



**SAMVĀD:**  
PARTNERS

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# **SYMPOSIUM**

**UNPACKING RESERVATIONS IN INDIA:  
THEORY, PRACTICE, AND BEYOND**

**SOLE ASSOCIATE PARTNER**

**Lexygen<sup>®</sup>**  
legal consulting

**DECEMBER 8, 2019**

**VENUE: NATIONAL LAW SCHOOL OF INDIA  
UNIVERSITY, BANGALORE**

**INVITATION  
BROCHURE**



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## INTRODUCTION

India's experiment with affirmative action, in the form of quota-based reservation policies, has often been faced with questions revolving around equality, non-discrimination, and dignity. The Indian Constitution affirmatively enshrines preferences to disadvantaged groups like women, children and marginalized castes, and since its inception, reservations have been the dominant framework for operationalizing these preferences. While the reservation policies have not been free of contestation, they have survived and expanded their reach over the years, and are now entrenched in Indian constitutional law and politics. However, debates over India's reservation model of affirmative action have now again come to the forefront of the sites of constitutional contestation - given the recent introduction of the Constitution (One Hundred and Third Amendment) Act, 2019, the rising instances of demands for quota by politically powerful communities, and the use of reservations for domicile-based protections, among other things.

The XIII NLSIR-Samvād: Partners Symposium seeks to address some critical gaps in this conversation and generate a platform for structured discussion on this pertinent issue. The Symposium is divided into three Sessions. In Session I, titled 'Reservations: Rethinking Roots in Constitutionalism', we seek to achieve a re-imagination of the constitutional understandings of substantive equality, dignity and opportunity, informed by recent political and jurisprudential thought. Session II, titled 'Mapping the Reservations Landscape: Policies and Precedents', would use the normative constitutional framework constructed in Session I to assess the recent practice of reservations in India - both by the legislature and the judiciary. Lastly, Session III, titled 'Deepening and Widening Affirmative Justice: The Way Forward', seeks to initiate a policy discussion on the possible routes that could take affirmative action in India forward, from the place it is in, at this point in Indian constitutional politics.

The deliberations of this Symposium will be reduced to a report which will be published in Volume 32(2) of the National Law School of India Review.



## TENTATIVE SCHEDULE

DECEMBER 8, 2019

### WELCOME ADDRESS

MS. HRISHIKA JAIN & MS. NIHARIKA SHARMA, EDITOR-IN-CHIEF & DEPUTY EDITOR-IN-CHIEF, NATIONAL LAW SCHOOL OF INDIA REVIEW AT 9:00 AM

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### SESSION I: RESERVATIONS: RETHINKING ROOTS IN CONSTITUTIONALISM

9:15 AM TO 12:05 PM

PANEL:

- Dr. Anand Teltumbde, Professor, Goa Institute of Management, and civil rights activist
  - Dr. Sudhir Krishnaswamy, Vice-Chancellor, National Law School of India University.
  - Prof. N. Sukumar, Professor, Department of Political Science, University of Delhi
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**Lunch Break: From 12:05 PM to 1:00 PM**

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### SESSION II: MAPPING THE RESERVATIONS LANDSCAPE: POLICIES AND PRECEDENTS

1:00 PM TO 3:50 PM

PANEL:

- Mr. D. Shyam Babu, Senior Fellow, Centre for Policy Research
  - Dr. Anup Surendranath, Executive Director, Project 39A, and Professor, National Law University, Delhi
  - Ms. Kiruba Munusamy, Advocate, Supreme Court of India
- 

**High Tea: 3:50 PM to 4:20 PM**

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**SESSION III: DEEPENING AND WIDENING AFFIRMATIVE JUSTICE: THE WAY FORWARD**

4:20 PM TO 7:10 PM

PANEL:

- Dr. Amitabh Kundu, Distinguished Fellow at the Research and Information System for Developing Countries (New Delhi), and former Dean of the School of Social Sciences at Jawaharlal Nehru University
- Dr. Ajay Gudavarthy, Professor, Centre for Political Studies, Jawaharlal Nehru University
- Ms. Jayna Kothari, Senior Advocate, Supreme Court of India, and co-founder of the Center for Law and Policy Research

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CONCLUDING REMARKS: PROF. GOVINDRAJ HEGDE, FACULTY ADVISOR, NATIONAL LAW SCHOOL OF INDIA REVIEW AT 7:10 PM

VOTE OF THANKS: MS. HRISHIKA JAIN & MS. NIHARIKA SHARMA, EDITOR-IN-CHIEF & DEPUTY EDITOR-IN-CHIEF, NATIONAL LAW SCHOOL OF INDIA REVIEW AT 7:20 PM

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**Dinner: 7:30 PM onwards**

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## SESSION I

# RESERVATIONS: RETHINKING ROOTS IN CONSTITUTIONALISM

Dr. Teltumbde is a scholar and a civil rights activist. He has written extensively on the caste system and has advocated for Dalit rights. He is a highly qualified professional who enjoyed a successful career in management before becoming an academic. He is also a long time contributor to Economic and Political Weekly where he writes a column titled 'Margin Speak'. His writings combine an Ambedkarite perspective with a Marxist understanding of political economy, and highlight the failure of the Indian Republic in seriously confronting the challenges of caste violence and injustice.



**DR. ANAND TELTUMBDE**



**DR. SUDHIR KRISHNASWAMY**

Dr. Krishnaswamy is currently serving as the Vice Chancellor of National Law School of India University (NLSIU), Bangalore. He is a co-founder of Centre for Law and Policy Research, a not-for-profit organization involved in legal research and public interest intervention. He graduated from NLSIU, read the BCL and obtained a D.Phil. from Oxford University. His main areas of interest are constitutional law, administrative law, intellectual property law, legal education and legal theory. He was also the Dr. B.R. Ambedkar Visiting Professor of Indian Constitutional Law at Columbia Law School. He has written extensively on various constitutional law issues and has also authored a book titled 'Democracy and Constitutionalism in India: A Study of the Basic Structure Doctrine'.



Prof. Sukumar currently teaches at the Department of Political Science, University of Delhi. He was a fellow at Development Countries Research Centre from 2001 to 2015 in the University of Delhi, and is currently a member of the Advisory Committee of Centre for the Study of Discrimination and Exclusion at the Jawaharlal Nehru University. He has researched on reservation in education sector, and has written extensively about the Constitution of India and B.R. Ambedkar.



**PROF. N. SUKUMAR**



## SESSION II

# MAPPING THE RESERVATIONS LANDSCAPE: POLICIES AND PRECEDENTS

Ms. Munusamy is an advocate practicing in the Supreme Court of India. She is a social, political and judicial activist striving for social justice by eliminating all forms of discriminations, oppressions and inequalities in the society. She is working against various human rights violations in India, including caste and gender based discriminations, caste based atrocities against Dalits, violence against women, discrimination in the academic spaces, death penalty, state repression and prohibition of the inhuman practice of manual scavenging. She has filed several public interest litigations to bring judicial intervention in the issues of human rights violations. She also organizes and conducts awareness campaigns and workshops to educate the downtrodden, sexual minorities (LGBTQI) and Dalit women about their fundamental human rights and legal remedies.



**MS. KIRUBA MUNUSAMY**



**DR. ANUP SURENDRANATH**

Dr. Surendranath teaches constitutional law at National Law University, Delhi. He is the Executive Director of Project 39A, which comprises the Death Penalty Litigation Clinic and the Death Penalty Research Project. He worked on equality and anti-discrimination in the context of reservation (affirmative action) policies in India for his doctoral research at the University of Oxford. His research interests include access to justice, comparative human rights, judicial process, and criminal justice administration.



## SESSION II

# MAPPING THE RESERVATIONS LANDSCAPE: POLICIES AND PRECEDENTS

Mr. Babu is a senior fellow at Centre for Policy Research in New Delhi. His research interests include socio-economic mobility among Dalits, liberalisation and social justice, and the role of entrepreneurship in mobility. Mr. Babu has written extensively on caste, identity, and affirmative action policies. He has been critically acclaimed for his books *Dalit 'Question: Reforms and Social Justice'* (2003) and *'Defying the Odds'* (2014).



**MR. D. SHYAM BABU**



## SESSION III

# DEEPENING AND WIDENING AFFIRMATIVE JUSTICE: THE WAY FORWARD

Dr. Kundu is currently a Distinguished Fellow at the Research and Information System for Developing Countries. Until January 2014, he was a professor at the Jawaharlal Nehru University and is also the former Dean of the School of Social Sciences at Jawaharlal Nehru University. He was the Chairperson of the Post-Sachar Evaluation Committee set up by the Ministry of Minority Affairs, which recommended measures such as Diversity Index and Anti-Discrimination Legislation as tools to achieve equality. Dr. Kundu was also a member of the National Statistical Commission between 2006 and 2008, and has about thirty five books and three hundred research articles published worldwide, to his credit.



**DR. AMITABH KUNDU**



**DR. AJAY GUDAVARTHY**

Dr. Gudavarthy is currently an Assistant Professor at the Centre for Political Studies at Jawaharlal Nehru University, New Delhi. He has formerly taught at the National University of Juridical Sciences, Kolkata, as well as the National Law School of India University, Bengaluru. He is primarily interested in political theory (especially critical theory), contemporary political movements, post-colonial theory, and debates on civil society. He has authored several academic writings and also contributes to *The Hindu*, *Indian Express*, *Economic and Political Weekly*, etc. regularly. He was also a part of an international project titled 'Inequalities and Affirmative Action: Past Action and Future Agendas in India and Nepal' in collaboration with Goldsmith College, London University and Tribhuvan University, which attempted a comparative analysis of affirmative action policies in India, Nepal and Europe.



## SESSION III

# DEEPENING AND WIDENING AFFIRMATIVE JUSTICE: THE WAY FORWARD

Ms. Kothari is the co-founder of Centre for Law and Policy Research. She is a Senior Advocate and practices in the Supreme Court of India, and was awarded the Wrangler D.C. Pavate Fellowship in Cambridge University. Jayna's research and practice interests include constitutional law, gender and sexuality law, disability rights and discrimination law. She had argued in the Supreme Court in the recent constitutional challenges to Section 377 and adultery which were both decriminalised.



**MS. JAYNA KOTHARI**



## REGISTRATION DETAILS

S. NO.	TYPE	COST	BENEFITS
1.	Accommodation	Rs. 1000	<ul style="list-style-type: none"><li>· Confirmed delegate slot</li><li>· Lunch</li><li>· High Tea (afternoon)</li><li>· Dinner</li><li>· Certificate of Participation</li><li>· Delegation room at NLSIU's Learning Centre</li><li>· Complimentary copy of the NLSIR</li></ul>
2.	Non-Accommodation	Rs. 600	<ul style="list-style-type: none"><li>· Confirmed delegate slot</li><li>· Lunch</li><li>· High Tea (afternoon)</li><li>· Dinner</li><li>· Certificate of Participation</li><li>· Complimentary copy of the NLSIR</li></ul>

### STEPS FOR REGISTRATION:

1. Register at <https://docs.google.com/forms/sdE21R2Yt>
2. Upon registration, we will send you details for payment of the registration fee.
3. Once payment is made, your registration will be confirmed.



## GETTING TO THE NATIONAL LAW SCHOOL OF INDIA UNIVERSITY BANGALORE

### From the Airport

The airport is 42kms away from the campus, and is usually navigated by either bus, or by a cab, taking close to an hour and half. Airport buses are available both from the airport to the Vijayanagar bus stand, and from the Vijayanagar bus stand to the airport (at regular intervals). Either Ola or Uber are the recommended modes of travel. The Airport has designated stands for Ola and Uber.

See - <http://goo.gl/maps/rWxt>

### From the Railway Stations

⊖ **Bangalore City Junction (Majestic)** – This is the central railway station located 8 kms from the campus, which takes around 40 minutes to cover.

See - <http://goo.gl/maps/wQ2M>

⊖ **Yeshwanthpur** – This railway station is situated at a distance of 11 kms from the campus, further north from the Bangalore City Junction. This distance also takes close to 40 minutes to cover.

See - <https://goo.gl/maps/p4QDL89tXsDVsx9>

⊖ **Bangalore Cantonment** – This station is 14 kms away from the campus, and is further north-west from the City Junction. This distance takes around 55 minutes to cover.

See - <http://goo.gl/maps/4TIS>

### From the Bus Stand

⊖ **Majestic** – This is the central bus stand located 8 kms from the campus, which takes around 40 minutes to cover. It is situated right next to the Bangalore Central Junction railway station.

See - <https://goo.gl/maps/gZ4zoiqR2uKrYvkw5>

⊖ **Satellite Bus Stand** – This bus stand is close to the campus at a distance of only 5 kms. Most buses from Majestic, especially interstate buses, transit through this bus stand as well.

See - <https://goo.gl/maps/TRKjxpgNDetH9Hwy8>

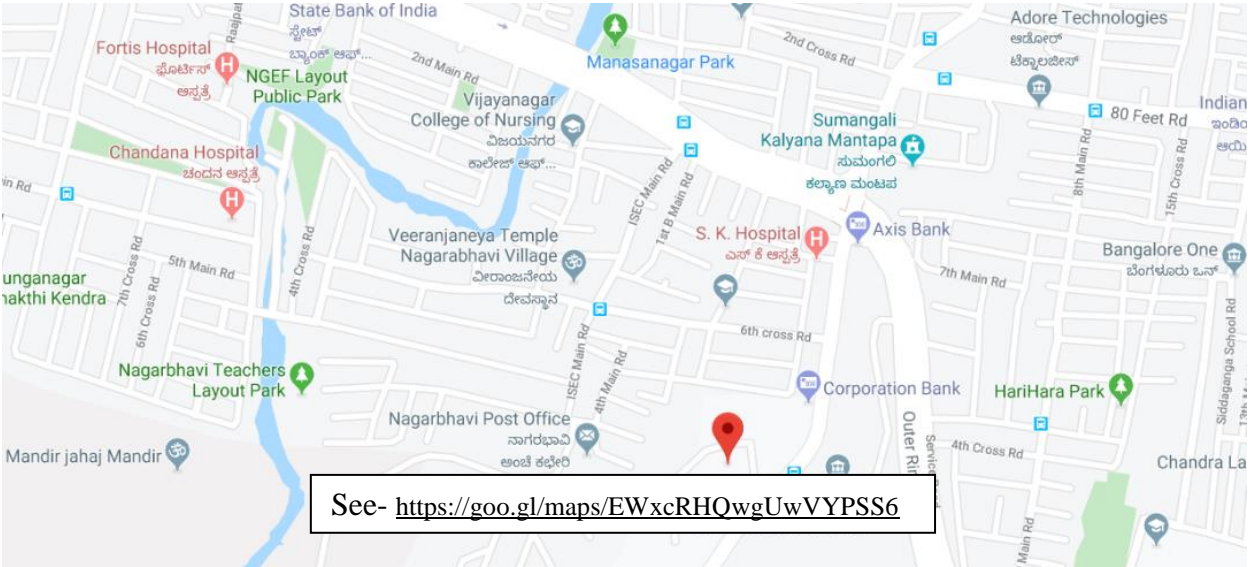
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# THE VENUE



## NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BANGALORE



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Please contact us at:

Editor-in-Chief, National Law School of India Review,  
C/o National Law School of India University,  
Nagarbhavi, Bangalore – 560072

Ms. Hrishika Jain  
Editor-in-Chief:  
hrishikajain@nls.ac.in  
+91-9620242313

Ms. Niharika Sharma  
Deputy Editor-in-Chief  
niharikasharma@nls.ac.in  
+91-9468965073

Official NLSIR Email: [mail.nlsir@gmail.com](mailto:mail.nlsir@gmail.com)