

National Conference for High Court Justices on Development of Constitutional Law by the Supreme Court & High Courts [P-1405]
04th – 05th May, 2024

Programme Coordinator – Paiker Nasir, Faculty, NJA

TENTATIVE PROGRAMME SCHEDULE

04th May, 2024 SATURDAY	DAY-1
10:00 AM -11:30 AM	<u>SESSION 1</u> Constitutional Interpretations: Reflection on Transformation, Continuities & Constitution’s Silences <i>Proposed scope of discussion:</i> <ul style="list-style-type: none"> • Principles of Constitutional Interpretation; Textualism, Originalism, Structuralism Doctrinarism and Minimalism • Interpreting the Constitutional Sounds & Silences • Tracing “Transformative Constitutionalism” & its Scope • Authority of Dissents & Their Potential Resurrection
<i>11:15AM – 11:30AM Q&A/Discussion)</i>	
11:30 AM - 12:00 PM	Tea Break
12:00 PM - 01:30 PM	<u>SESSION 2</u> Development of Constitutional Morality: Adhering to the Constitutional Norms & Ethos <i>Proposed scope of discussion:</i> <ul style="list-style-type: none"> • Evolution of Constitutional Morality Vis-à-vis Social Morality - The Judicial Approach • Doctrine of “Non-Retrogression” & “Manifest Arbitrariness” • Judicial Innovation <i>vis-à-vis</i> Constitutional Trust
<i>(01:15PM – 01:30PM Q&A/Discussion)</i>	
01:30 PM - 02:30 PM	Lunch Break
02:30 PM – 04:00 PM	<u>SESSION 3</u> Affirmative Action, Equal Opportunity & Diversity: The Court’s Adoption and Jurisprudential Evolution <i>Proposed scope of discussion:</i> <ul style="list-style-type: none"> • Constitutional Underpinnings to Reservations • Concept of “Creamy Layer” • Right to Choose & Hire <i>versus</i> Reservation • Substantive Equality • 102nd & 103rd Constitutional Amendments
<i>(03:45PM – 04:00 PM Q&A/Discussion)</i>	
04:00 PM	Tea

05th May, 2024 SUNDAY	DAY-2
10:00 AM -11:30 AM	<u>SESSION 4</u>
Judicial Review of Legislative & Administrative Actions	<u>Proposed scope of discussion:</u>
(11:15AM – 11:30AM Q&A/Discussion)	<ul style="list-style-type: none"> • Judicial Review of Legislative Process, Legislative Competence and Constitutional Limitations • Institutional Limitations of the Judiciary in Reviewing the Legislative Action • Contours of “Due Process” & “Procedural Fairness” • Grounds for Judicial Review of Administrative Action: Illegality, Irrationality, Procedural Impropriety & Proportionality • Principles of Judicial Review & Proportionality
11:30 AM - 12:00 PM	Tea Break
12:00 PM - 01:30 PM	<u>SESSION 5</u>
Judicial Activism versus Judicial Restraint: Evolving Jurisprudence	<u>Proposed scope of discussion:</u>
(01:15PM – 01:30PM Q&A/Discussion)	<ul style="list-style-type: none"> • Power of ‘<i>suo moto</i>’ cognizance • Strengthening “Rule of Law” • Contemporary Scenario of Judicial Activism and Overreach • Separation of Powers • Judiciary and Media
01:30 PM	Lunch Break & Departure

Academic Coordinator

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Administrative Assistance

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