

National Conference on Development of Constitutional Law by the Supreme Court & High Courts [P-1314]

Date: 12- 13 November 2022

Place: National Judicial Academy (NJA), Bhopal

TENTATIVE PROGRAMME SCHEDULE

DAY-1: 12.11.2022 SATURDAY	
<p>9:30 AM -11:00 AM</p> <p><i>(10:45AM – 11:00AM Q&A/Discussion)</i></p>	<p style="text-align: center;"><u>SESSION 1</u></p> <p style="text-align: center;">Constitutional Interpretations: Reflections on Transformation, Continuities & Constitution’s Silences</p> <p><i>Proposed scope of discussion:</i></p> <ul style="list-style-type: none"> • Principles of Constitutional Interpretation; Textualism, Originalism, Structuralism Doctrinalism and Minimalism • Interpreting the Constitutional Sounds & Silences • Tracing “Transformative Constitutionalism” & its Scope • Authority of Dissents & Their Potential Resurrection
<p>11:00 AM - 11:30 AM</p>	<p>Tea Break</p>
<p>11:30 AM - 1:00 PM</p> <p><i>(12:45PM – 1:00PM Q&A/Discussion)</i></p>	<p style="text-align: center;"><u>SESSION 2</u></p> <p style="text-align: center;">Development of Constitutional Morality: Adhering to the Constitutional Norms & Ethos</p> <p><i>Proposed scope of discussion:</i></p> <ul style="list-style-type: none"> • Evolution & Contours of Constitutional Morality • Judicial Approaches to Constitutional Morality • Doctrine of “Non-Retrogression” & “Manifest Arbitrariness” • Judicial Innovation <i>vis-à-vis</i> Constitutional Trust
<p>1:00 PM - 02:00 PM</p>	<p>Lunch Break</p>
<p>2:00 PM – 3:30 PM</p> <p><i>(3:15PM – 3:30PM Q&A/Discussion)</i></p>	<p style="text-align: center;"><u>SESSION 3</u></p> <p style="text-align: center;">Affirmative Actions, Equal Opportunity & Diversity: An Evolving Jurisprudence</p> <p><i>Proposed scope of discussion:</i></p> <ul style="list-style-type: none"> • Constitutional Underpinnings to Reservations • Concept of “Creamy Layer” • Right to Choose & Hire <i>versus</i> Reservation • Substantive Equality • SEBC & 102nd Constitutional Amendment
<p>03:30 PM</p>	<p>Tea Break</p>

DAY-2: 13.11.2022**SUNDAY****SESSION 4**

Judicial Review: Judicial Review of Legislative & Administrative Actions

9:30 AM -11:00 AM*(10:45AM – 11:00AM
Q&A/Discussion)***Proposed scope of discussion:**

- 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

11:00 AM - 11:30 AM**Tea Break****SESSION 5**Judicial Activism *versus* Judicial Restraint: Evolving Jurisprudence**11:30 AM - 1:00 PM***(12:45PM – 1:00PM
Q&A/Discussion)***Proposed scope of discussion:**

- Power of ‘*suo moto*’ cognizance
- Strengthening “Rule of Law”
- Contemporary Scenario of Judicial Activism and Overreach
- Separation of Powers
- Judiciary and Media

1:00 PM - 1:15 PM*Audit of the Course by Participant Justices***1:15 PM****Lunch Break & Departure****Coordinators**

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