) are the Research Fellows working on this Project.

## **7. Open Access Textbook on Intellectual Property Law:**

This project is expected to span three years and the Principal Investigators of this project are Mr. Yogesh Pai and Dr. Arul George Scaria. Ms. Rameshwari is the Research Fellow working on this project.

## **8. Open Access Textbook on Competition Law:**

This project is expected to span three years and the Principal Investigators of this project are Mr. Yogesh Pai and Dr. Arul George Scaria. Mr. Swarnim Rai Shrivastava is the Research Fellow working on this project.

## **9. IP and Startups:**

The Principal Investigators of this project are Mr. Yogesh Pai and Dr. Arul George Scaria. Mr. Satheesh Menon is the Research Fellow working on this project.

**10. Open Innovation:**

The Principal Investigator of this project is Dr. Arul George Scaria. Ms. Priyanka Choudhary is the Research Fellow working on this project.

**11. Practising Patents in India:**

The Principal Investigator of this project is Mr. Yogesh Pai. Ms. Shrinkhala Jaiswal is the Research Fellow working on this project. The Centre for Innovation, Intellectual Property and Competition (CIIPC) are undertaking these projects from S. No. 5 to 11. Further details can be accessed at - <http://ciipc.org/projects>.

**12. ICSSR, New Delhi, Research Project:**

This project is sponsored by ICSSR (2017-19) for "An Empirical Study to Examine the Impact of the Legal Aid Services Provided by the Legal Aid Counsels (LAC) on the Quality of the Legal Aid System in India." Primary data from 5 States have already been collected.

**13. UGC Research Award Project:**

This is a UGC Research Award Project on Legal Aid and the Report has been submitted to the NALSA, Ministry of Law and Justice, DSLSA and other policy making agencies. The abovementioned two projects from S. No. 12 and 13 were undertaken by the Centre for Transparency and Accountability in Governance.

**14. CLPG-Delhi High Court Legal Services Committee (DHCLSC) Prisons Project - Phase I**

The Centre for Constitutional Law, Policy and Governance has collaborated with the Delhi High Court Legal Services Committee to work on projects that involve studying under-trial incarceration in Delhi, preparing periodic reports on the status of each case, documenting the causes of delay, compliance with guidelines and laws, and availability of bail for the person. In the first phase of this project, the Centre is studying incarceration under the "Narcotic Drugs and Psychotropic Substances (NDPS) Act." The Centre shall also prepare a policy proposal based on these cases highlighting systemic concerns and blockages in the Criminal Justice System.

**15. CLPG- Delhi High Court Legal Services Committee (DHCLSC) Prisons Project - Phase II**

In the second phase of the CLPG-DHCLSC Prisons Project, the Centre for Constitutional Law, Policy and Governance is studying cases of all persons who are currently incarcerated for a continuous period of 3 years, without being released on bail (other than interim bail for a few days). The project looks at individual cases in the prison that needs assistance with legal aid and also aims at understanding the nature and causes of delay in the legal processes. The abovementioned two projects S. No. 14 and 15 were undertaken by the Centre for Constitutional Law, Policy and Governance.

**16. Research and Capacity Building Project funded by the William and Flora Hewlett Foundation.**

An internet Governance Research Project funded by the John D. and Catherine T. MacArthur Foundations. Above mentioned two projects from S. No. 16 to 17 were undertaken by the Centre for Communication Governance.

## CENTRE FOR CONSTITUTIONAL LAW, POLICY AND GOVERNANCE

### **'Empirical Analysis of the Indian Supreme Court', in collaboration with the 'University of Chicago Law School and Cornell Law School'**

Based on an empirical analysis of all Supreme Court cases 2010-2015, and of other original data on the Supreme Court; the project aims at conducting a critical appraisal of various issues with the functioning of Indian Supreme Court. Apart from various academic papers, this project will also culminate into a book, under contract with Penguin Publishers, titled "The Supreme Court in Crisis."

### **Study on 'Legal Barriers to Access Safe Abortion Services in India', in collaboration with 'Centre for Reproductive Rights', New York**

This empirical work aims at studying legal barriers to accessing safe and comprehensive abortion service in India, through interviews with stakeholders such as women who have sought abortion services, service providers, and government officials. Through field work in 4 states in India, the study seeks to understand, document, and analyze legal restrictions on those seeking and providing abortion services, as well as the harm that these restrictions cause to women. The findings of this study will be published in the form of a report, with the aim of contributing to the legislative and judicial discourse on Abortion Law and Rights in India.

### **Compendium on 'Reproductive Justice in India', in collaboration with 'Centre for Reproductive Rights', New York**

This compendium will serve as a reference book for judges, legal practitioners and students on Reproductive Justice Case Law in India, International Human Rights Laws, and best practices. The research undertaken for the compendium was also the basis for an Elective Course, titled 'Reproductive Justice in India: Theory and Practice', at NLU Delhi.

### **Report on 'Women in Detention', prepared for 'Ministry for Women and Child Development', Government of India**

This report examined the extant legal regime on the incarceration of women, from the perspective of the rights, entitlements and needs of women prisoners. It also incorporated perspectives gleaned from the work conducted by the Centre in Jail No. 6, Tihar Prisons, New Delhi, and a study of National and International norms and courts' decisions. The Report, which was submitted to the Ministry, recommended revisions in the National Model Prison Manual. The Ministry substantially relied upon, and acknowledged, this report in preparing its own submission to the Supreme Court in an ongoing matter.

### **'Fair Trial Manual', in collaboration with 'Commonwealth Human Rights Initiative'**

The Centre is collaborating with the 'Commonwealth Human Rights Initiative to revise and update the 2010 edition of 'CHRI's Fair Trial Manual: A Handbook for Judges and Magistrates'.

### **'Surrogacy in India: Theory and Practice', in collaboration with 'Cornell Law School'**

This project is based on a course co-taught at NLUD and Cornell Law School in 2017. A core aspect of the course was field work on Law and practice of Commercial Surrogacy in India. This work culminated in a memorandum submitted to the Indian Parliament, and a deposition before the Parliamentary Standing Committee on 'Health and Family Welfare'. The research also formed part of a Report to the New York Legislature, on 'Surrogacy in New York'. The research is being consolidated and updated into a book-length Policy Report on 'Commercial Surrogacy in India'.

### **Report on 'Issues of Bail for Women Prisoners', to the Delhi High Court**

The Delhi High Court, in Court on Its Own Motion v. State [Writ Petition (Crl.) 1352/ 2015) directed Prof.(Dr.) Mrinal Satish and Dr. Aparna Chandra to submit a report on the issues of bail for women prisoners. lodged in Tihar Jail, New Delhi. Reports were submitted in 2017 and 2018, based on the Centre's work in Tihar Prisons, as well as an examination of Court's records is identified. The Court has issued orders on based on the submissions. The matter is currently ongoing, and further reports and submissions are underway.

## **CENTRE FOR CRIMINOLOGY AND VICTIMOLOGY**

### **'Evaluation of Functioning of Fast Track Courts in India - An Empirical Study'.**

NLUD has been entrusted with this Research Project by the 'Department of Justice, Ministry of Law'. Fast track courts were set up on recommendation of the 11th Finance Commission in 2001, to deal with the pending cases and accumulating backlog; with special focus on cases that involved under-trials, for people in jail for over two years. Though this was planned to exist for five years, due to its efficient and decent performance with respect to the number of cases disposed, the scheme was extended till 2011. Prof. G. S. Bajpai is the Principal Investigator for this study.

### **'Hate Crimes - Prejudices and Violence faced by People from North Eastern States and Measures to Counter - An Empirical Study'.**

The 'Indian Council of Social Science Research', New Delhi, entrusted this Research Project to NLUD. The present study premises on the escalating trend of cases of prejudice and violence against people belonging to the Northeast regions; forming what we call 'hate crimes'. Cases of murders of Nido Tania (Arunachal Pradesh), Souloni Akha (Manipur), suspicious death of Richard Loitam (Manipur), attempted rape and murder of Ramchanphy Hongray (Nagaland), all represent the violent intolerance in various metro cities towards the North Eastern. These daily instances of hatred, culminating into serious acts of violence-need a serious and thorough probing, to arrive at objective information and data on this subject.

Hence, this study attempts to map the experiences and vulnerabilities of people from the Northeast regions residing in metro cities; through their interactions with educational institutions, work places, marketplaces and residence vicinities. Data for this study would be collected, based on various aspects of prejudice, violence and intolerance against Northeast people. This would be based in the following states: Delhi, Mumbai, Chennai, Hyderabad, Pune and Bengaluru, with a total sample number of 1200 cases (Approx. 200 cases from every city). A dedicated project team is assigned to work on the data collection.

Prof. G. S. Bajpai is the Principal Investigator for this study

## **CENTRE FOR LAW, JUSTICE AND DEVELOPMENT (CLJD)**

### **'Un-othering the 'Other' in Law and Development Discourse-A Study of Social Movements and Property Rights of Adivasis in Chhattisgarh'.**

The empirical study focuses on the interface between formal law pertaining to property rights of Adivasis and informal notions nurtured by the Adivasis with regard to the same. The focus is also on their expression in the form of social movements.

## **CENTRE FOR TRANSPARENCY AND ACCOUNTABILITY IN GOVERNANCE RESEARCH**

Indian Council of Social Science Research (ICSSR) sponsored Research Project, conducted Empirical Research in 18 States (36 Districts), from 2017-19.

## CENTRE FOR INNOVATION, INTELLECTUAL PROPERTY AND COMPETITION (CIIPC)

### **Regulation of Digital Markets in the Context of Big Data, AI, and IoT**

The world is increasingly witnessing a shift to online platforms and online shopping, which can be attributed to the exponential rise in the use of information technology, smart phones, and the proliferation of Artificial Intelligence (AI) and data-driven technologies. However, this shift also poses many unprecedented challenges for antitrust/competition law. While framing policies with regard to regulation of digital markets, even some of the basic concepts like-dominance, abuse of dominance, and collusion between undertakings-may have to be revisited. To ensure appropriate levels of regulation of digital markets by the State, one may have to take an evidence-based approach. Unfortunately, many of the current policy discussions and regulatory interventions are ignoring this important aspect. This project will primarily look at competition issues in two areas: (1) App Store market for mobile devices and (2) Algorithmic bias in online services. This discussion assumes special significance in the light of the recent decisions of the Competition Commission of India (CCI) in the Google case and also the decision of the European Commission in the Android case.

### **IP in Agri-Biotech in India (2018-2019)**

India has been witnessing an ongoing boom in the field of Biotechnology and the Agricultural space. This growth has raised key questions relating to the nature of regulations on such technologies by the concerned authorities; the balance between proprietary technology and patent laws, pricing of genetically modified seeds, etc. Of singular importance is the recent ruling of the Division Bench of Delhi High Court, which revoked the patent on BT Cotton Technology, owned by Monsanto, an American agricultural biotechnology corporation. It used to license the technology, to seed companies in India. Similarly, the ongoing investigation against Monsanto by the Competition Commission of India, raises serious concerns regarding the application of anti-trust theories and the threshold required under the Competition Law of India. Monsanto is charged with alleged abuse of its dominant position and using stipulations in the technology licensing agreements, having an appreciable adverse effect on competition.

The project aims to study the abovementioned components as a part of its research by focusing on the Monsanto litigation in India. The Principal Investigator is Mr. Yogesh Pai and Research Fellow is Ms. Khushbu Kumari.

### **CIPAM - L2Pro Content Development Project (2018-2019)**

Generating and disseminating awareness about intellectual property among a new generation of start-ups and SMEs is crucial for encouraging innovation and entrepreneurship. CIIPC has undertaken the L2Pro (Learn to Protect)content development project in collaboration with Center for IPR Promotion and Management (CIPAM), a unit of Department of Industrial Policy & Promotion (DIPP), Government of India and Qualcomm Inc. This course aims to simplify IP protection and enforcement, by creating an interactive and engaging learning experience with maximized learning outcomes. The target audience are entrepreneurs, start-up founders, and individuals from SMEs; who can learn to acquire, protect, and commercialize their intellectual property without battling with complications associated with IP practice. However, anyone desirous of learning about IP can take this course, as there are no pre-requisites in terms of education or professional experience.

The course is divided into three levels (Basic, Intermediate, and Advanced), in terms of difficulty and subject matter. It is a free and open access course, available to anyone with a computer or mobile device and an internet connection. It is designed by considering the advantages of MOOCS (Massive Open Online Courses). To broaden the scope of learning, the course is initially being launched in English, with translation in Hindi. The Principal Investigator is Mr. Yogesh Pai and Research Fellow is Ms. Pragya Chaturvedi.



## PROJECT 39A

### **The Fair Trial Fellowship Programme**

Project 39A, conceptualized and organized the 'Fair Trial Fellowship programme', for young lawyers and social workers, to assist the legal aid lawyers in providing effective legal representation. This was for the under-trial prisoners lodged in Pune and Nagpur Central Prison. The programme trained and mentored a group of young professionals to work in collaboration with the 'State Legal Services Authority', towards ensuring fair trial for these prisoners at both pre-trial and trial stages.

### **Mental Health Research Project**

This is an ongoing nationwide study on the mental health of prisoners, sentenced to death, in India. It is the first of its kind, empirical and descriptive study, to take a medico-social approach towards the mental health of death row prisoners in India. The project was conceived out of the need to collect accurate data on death row prisoners, in order to broaden the current sphere of knowledge on death penalty. Approx. 100 death row prisoners and their families have been interviewed; across prisons in Delhi, Madhya Pradesh, Chhattisgarh, Kerala and Karnataka.

### **Trial Court Sentencing Project**

This study with its doctrinal roots, attempts to understand the compliance to the 'rarest of rare' doctrine by trial courts. It also critically engages with the evolution of the doctrine from the original meaning assigned to it by the Supreme Court in Bachan Singh. Sentencing practices of the trial courts are then juxtaposed with the first principles of criminal law to present an evaluated picture of trial court sentencing in India. The project is looking at three death penalty heavy states of Maharashtra, Madhya Pradesh and Delhi, analysing 214 trial court judgments from 2000-2015, where death sentence was imposed. The project is currently in its report-writing phase, which is expected to release by June 2019.

### **Litigation**

A crucial learning from the Death Penalty Research Project was the dearth of quality legal representation for death row prisoners. Hence, one of the earliest tasks undertaken by Project 39A was securing quality pro bono legal representation for indigent death row prisoners; our litigation team comprising of 7 litigation and 1 mitigation associates; involved in cases of over 80 prisoners sentenced to death across 13 states. The sentences of seven prisoners sentenced to death, who were represented by us, were commuted to life imprisonment of different kinds by the Supreme Court. While we currently practice predominantly in the Supreme Court, our litigation is expanding to providing assistance in cases in various High Courts on issues such as, access to prisoners' health records, urging juvenility claims, and improper rejections of mercy petitions. To provide a nuanced understanding of prisoners' backgrounds, we seek advice from experts in related fields such as social work, psychiatry, and developmental psychology.

### **Assistance to Courts:**

Project 39A filed an intervening application (I. A. No. 26542 of 2018) in the pending PIL, Re: Inhuman Conditions (Writ Petition (Civil) No. 406 of 2013). The judgment reiterated that prisoners sentenced to death cannot be put in solitary or segregated confinement and have to be treated as other prisoners. It also recognised for the first time the right of prisoners sentenced to death to meet mental health professionals.

Project 39A currently represents 80 prisoners sentenced to death in the Supreme Court and High Courts. This includes prisoners lodged in prisons of the following states: Delhi, Uttar Pradesh, Bihar, West Bengal, Tamil Nadu, Kerala, Karnataka, Maharashtra, Punjab, Haryana, Madhya Pradesh, Chattisgarh, and Uttarakhand. The Project earned commutations to life imprisonments of different kinds for seven prisoners sentenced to death in the Supreme Court in 2018.

## **CENTRE FOR CRIMINOLOGY AND VICTIMOLOGY**

### **Exploring Critical Criminal Procedural Law (2017 onwards)**

This research aims to develop the notions of critical criminal law. This study intends to identify and document the critical perspectives which are relevant to criminal procedural law by examining policy critique by thinkers and activists, critique by judges in their judgements and critique by jurists about the institutions of criminal law. Prof. G. S. Bajpai is the Project Supervisor for this study.

### **Hate Crimes – Prejudices and Violence Faced by People from the North Eastern States and Measures to Counter – An Empirical Study (2018 Onwards)**

The project seeks to examine the growing trend of cases of prejudice and violence against the people of North East in what is today colloquially referred to as – ‘hate crimes.’ Also, map the experience and vulnerabilities of people from the North-East residing in metropolitan cities. The data is from Delhi, Mumbai, Chennai, Hyderabad, Pune, and Bengaluru with the sample size of approx. 1200. The project has been sponsored by ICSSR and Prof. (Dr.) G. S. Bajpai is the Principal Investigator for the study.

### **Preparation of Case Book on Victim Jurisprudence (2019 onwards)**

This project provides a unique perspective on victim jurisprudence by identifying the emerging judicial trends in its development. Towards this aim, cases decided by the Supreme Court of India wherein various aspects of victims’ issues were discussed are being examined to identify the thrust areas shaping a victimological understanding of an adjudicatory process.

### **Evaluation of Functioning of Fast Track Courts in India – An Empirical Study (2018- 2019)**

This research project was entrusted by the Department of Justice, Ministry of Law and Justice, Government of India. The main premise of this research work was to evaluate the functioning of Fast Track Courts established in 5 States/UT in India (Delhi, Maharashtra, Tamil Nadu, Uttar Pradesh, and West Bengal). Prof. G. S. Bajpai was the Principal Investigator for this study.

## **CENTRE FOR CORPORATE LAW AND GOVERNANCE**

Completed Joint Project on ‘Indo-Norwegian Cooperation within Law’ (2015-18) with University of Bergen, Norway, under Indo-Norwegian Cooperation Programme as the Project Coordinator - Prof. (Dr.) Harpreet Kaur.

SPARC Project on ‘Re-examining Shareholder Voting and Engagement in Emerging Economies of PR China and India’ sanctioned in March, 2019 for two years. The international Principal Investigator for the project is Prof. Chao Xi from Chinese University of Hong Kong. A seminar course on “Comparative Corporate Governance and Shareholders’ Rights” has been co-taught by Prof. (Dr.) Harpreet Kaur and Prof. (Dr.) Chao Xi from August- December 2019, at NLUD, under the project.

## **CENTRE FOR INNOVATION, INTELLECTUAL PROPERTY AND COMPETITION (CIIPC)**

Patents and Competition Law: The Principal Investigator of this project is Mr. Yogesh Pai with Mr. Nitesh Daryanani contributing to it. More information can be accessed at - [http:// ciipc.org/projects/patents-and-competition/](http://ciipc.org/projects/patents-and-competition/).

### **Open Science for an Innovative India:**

The Principal Investigator of this project is Dr. Arul George Scaria. Ms. Shreyashi Ray (Research Fellow-Law) and Mr. Satheesh Menon (Research Fellow-Economics) are the research Fellows working on this Project. More information can be accessed at - <http://ciipc.org/projects/open-science-for-an-innovative-india/>.

### **Open Access Textbook on Intellectual Property Law**

This project is expected to span three years and the principal investigators of this project are Mr. Yogesh Pai and Dr. Arul George Scaria. Ms. Rameshwari is the Research Fellow working on this project. More information can be accessed at - <http://ciipc.org/projects/open-access-textbooks-on-intellectual-property/>.

### **Open Access Textbook on Competition Law**

This project is expected to span three years and the principal investigators of this project are Mr. Yogesh Pai and Dr. Arul George Scaria. Mr. Swarnim Rai Shrivastava is the Research Fellow working on this project. More information can be accessed at - <http://ciipc.org/projects/open-access-textbooks-on-competition-law/>.

### **IP and Startups**

The principal investigators of this project are Mr. Yogesh Pai and Dr. Arul George Scaria. Mr. Satheesh Menon is the Research Fellow working on this project. More information can be accessed at - <http://ciipc.org/projects/intellectual-property-and-startups/>.

#### **Open Innovation**

The principal investigator of this project is Dr. Arul George Scaria. Ms. Priyanka Choudhary is the Research Fellow working on this project. More information can be accessed at - <http://ciipc.org/projects/open-innovation/>.

### **Practising Patents in India**

The Principal Investigator of this project is Mr. Yogesh Pai. Ms. Shrinkhala Jaiswal is the Research Fellow working on this project. More information can be accessed at - <http://ciipc.org/projects/practising-patents-in-india/>.

## **CENTRE FOR LAW, JUSTICE AND DEVELOPMENT**

### **Un-othering the Other in Law and Development Discourse: A Study of Social Movements and Property Rights of Adivasis in Chhattisgarh:**

This project, which was embarked upon in April 2019, is funded by the Azim Premji University. The research therein seeks to study the dialectics between informal conceptions of property nurtured by Adivasis and formal law pertaining to property in land the role that social movements play in these dialectics.

### **Sustainable Development as Inclusion: Law, Gender and Educational Curriculum:**

This project is funded by the Ministry of Human Resource Development, Government of India under the Scheme for Promotion of Academic and Research Collaboration, in collaboration with the University of Antwerp, Belgium. The focus area of this research is the interface between SDG 5 (gender equality) and SDG 4 (quality education). The research undertakes the study of the relationship that prevails between gender equality, legal norms, educational curriculum and other state initiatives undertaken in India. This project was also embarked upon in April 2019.

## **CENTRE FOR TRANSNATIONAL COMMERCIAL LAW (CTCL)**

Research Project with the British High Commission and the Confederation of Indian Industries, "Implementation of Cross-Border Insolvency and Personal Insolvency in India" - January to March 2019.

## **PROJECT 39A**

### **Fair Trial Fellowship Programme**

The Fair Trial Fellowship began in January 2019. It involves young lawyers and social workers assisting the legal aid lawyers, in collaboration with the State Legal Services Authority, in providing effective legal representation to under trial prisoners lodged in Pune and Nagpur Central Prison.

### **Forensics**

In August 2018, Project 39A began a quantitative and qualitative survey of all forensic laboratories in order to examine the challenges that these laboratories are facing with respect to budget, case management, personnel, equipment and quality management. The team has visited 19 laboratories.

### **Torture**

A doctrinal study of Supreme Court and High Court judgements on prosecution and payment of compensation in cases of custodial torture and deaths is in progress, with requisite judgments (52 SC judgements and 369 HC judgements) collated after an extensive data mining process.

## **CENTRE FOR COMMUNICATION GOVERNANCE (CCG)**

### **Research on Right to Privacy Jurisprudence**

The Centre launched a book titled 'Privacy and the Indian Supreme Court', which is a compendium of the Supreme Courts privacy jurisprudence from 1954- 2019. CCG also launched the Privacy Law Library, which is a comprehensive database that tracks privacy jurisprudence globally in order to help researchers and other interested stakeholders to learn more about privacy regulation and case law. The Privacy Law Library is envisaged as a single resource, which attempts to assist researchers and decision makers from around the world in understanding the development of privacy law and jurisprudence across countries.

### **Cyber Initiative**

CCG's research work under the Cyber Initiative funded by the William and Flora Hewlett Foundation examines the role of international and domestic law in India's national security matters from a legal and policy perspective, with a particular focus on emerging technologies, cybersecurity, and cyber conflict. In addition to research and policy analysis, our capacity building activities under the grant cater to (a) law students, involves curriculum development and teaching elective courses on legal issues that arise at the intersection of emerging technologies and national security stakeholders. Based on rigorous research, we engage regularly with policymakers at the ministerial level to provide inputs on evolving policies relevant to emerging technologies and national security.

### **Research paper on Information Fiduciaries and India's Data Protection Law**

In this paper for Data Catalyst, CCG's Smitha Krishna Prasad explores the concept of treating data controllers or processors as 'fiduciaries' as has been proposed by Indian lawmakers. Several different approaches to fiduciary law and identification of fiduciary duties exist in this context, and the paper reviews three specific ways this could manifest. Importantly, this research illuminates the broader discussion happening in both the technology and policy communities about what types of organizations could and should act as fiduciaries within the context of digital data.

### **Summer School on Media, Law and Technology**

CCG, the Hans Bredow Institute at the University of Hamburg and the Institute for Technology & Society, Rio in collaboration with the UNESCO Chair on Freedom of Communication at the University of Hamburg and the Global Network of Internet and Society Research Centers conducted its sixth week-long summer school on contemporary issues of information law and policy. The Summer School on Governing Data and Information on the Internet: A Human Rights Perspective took place between March 2 - 8, 2020 at National Law University Delhi.

### **Freedom on the Net Report**

Freedom on the Net is Freedom House's annual survey and analysis of internet and digital media freedom around the world. It features a ranked, country-by-country assessment of online freedom, a global overview of the latest developments, as well as in depth country reports. CCG works with Freedom House on the annual country report on India for the Freedom on the Net series.

RESEARCH PROJECT 2019-2020

## CENTRE FOR CORPORATE LAW AND GOVERNANCE

SPARC Project on 'Re-examining Shareholder Voting and Engagement in Emerging Economies of PR China and India' sanctioned in March, 2019 for two years has been extended by six months. The Principal Investigator for the Project is Prof. Harpreet Kaur and the international Principal Investigator is Prof. Chao Xi from Chinese University of Hong Kong.

## CENTRE FOR CRIMINOLOGY AND VICTIMLOGY

- Evaluation of Functioning of Fast Track Courts in India – An Empirical Study(2018-2019)
- Hate Crimes- prejudices and violence faced by people from north-eastern states and measures to counter – an empirical study (a study of metro cities in India: under review – An ICCSSR Project
- Devised the proposal for the Ministry of Home Affairs to undertake the task of criminal law reforms in India; the Committee on Reforms in Criminal Law was constituted and the assignment conferred.
- Exploring Critical Criminal Procedural Law (2017 onwards)
- Preparation of Case Book on "Victim Jurisprudence" (2019 onwards)
- Victim Friendly Prosecution (2019 onwards)
- Accreditation Course on Victim Advocacy (2019)
- Handbook of Laws for Victims of Crime
- TRANSPORT AND CRIME:an account of crimes againstwomen in cabs inDelhi/NCR Region: (2020 onwards) sponsored by National Women Commission.
- Criminology in India post 2000- A Survey of Researches
- A study of empirical legal research undertaken in India in the period between 2000 to 2020

### Project 39A

#### **Fair Trial Fellowship Programme:**

The Fair Trial Fellowship (FTF) supports lawyers empanelled with the DLSA Pune and DLSA Nagpur to provide legal representation to undertrials in Pune (Yerwada) and Nagpur Central Prisons. The Fellowship, offered to lawyers and social workers, was launched in January 2019. The Fellows are currently working to assist on cases of undertrial prisoners listed in 17 courts in Pune district and 18 courts in Nagpur district. From January 2019 to end of December2020 the Program has reached out a total of 2198 undertrials and 2776 cases.

#### **Forensics:**

In August 2018, Project 39A began a quantitative and qualitative survey of all forensic laboratories in order to examine the challenges that these laboratories are facing with respect to budget, case management, personnel, equipment and quality management. So far responses have been received from 28 laboratories and the team is currently working towards publishing an interim report. As part of the project, the team has also submitted a written memorandum and provided oral deposition on The DNA Technology (Use and Application) Regulation Bill, 2019 to the Parliamentary Standing Committee on Science & Technology, Environment and Forests. The team has also conducted multiple training sessions on forensic science for judicial officers and session court judges along with the Delhi Judicial Academy.

## Project 39A

### Torture:

A doctrinal study of 300 Supreme Court and High Court judgements cases pertaining to cases of custodial torture and death, with emphasis on challenges to prosecution of offenders and payment of compensation to survivors/victims is in its final stages. The findings of this study will be published as an article in a peer reviewed journal.

### Legal Aid:

A paper was written, documenting a doctrinal analysis of publicly available data on utilisation of legal aid by undertrial prisoners. The Paper is currently pending review with the Indian Law Review journal. Project 39A conducted a performance audit of the Supreme Court Legal Services Committee, which was a follow up of the initial audit completed in September 2018. The audit focused on documenting changes that have taken place since 2018 and identifying areas of reform to address persisting concerns. The report for this audit was submitted on December 11, 2020.

### Mental Health and Criminal Justice:

A paper on the insanity defense in India was written and is currently under review. Doctrinal and empirical studies on various aspects of the interaction of mental health and criminal law are underway. The team also assists lawyers on cases in which Project 39A is involved. A Report on mental health of death row prisoners, Who We Kill | A Mental Health Perspective of the Death Penalty, was finalised and will be released in 2021. The Report is based on findings from interviews with 88 death row prisoners and their families across prisons in Delhi, Madhya Pradesh, Chhattisgarh, Kerala and Karnataka.

### Assistance to court:

Project 39A provides pro bono legal representation for death row prisoners across India. Since its inception, we have represented 121 prisoners in 155 cases across 16 states. Amongst the decided cases where Project 39A was involved, the death sentence was commuted for 28 prisoners and 4 prisoners were acquitted. As of September 2020, we were involved in 69.2% of the total death penalty cases currently pending before the Supreme Court. Although our practice is predominantly before the Supreme Court, we are currently working with a network of lawyers in Bombay, Jaipur, Calcutta, Kerala and Telangana High Courts.

## CENTRE FOR INNOVATION, INTELLECTUAL PROPERTY AND COMPETITION (CIIPC)

### Research Projects:

- Intellectual Property and Startups, Dr. Arul George Scaria, Mr. Yogesh Pai and Mr. Satheesh K.G. Menon
- Open Access textbook on Intellectual Property, Mr. Yogesh Pai, Dr. Arul George Scaria and Mr. Apoorv Kumar Chaudhary
- Open Access Textbook on Competition Law, Dr. Arul George Scaria, Mr. Yogesh Pai, and Mr. Soham Goswami
- Regulation of Digital Markets in context of AI, Big data and IoT, Dr. Arul George Scaria and Ms. Saraswathy Vaidyanathan
- Collaborative Research Project with Department of Science and Technology, Rajasthan-Open Science and Open Innovation-A vision for Rajasthan, Dr. Arul George Scaria and Ms. Priyanka Choudhary.

## **CENTRE FOR LAW, JUSTICE AND DEVELOPMENT (CLJD)**

### **Un-othering the Other in Law and Development Discourse: A Study of Social Movements and Property Rights of Adivasis in Chhattisgarh:**

The research that seeks to study the relationship between Adivasis and their land and the role that social movements play in this relationship started in the year 2019. Pursuant to the Project, CLJD team conducted a pilot study in Chhattisgarh between Dec. 2019 to January 2020. Thereafter a 14-day field visit was undertaken between 25th Feb. to 9th March to collect data for the study. The team had the opportunity of interviewing approximately 300 respondents spread over 3 districts and 11 villages in Chhattisgarh. The Project is funded by the Azim Premji University and it is still in progress.

### **Exchange of Ph.D. Scholars between National Law University, Delhi and University of Antwerp.**

Under the Scheme for Promotion of Academic and Research Collaboration (SPARC), Ministry of Human Resource Development, Government of India, one Ph.D. scholar each from National Law University, Delhi and University of Antwerp had a 3 month research stint at the other university. The exchange operationalized between January 2020 to June 2020. The research revolved around various aspects of sustainable development, in particular, right to water, education and gender justice.

## **CENTRE FOR TRANSPARENCY AND ACCOUNTABILITY IN GOVERNANCE**

### **Research Projects and Activities:**

The Ministry of Human Resource Development's International Research Project "SPARC-IITK Joint India and China Research Project 2019-21."

The Department of Justice, Ministry of Law and Justice, Government of India Project on "Access to Legal Education for Undertrials" 2019-2021.

The Department of Justice, Ministry of Law and Justice, Government of India Project on "Empirical Study to Evaluate the Delivery of Justice through Improved Infrastructure" 2019-21.

## **CENTRE FOR STUDY OF CONSUMER LAW AND PRACTICE (CSCLP)**

UGC Major Project on Food Safety & Standards Law: A Study of Enforcement Experience in National Capital Region September, 2019.

## **CENTRE FOR LINGUISTIC JUSTICE AND ENDANGERED LANGUAGES (CLJEL)**

The Centre aims to facilitate an innovative approach towards the ongoing research and teaching thrust, and also to become a unique initiative in the country, as well as a role model for other legal education institutions for interdisciplinary work.

'Study and Research in Indigenous and Endangered languages in India'. This is a very prestigious Project and it involves a substantial funding support.



## RESEARCH CENTRES: IN FORCUS

### **Deathworthy: A Mental Health Perspective of the Death Penalty, Project 39A**

'Deathworthy: A Mental Health Perspective of the Death Penalty' report presents empirical data on mental illness and intellectual disability among death row prisoners in India and the psychological consequences of living on death row. Led and conceptualized by Maitreyi Misra (Head, Mental Health and Criminal Justice, Project 39A, National Law University Delhi), the study was conducted under the guidance of Dr. Pratima Murthy (Director, NIMHANS), Dr. Sanjeev Jain (Senior Professor, Deptt of Psychiatry, NIMHANS) and Dr. Gitanjali Narayanan (Associate Professor, Dept. of Psychology, NIMHANS).

### **Centre for Innovation, IP and Competition**

Centre for Innovation, IP and Competition is undertaking a UNESCO funded project titled 'Open Science and Digital Inclusion in South Asia' which examines the strengths, challenges and opportunities in the area of Open Science and Digital Inclusion in the countries of India, Bangladesh, Nepal and Sri Lanka. The findings from the study will be published in the form of a report.

### **Centre for Communication Governance's Book Launch**

The Centre for Communication Governance's edited volume of essays titled 'The Future of Democracy in the Shadow of Big and Emerging Tech' was released by Arvind Kejriwal, Chief Minister of Delhi at NLU Delhi's 8th Convocation in the presence of the Chief Justice of India, Justice N.V. Ramana. The edited volume collates the work of experts on the relationship between democracy on the one hand and big tech and emerging tech on the other.

### **Centre for Alternative Dispute Resolution-Journal Launch**

National Law University's Delhi's Centre for ADR launched its official publication- CADR Journal of Dispute Resolution (CJDR). The Journal is dedicated to recognize and foster academic research and scholarship in ADR methods. This biannual Journal intends to examine the latest developments in the field of ADR and its interface with commercial law, particularly in light of comparative international perspectives. The first edition of CJDR was launched in July 2021 and the second edition was launched in December 2021.

### **CopyrightX: NLUD**

A new edition of the 12 week hybrid course CopyrightX: NLUD commenced in February 2022. The course explores diverse legal aspects of copyright, copyright law, debates around its reform and its impact on different creative and innovative fields. This year NLU Delhi invited applicants from diverse backgrounds from across South Asia including, professionals, artists, students (undergraduate, postgraduate) and research scholars. CopyrightX: NLUD, is an affiliate course of the CopyrightX program, offered by Prof. William Fisher and Prof. Ruth Okediji at the Harvard Law School. (NLUD), in collaboration with Harvard Law School (HLS), offers this course by employing a unique pedagogical approach of combining recorded online lectures of Prof. Fisher and Prof. Okediji with live online lectures of Dr.Arul George Scaria (NLUD). This academic year, Dr. Arul Scaria in collaboration with Prof. Fisher and Prof. Okediji also offered an elective course titled 'Comparative Patent Law' for our LL.M. students. Advisors from IIT Delhi, Indian Council for Research on International Economic Relations & Industry representatives.

## RESEARCH NEWS AND REPORTS

### **NLU Delhi- General Counsels' Association of India Partnership**

NLU Delhi signed an MoU with the General Counsels' Association of India (GCAI). On behalf of NLU Delhi, the MoU was signed by the Vice-Chancellor, Prof. Srikrishna Deva Rao, and Ms. Lubinisha Saha (General Counsel, India & South Asia, Airbus) on behalf of GCAI. As per the MoU, NLU Delhi and GCAI will be collaborating on diverse activities including offering innovative courses which can provide practical insights in diverse areas of law for students and professionals. The first program under this collaboration- 'The Start-Up Mindset'- a short course that explores the practical aspects behind the growing start-up businesses in India, was launched in February 2022.

### **Cyber Forensics Lab**

The National e-Governance Division (NeGD), under the Ministry of Electronics and Information Technology, Government of India signed an MoU with NLU Delhi, and National Law Institute University (NLIU), Bhopal, to set up a Cyber Lab for 'Online Capacity Building Programme on Cyber Law, Crime Investigation and Digital Forensics'. The cyber lab will allow police officers, cyber cells of states, law enforcement agencies, prosecutors and judicial officers to gain skills to deal with cyber forensic cases in an efficient manner by following the Indian Cyber Law. Under this partnership the officials will be provided a nine-months online PG diploma-certified course. While the officers will be trained at the designated cyber lab at the campus of NLU Delhi, the PG Diploma Certificate will be awarded by NLIU, Bhopal.

### **L2Pro Master Classes**

The Centre for Innovation, Intellectual Property and Competition (CIIPC) in collaboration with the IPR Chair at NLU Delhi and Cell for IPR Promotion and Management (CIPAM), Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry started a series of Master Classes on Introduction to L2 Pro E-Learning Platform for IPR Training and Awareness. The Online Master Classes are aimed at raising awareness regarding intellectual property rights amongst students and to prepare them to navigate the L2Pro platform, its content and assessments. The course is being offered to all Indian university students across disciplines.

### **Telecom Law Reform Project, 2021**

The Department of Telecommunications (DoT), Ministry of Communications, Government of India has engaged National Law University Delhi for updating and overhauling India's current telecom laws - Indian Telegraph Act and Indian Wireless Telegraphy Act in the backdrop of the government's ambitious Digital India programme. The project team is led by the Vice-Chancellor, National Law University Delhi, supported by NLU Delhi faculty, research consultants including Senior Advisors from IIT Delhi, Indian Council for Research on International Economic Relations & Industry representatives.

Internationalization

National Law University Delhi pro-actively explores possibilities of engaging and collaborating with reputed international universities. For this purpose, we have set up a dedicated International Relations Office (IRO) that coordinates our international engagements with universities across the globe. Our partnerships with international institutes have paved the way for several meaningful student and faculty exchange programmes that facilitate collaborative research, promote exchange of ideas, increase global awareness and build global networks. The University of Bergen, Norway and Mykolas Romeris University, Lithuania regularly offer Erasmus Plus Scholarships to NLU Delhi students. In the last four years, University of Bergen has offered scholarships to 16 students and Mykolas Romeris University has offered such scholarships to three of our students. For the academic session 2022-2023, nine more of our students are selected for scholarships by the University of Bergen.

## RESEARCH NEWS AND REPORTS

### **Centre for Law, Justice and Development**

Project on Rehabilitation of Survivors of Domestic Violence in collaboration with National Commission for Women. The project seeks to study the existing support structures with respect to domestic violence and thereafter draft a scheme for the rehabilitation of the survivors of domestic violence.

### **Centre for Communication Governance**

Submitted comments on the proposed draft of the Digital Personal Data Protection Bill, 2022 to the Ministry of Electronics and Information Technology, Government of India.

### **Centre for Communication Governance**

Submitted comments on the proposed draft Indian Telecommunication Bill, 2022 to the Department of Telecommunications, Ministry of Communication.

### **Centre for Communication Governance**

Submitted comments to Ministry of Electronics and Information Technology on the draft amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

### **Professor Harpreet Kaur**

- 'The Commercial Court Guide (India)' funded by the Department of Justice, Ministry of Law and Justice, Government of India, 2022.
- 'Regulation or over-regulation? A Regulatory Impact Assessment Study, funded by Tobacco Institute of India, 2022.

### **Dr. Iqbal Ahmed**

Study on certain issues relating to Waqf properties (Eviction of unauthorized occupant) Bill 2014, sponsored by the Ministry of Minority Affairs, Government of India, New Delhi.

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