

Government Law College, Mumbai
Students for the Promotion of
International Law, Mumbai

SOUVENIR
2019



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About Government Law College, Mumbai

Any discussion of the Indian legal system and culture today is incomplete, in fact, meaningless without a mention of Government Law College, Mumbai. When one looks back over the years, one becomes aware of the immeasurable role this pioneering law institution has played in the judicial, political, social and historical background of India. The Government Law College, Mumbai, with its illustrious history and a heritage spanning over a century and a half, has nurtured some of the greatest minds of today, not only in the field of law but in various other walks of life. In the 164th year of its glorious existence, this premiere institute of legal training has upheld its tradition of producing



meritorious legal scholars who dedicate themselves to public service and reform. The generations of distinguished legal luminaries who have been nurtured by this unique institution have made a seminal contribution globally to the evolution of the legal fraternity.

The alumni of Government Law College have been pivotal in placing India on the globe even before she became independent. The great freedom fighter Lokmanya Balgangadhar Tilak was an alumnus of this institution. The former President of India, Smt. Pratibha Devisingh Patil and the longest serving Chief Justice of India, Late Hon'ble Justice Y. V. Chandrachud also received their legal education from Government Law College.

The College also boasts of a history of an illustrious faculty including Chief Justice M. C. Chagla, Badruddin Tyabji, G. S. Rao, V. F. Taraporwala, N. H. C. Coyajee, B. G. Gokhale, S. G. Patwardhan, N. A. Palkhivala, and Tehemtan Daruwala among others. Legal stalwarts such as Sir Dinshaw Mulla, Sir Bomanji Wadia and Shri. A. A. A. Fyzee along with Independent India's first Law Minister and one of the principle architects of India's constitution- Dr. B. R. Ambedkar, have served as Principals of this historic Institution. With the strength of its glorious past, Government Law College strives incessantly and unremittingly towards a grand future.

About Students for the Promotion of International Law, Mumbai

In an increasingly integrated world with growing trans-national interactions, the significance of International Law has never been greater. We, at Students for the Promotion of International Law (SPIL) Mumbai, strive towards taking legal studies to an empirical level and promoting law as an area of enquiry and study far beyond the realms of classrooms.



To further this aim, SPIL, Mumbai, at the outset of each academic year, organizes a string of Workshops, Idea Exchange Programmes, Paper Presentations and Debates to orient students with the Basics of International Law, Interpretation of Judgments, Legal Writing and Mooting in International Law. After the resounding success of the 1st Report Deliberation Competition, 2012, SPIL also organised the Intra Judgment Deliberation Competition, 2013, where students acted as Judges of the International Court of Justice. SPIL has always taken pride in the help that it offers to every student who expresses an interest in International Law.

2018-19 has been an incredibly successful year for Students for the Promotion of International Law (SPIL), Mumbai. The year began with informative lectures organized by the committee, encompassing various facets of International Law, conducted by professors and experts for the benefit of newly enrolled students. Members of SPIL were presented with opportunities to enrich their understanding of International Law through various seminars and workshops which focused on the trifles of drafting judgments, reports and research papers.

The 4th Mumbai Judgment Deliberation Competition, 2018, organized by SPIL, Mumbai, witnessed participation from across law colleges in Mumbai where students personated the judges of the Supreme Court of India, deliberated on a judgment dealing with Humanitarian Law in the Indian Subcontinent.

SPIL, Mumbai seeks to contribute to legal education by promoting international law, encouraging communication and co-operation among students and lawyers globally. It resolves to bolster social responsibility in the field of law, increase opportunities for students to learn about cultures and legal systems worldwide and publicize educational and career opportunities in international law.

Message from the Vice-President of India



डि. प्रशांत कुमार रेड्डी, भा.प्रशा.से.
D. Prasanth Kumar Reddy, IAS

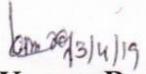


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PRIVATE SECRETARY
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MESSAGE

The Hon'ble Vice President of India is happy to know that Students for the Promotion of International Law (SPIL), Government Law College, Mumbai, is organizing 'Maharashtra Treaty Appreciation Competition, 2019' and a panel discussion on 'Data Localisation: A Solution for Privacy Concern' on April 13, 2019.

The Hon'ble Vice President extends his greetings and congratulations to the organizers and participants and wishes the event all success.


(D. Prasanth Kumar Reddy)

New Delhi
3rd April, 2019.

Message from the Governor of Maharashtra



Ch. Vidyasagar Rao
GOVERNOR OF MAHARASHTRA



RAJ BHAVAN
Malabar Hill
Mumbai 400 035
Tel. : 022-2363 2660
Fax.: 022-2368 0505

01 April 2019

MESSAGE

I am pleased to know that Students for the Promotion of International Law (SPIL), Mumbai at Government Law College, Mumbai are organizing their Flagship Event on the theme International Data Protection Law and Privacy on Saturday, 13th April 2019.

I wish and hope that the participants and committee members will get new insight into the theme subject and find the discussion extremely useful.

I convey best wishes for the success of the Flagship event and wish the participants fruitful deliberation.


(Ch. Vidyasagar Rao)

Message from the Minister of School Education, Sports and Youth Welfare, Higher and Technical Education, Marathi Bhasha, Cultural Affairs, Minorities Development and Wakf, Maharashtra



Vinod Tawde
Minister
School Education, Sports and
Youth Welfare, Higher and
Technical Education, Marathi Bhasha,
Cultural Affairs, Minorities Development and
Wakf

GOVERNMENT OF MAHARASHTRA
Mantralaya, Mumbai 400 032
www.maharashtra.gov.in



Date : 01.04.2019

MESSAGE

I am pleased to know that Government Law College Students for the Promotion Of International Law (SPIL), Mumbai are conducting their flagship event on 13th April 2019, and the publication of a souvenir of the occasion.

As an esteemed institution in the field of legal education, Government Law College holds a position of eminence, with a reputation for excellence, rich heritage and pedigree. The institution's commitment in moulding and grooming it's students through workshops, lectures and discussions under the guidance and tutelage of legal luminaries, is indeed praiseworthy. Initiatives such as the 'Treaty Appreciation Competition 2019' and 'Panel Discussion on Data Localisation: A Solution for Privacy Concerns', will certainly go a long way to broaden perspectives and encourage rational discourses. The theme of discussion is more pertinent than ever before, with the tremendous growth of transnational interactions. The highly analytical and thoughtful discussions during these sessions will add to ever-evolving pool of knowledge, and contribute to revolutionise the legal environment.

Once again, best wishes for the flagship event and the publication of the souvenir, and also for your future endeavours.

Thank you.

Yours,

(Vinod Tawde)

Message from the Principal's Desk



International Data Protection laws seek to protect people's data by providing individuals with rights over their data, imposing rules on the way in which companies and governments use data, and establishing regulators to enforce the laws. New challenges are also emerging in the form of new technologies and business models, services, and systems increasingly rely on analytics, 'Big Data', data sharing, tracking, profiling, and artificial intelligence.

On this background, the choice of International Data Protection Law and Privacy as the theme for the year is appropriate. SPIL, Mumbai has always endeavored to bring law students and legal stalwarts to debate and discuss on topics under International Law most relevant to the times we live in; a practice that will aid nation-building by fostering in them a spirit of enquiry and bring a fresh perspective to way the law is interpreted.

The organization of the event is the product of the collective efforts of many persons, all of whom deserve my most sincere thanks. At the outset, I must thank the Professors In-Charge of SPIL, Mumbai, Prof. Vismay Shroff and Prof. Sunita Masani for their constant support to the students in all the activities they organized during the academic year. Special thanks to Prof. Kishu Daswani whose guidance and assistance at all stages has been invaluable.

Next, I take this opportunity to congratulate Ms. Priyanka Rathore, Ms. Janhavi Patankar and Mr. Brihad Ralhan under whose leadership SPIL, Mumbai has succeeded in making this event a success. Further, the core of the committee comprising Ms. Anusha Shah, Ms. Anushka Mehta, Ms. Disha Mantry, Ms. Harshita Jhavar, Mr. Kushan Kode, Mr. Mehul Bachhawat, Ms. Nidhi Raj, Mr. Pratik Saini, and Ms. Shrutika Barabde has shown exemplary dedication and its tireless efforts and worked as a great team. Kudos to all the members and volunteers of SPIL, Mumbai for providing all the help and logistical assistance required to put up a great show.

Finally, I would like to thank all our alumni, judges, moderators, panelists and every single person involved in the organizing the flagship event and for their continuous and overwhelming encouragement and support. The event would not have been possible without you. I also thank all the delegates and participants from various colleges for their participation and contribution to the Summit and wish them well. On the close, heartiest congratulations to the winners!

Smt. Suvarna K. Keole,
Principal,
District and Additional Sessions Judge,
Government Law College, Mumbai.

Message from Professor In- Charge



The Students for the Promotion of International Law or SPIL as they are referred to, have been at the forefront of disseminating information on and engaging in, activity related to the sphere of International Law. Indeed, this body has been doing so, long before it was a fashionable thing to do and well before it was an inescapable facet of legal scholarship, practice and legal activity, in general. With increased focus on the internationalization of law, there have been new challenges, such as those of zeroing in on areas of relevance and providing definition to the ever-increasing penumbra of international law.

The career choices for an Indian lawyer today are much more varied and plentiful than they were a decade ago and with good reason. We as humans are witnessing the greatest velocity in technological advancement and are well into the phase of what was once considered science fiction, merely decades ago. As International Lawyers, we must stand firm to our legal roots, but embrace all things new and all things that seem new, but are not. By the former, I mean new technology and by the latter, I mean our varied cultural heritages and their attendant legal forms. When you think about it, it is not that we lawyers are best placed to do this job, but in fact, are the only ones who can do it right. A big responsibility, this, then.

We are grateful as always to our sponsors who make all things possible for us and also our supporters both student and non-student alike who continue to propel us to give of our best and raise the standard of discourse, which is essential in making a lawyer, a complete professional.

Prof. Vismay Shroff,
Professor In-charge,
Students for the Promotion of International Law, Mumbai

Message from the President



"Great things are brought about and burdens are lightened through the efforts of many hands anxiously engaged in a good cause." ~ Elder M. Russel Ballard

The Flagship Event of Government Law College has thrived to become one of the most towering and awaited conferences of the year. What began as an academic endeavor for the promotion of International Law within the college is now an eclectic mix of competitions, workshops, panel discussions and call for papers; attracting participants, delegates, international law professionals, academicians, knowledge leaders and policy makers from across the globe.

The Theme for our Flagship Event, 2019, organized by the Students for the Promotion of International Law (SPIL), Mumbai is 'International Data Protection and Privacy'. On behalf of SPIL, Mumbai, I take this opportunity to extend my deepest gratitude to Mr. Aditya Raut, Mr. Amoolya Vassa, Mr. Faisal Farooqui, Mr. Ritesh Bhatia. I would also like to extend my sincere gratitude to Prof. Kishu Daswani for sparing their valuable time to judge the Treaty Appreciation Competition. I would like to extend my heartfelt gratitude to Mr. Divij Joshi, Research Fellow at Vidhi, Bengaluru for drafting the Competition Module of the Treaty Appreciation Competition. A special thanks to the alumni of the college and members of the legal fraternity for all their contribution and support. The confidence and faith shown by our Principal, District and Additional Sessions Judge Smt. Suvarna K. Keole, Principal, Government Law College, Mumbai, has been a strong motivation to SPIL, Mumbai. I extend my special thanks to Prof. Sunita Masani, our senior faculty advisor and Prof. Kishu Daswani our mentor, along with Prof. Vismay Shroff, our Professor in-charge.

This Souvenir is a symbol of gratitude to those who had laboured untiringly to make our Flagship Event a success and a moment to honour those who helped it to reach the glory it has reached today. My especial word of deep gratitude to Mr. Brihad Ralhan and Ms. Janhavi Patankar for being the inevitable pillars to SPIL, Mumbai throughout the year. In particular, I would like to thank Mr. Brihad Ralhan, Ms. Janhavi Patankar, Ms. Anusha Shah, Ms. Anushka Mehta, Ms. Disha Mantry, Ms. Harhsita Jhawar, Mr. Kushan Kode, Mr. Mehul Bachhawat, Ms. Nidhi, Mr. Pratik Saini, Ms. Shrutika Barabde for their hard work, perseverance and dedication towards our cause. I extend my sincere gratitude to my predecessors and colleagues, in particular Ms. Krutika Chitre, Mr. Utkarsh Srivastava, Ms. Anvita Mishra, Mr. Aayush Raman, Mr. Shadab Jan, Ms. Shilpa Singh, Mr. Aayush Kevlani, Ms. Poorva Kaushik, Ms. Saloni Tyagi, Mr. Vedant Churi Mr. Avirup Mandal, Ms. Dikhshita Baruah for all their assistance and support in the course of the year. It has been a privilege to contribute successfully in organizing this Flagship Event. I hope this Conference is truly an enriching experience for all the delegates, participants and attendees from across the world.

Ms. Priyanka Rathore,
President,
Students for the Promotion of International Law (SPIL), Mumbai.

9th Government Law College International Law Summit, 2018

The 9th Government Law College International Law Summit, organized by the Students for the Promotion of International Law (SPIL), Mumbai, was held from 9th March to 11th March 2018, encompassing various illuminating seminars, an engaging Panel Discussion, Webinars, Call for Papers and two novel competitions – the Treaty Appreciation Competition (TAC) and the Judgment Deliberation Competition (JDC).

The theme for the 9th Government Law College International Law Summit, 2018, supported by the World Trade Organization (WTO), Geneva, was 'International Humanitarian Law', for which, in the present time of appalling violence across the globe; there is a need to revisit and reanalyse it. A phenomenal success yet again, the Summit, 2018, received attention from diverse sections of the legal fraternity and eclectic intelligentsia from all over the country and around the world. The first day of the 9th Government Law College International Law Summit, 2018 commenced in a grand fashion by the sheer stature and the august presence of the esteemed guests presiding over the event, among other eminent personalities.

The Keynote speaker was Mr. Kishore Mandhyan, Former Director, Executive Office/Cabinet of United Nations Secretary General began his address by explaining the role of UN in international humanitarian crisis and astutely summarised it by quoting Dag Hammarskjöld, 'The role of UN is not to make the world heaven but to prevent it from being hell'.

The Guest Speaker next in line was Mr. Girish Kuber, Editor, LokSatta elucidated on the history of oil politics and linked it to humanitarian issues by supporting his claims with instances such as the U.S. funding the Taliban in Afghanistan in return for the establishment of the Trans-Afghanistan Pipeline Project. Next, Ms. Jasdeep Randhawa, Transboundary Water Specialist, World Bank, threw light on possible solutions that can be adopted such as conflict prevention, usage of early warning systems, empowerment of local actors, change in public perception, use of technology, encouragement to local entrepreneurship and budgetary changes for addressing humanitarian issues. Maika Oshikawa: Officer in Charge, Accessions Division, WTO, thereafter joined us to deliver a webinar on the topic – 'WTO Accessions: Helping Conflict-Affected and Fragile Economies'. She elucidated upon the 2010 Dili Declaration of G7+ and the Kabul Communiqué of G7+ which focused on facilitating integration of post conflict economies into multi-lateral trading systems. Ms. Yukiko Koyama, Senior Protection Officer, UNHCR India and Ms. Ragini Trakroo Zutshi, Associate Protection Officer, UNHCR India, conducted another webinar on the topic – 'UNHCR's Global Mandate and Persons of Concern'. They discussed customary laws and principles like non-refoulement and international protection. A heart-warming welcome address by Judge Smt. Suvarna Keole, Principal, Government Law College, Mumbai, followed the unveiling of the Summit Souvenir. The day was finally brought to an end by the Vice-

President of SPIL, Mumbai, Ms. Dikshita Baruah, through her Vote of Thanks dedicated to all those who made the materialization of the Summit possible.

The second day of the Summit entailed the preliminary rounds of the Judgment Deliberation Competition (JDC) and the Treaty Appreciation Competition (TAC). The rounds of the TAC were judged by Prof. Kishu Daswani, Professor, Government Law College, Mumbai and by Ms. Sonali Mathur, Partner, AZB & Partners. The semi-final rounds of the JDC were judged by Mr. Vismay Shroff, Associate, Parimal K. Shroff & Co and Mr. Advait Sethna, Advocate, Bombay High Court.

The final day of the Summit entailed the final round of the Judgment Deliberation Competition. Mr. Rafique Dada, Senior Advocate, Bombay High Court, Mr. Shardul Thacker, Senior Partner, Mulla & Mulla & Craigie Blunt & Caroe, and Mr. Rizwan Merchant, Advocate, Bombay High Court presided over the final round of deliberations. Intensive deliberation by the teams and fierce questioning by our judges finally resulted in Pravin Gandhi College of Law, Mumbai, emerging as the winner of the Judgment Deliberation Competition, followed by Indian Law Society, Pune, securing the Runner-Up position. Symbiosis Law School, Pune bagged the Best Team in the Treaty Appreciation Competition, followed by NALSAR, Hyderabad as the runners up team. The Best Member, Ishita Soni was from Symbiosis Law School, Pune and the Best Critique was from NALSAR, Hyderabad. The engaging addresses were followed by a Paper Presentation session by the winners of the 'Best Paper' and 'Second Best Paper' of the Call for Papers, 2018. 'Lost in Ambiguity- Human Trafficking in Conflict Zones' by Chitresh Baheti and Kartikey Pandey, and 'Reinforcing India's Commitment to International Humanitarian Law- A Case for Ratification of Additional Protocols to Geneva Conventions' by Rohitesh Tak and Palada Dharma Teja were adjudged the 'Best Paper' and the 'Second Best Paper' respectively.

The apotheosis of the day was the highly engrossing Panel Discussion on 'Is India's Refugee Policy a Case of Smokes and Mirrors?' deftly moderated by Mr. Shardul Thacker, Senior Partner, Mulla & Mulla & Craigie Blunt & Caroe, that featured illustrious panellists including Mr. Rizwan Merchant, Advocate, Bombay High Court, Dr. K. M. Parivelan, Chairperson, Centre for Statelessness and Refugee Studies, TISS, Mumbai, Ms. Teesta Setalvad Indian Civil Rights Activist and Journalist, Mr. Vijay Hiremath, Advocate, Bombay High Court, Vismay Shroff, Associate, Parimal K. Shroff & Co. and Prof. Kishu Daswani, Professor, Government Law College, Mumbai.

The Panel Discussion witnessed an engaging exchange of viewpoints on India's stance on the issue of Rohingya refugees. The panellists analysed the principle of non-refoulment and India's response to similar situations in the past, wherein India granted asylum to Bangladeshi, Tibetan, Afghani and Sri Lankan refugees.

An earnest Vote of Thanks by the SPIL President –Mr. Avirup Mandal, tied together the events of the day, bringing a close to the 9th Government Law College International Law Summit, 2018.

Theme: International Data Protection Law & Privacy

Today with the advancement of technology and economic development, there is a constant increase in number of people accessing the internet. These people unknowingly share myriads of data with numerous public and private entities, including some enterprises they might not be aware of. Among the data shared, people also share certain critical and sensitive personal data with these entities. Personal data refers to information vis-à-vis individuals which include, inter alia, racial or ethnic origin,



political affiliation, physical and mental condition, biometrics, religious or similar believes and other such important sensitive information. Due to vast reach of internet throughout the globe it has become increasingly difficult for people to control their personal data and thus data protection becomes ever more important. Data Protection or Data Privacy is the process which ensures the safety of sensitive personal data of people. Its ultimate aim is to ensure that people have the final control over their personal data, i.e., they have the independence to decide things like who they share their information with, for how long and most importantly what type of information is shared.

Needless to say, data cannot be protected itself, therefore, a robust framework and fortifying laws are required to ensure that private sensitive information about people is adeptly stored and managed. Due to the lack of proper regulation and framework, data breach has become common and its implications are often undermined. The repercussions of data breach are far more reaching and severe. Thus, it is not unusual to see people suffer financial loss, identity theft, online fraud, and other reputational and legal damage due to such data breach. European Union's GDPR came into force on May 25, 2018 and is regarded as one of the strongest data protection regimes in the world. There's constant increase in the data protection laws around the globe. According to UNCTAD data protection tracker, over 100 countries around the world now have data protection laws in place. The sheer increase in data protection laws across the world is testament to data protection's rising importance on the global agenda. However, despite increasing recognition for and awareness of the right to privacy and data protection across the world, there is still a lack of legal and institutional processes and infrastructure to support the protection of rights. Some parts of the world in particular suffer from a void: a lack of regulatory and legal frameworks in many countries, and the poor implementation and enforcement in others. There is still a lot more that needs to be done, in an ideal world data protection would be harmonized across continents to ensure a more comprehensive and coherent global policy on the fundamental right to personal data protection, especially in the extraterritorial application of data. This would reduce the degree of flexibility with which countries can implement data protection requirements, and it will reduce confusion when data protection issues arise between countries.

Events from the Academic Year 2018-19

Students for the Promotion of International Law (SPIL) Mumbai, was born in furtherance of a desire to understand the tumultuous nature of International Relations and to promote a greater awareness and appreciation of International Law. The year 2018-2019, was dedicated to “International Data Protection Law and Privacy,” as the theme.

- SPIL, Mumbai in collaboration with The ADR, Cell at Government Law College had the opportunity to host Mr. Rahul Donde, on 31st August, 2018 who delivered an engaging lecture on “Investment arbitration: Procedural Aspects and a Reflection on the Indian experience”.

- The second edition of Intra Judgment Deliberation Competition was held on the 1st and 2nd of September, 2018. The participants from GLC represented the Judges of the International Court of Justice. As is customary, this year too, SPIL has maintained an unwavering focus on the dissemination of knowledge and promotion of International Law. Mr. Devansh Parekh won the final round while Mr. Rishab Murali and Ms. Niyati Karia were Runner Up and 2nd Runner Up respectively.



- SPIL, Mumbai also organized a lecture delivered by Prof. Kishu Daswani, on The Laws of War on the 28th of September 2018. With his vast knowledge and expertise, he took us through the various aspects of International Law and the present cases of importance across the world.



- SPIL, Mumbai in collaboration with The ADR, Cell at Government Law College also hosted an orientation session on “Chartered Institute of Arbitrators (CI Arb) student free membership scheme” on 3rd October, 2018.

- The 4th Mumbai Judgment Deliberation Competition held on the 20th and 21st of October, 2018, took up the need to discuss the Extradition treaty of India and Afghanistan and the implication of international laws and the government’s role in the present situation. Mr. Sahishnoo Karandikar & Ms. Deshna Golecha



from NMIMS Kirti P. Mehta School of Law won the final round while Mr. Devansh Parekh & Mr. Rishab Murali of Government Law College were Runners Up. Ashwini Chavan & Drasti Jain, another team of Government Law College were 2nd Runners Up.

Maharashtra Treaty Appreciation Competition, 2019



The Treaty Appreciation Competition (TAC) has been modelled on the procedures of various bodies in the international sphere entrusted with the task of evaluating and appraising the legality, consistency and rationality of treaties, codifications or other legislative documents. Participants are expected to launch an examination of the Competition Module presented to them, which comprises of a legislation, or codification, or amendments to the aforementioned, relevant to the

theme of the year.

The participants critique the proposition therein and recommend alterations, deletions or additions. The Treaty Appreciation Competition (TAC) aims at mobilizing a culture of innovation and problem solving. Previously, bodies such as the International Law Commission and the WTO have been chosen as the forum to facilitate this competition.

The competition consists of two rounds: first, a Written Critique Round and then Oral Rounds. The Oral Rounds of Deliberation are chaired by Special Rapporteurs, who after a brief introduction of the subject in discussion, preside over the sessions, which proceeds along the lines of the Agenda. Each item on the Agenda is allocated a specific period of time and is discussed over two sessions, spread over two days.

Each team comprises of two participants who are assigned a country code upon registration. The team nominates one member for each item on the agenda.

Drafter for the Treaty Appreciation Competition



Mr. Divij Joshi

-Research Fellow,
Vidhi Centre for Legal Policy

Mr. Divij Joshi is a lawyer and a legal researcher. He graduated from the National Law School of India in 2016, and joined the bar in 2017, while litigating at AZB & Partners in Bombay. He is presently a research fellow at the Vidhi Centre for Legal Policy, Karnataka. His research interests include internet governance, copyright law and access to knowledge.

Judges' Profile



Prof. Kishu Daswani

-Professor Government Law
College, Mumbai

Professor Kishu Daswani has been teaching law at the Government Law College, Mumbai for over 25 years. He is the Faculty Advisor and responsible for publication of The Law Review, Government Law College, the premier academic journal of the college. He is the founder member and the Coordinator for the Securities Law course at the College and has been appointed by the Governing Council of the College to work on Social empowerment of underprivileged in college.

He is a teacher at the Masters in Public Policy Program, Human Rights and Business Law at the St. Xavier's College, Mumbai. In the past he has taught at the University of Navarra, Pamplona, Spain, and has conducted lectures at the Maharashtra Judicial Academy, Uttan, Mumbai and at Deakin University, Melbourne, Australia. He also teaches International and Humanitarian Law at the Rotary Peace Centre at Chulalongkorn University, Bangkok, Thailand.

He has been invited on several panels to speak on International Relations and Human Rights. He has received accreditation as a trained Mediator by the High Court of Bombay and is a Member of LAW: Review, Reforms and Rationalisation Committee of the Indian Merchants Chamber. He is a Global Peace Index Ambassador. He is also a Resource person for the Harvard College in Asia Program and has conducted several workshops with national and International participants on Peace and Conflict Resolution.



Shahezad Kazi
-Counsel, S&R Associates

Shahezad Kazi graduated from Government Law College, Mumbai in 2006. He started his career with Negandhi, Shah & Himayatullah and practiced extensively in the Bombay High Court on a wide range of matters. Subsequently, he moved to Majmudar & Partners and was the Principal for the Dispute and Real Property teams. He has also worked briefly with A&L Goodbody at their Dublin office as an Indian attorney.

Presently, Shahezad Kazi is a part of S& R Associates and as Counsel has handled commercial, insolvency and regulatory litigation across India. He has also represented clients in domestic and international arbitrations.

Panel Discussion



Data Localisation is the idea that the personal data of individuals in a particular country should be processed and stored in that country. Its corollary is that the transfer of data across borders should be disallowed, or restricted.

The main intent behind data localisation is to protect the personal and financial information of the country's citizens and residents from foreign surveillance and give local governments the authority to call for the data when required. The controversy surrounding social media giant Facebook sharing user data with Cambridge Analytica – which allegedly influenced voting outcomes – has led to a global clamour by governments for localisation of data. The Personal Data Protection Bill (PDPB) 2018, based on the recommendations of the Justice Srikrishna Committee, has justified that data must be stored locally for 'effective enforcement' and to 'avoid foreign surveillance of data stored in India'.

Data Protection Committee's Report (released on 27 July 2018) along with PDPB 2018 contains the framework and the policymakers; insight on protection of personal data in India. The Reserve Bank of India (RBI) in April 2018 mandated that all data generated by the payment systems in India is to be stored in India within 6 months and thereafter submit a compliance report to RBI. This data should include the full end-to-end transaction details and information collected, carried, processed as part of the message/payment instruction.

RBI has issued this directive under Section 10(2) of the Payments and Settlement Systems Act, 2007 as a necessary requirement for safety and security measures, as most payment services have their data stored in international servers governed by foreign laws, thereby restricting the RBI's access to the data. The purpose behind this, RBI says, is "to ensure better monitoring, it is important to have unfettered supervisory access to data stored".

Countries like the US and the UK have often indulged in extraterritorial surveillance. While this move may enhance and secure surveillance on data by Indian authorities, but it may not be able to avoid surveillance by foreign countries, as reasoned by the Srikrishna Committee. It may not lead to enforcement of data protection, unless heavy data encryption and a strong IT infrastructure are put in place. The RBI's mandate certainly ensures continuous monitoring to reduce future risks. However, this might come at the cost of free flow of economy and business. With such powers of 'unfettered surveillance', RBI might be indulging in intrusive micromanagement. Ensuring effective formulation and implementation of privacy laws still remains a concern, in spite of the mandate. The Panel Discussion will focus on Data Localization and how RBI's mandate affects companies and the public at large. Differing perspectives by enigmatic personalities on Data Privacy Framework as an upcoming legislation will make for an engaging and lively discussion.

Panelists' Profile



Mr. Faisal Farooqui
-Founder & CEO
MouthShut.com

Mr. Faisal Farooqui is a highly recognized IT entrepreneur who is among the trailblazers of his generation. He was among the lead petitioners who challenged the various sections of the IT Act, which finally resulted in a victory for the entire nation, when the Supreme Court declared 66A as illegal and diluted many other sections. As a result no more arrests for speaking your mind. No more content takedown without a court order.

Mr. Farooqui is the founder and CEO of MouthShut.com, India's largest consumer review and recommendation platform, with reviews on lakhs of products. Faisal has addressed and presented at more than 500 national and international conferences and seminars including at IIM Ahmadabad, IIT Mumbai and Tedx. His work on Internet Technology, Branding, Entrepreneurship, social media and e-commerce has appeared or been profiled in almost all major newspaper and magazines and TV channels in India as well as Wall Street Journal, CNN, BBC and Financial Times. Mr. Farooqui is also internationally recognized for his thoughts on integrating consumer-generated content with mobile and social media. He served on the Internet Task Force of NASSCOM and was an advisor to TIE for India's new Copyright Act. The British High Commission has included him among the list of top 50 young leaders who've demonstrated potential to change the country. Mr. Farooqui has a degree in Information Systems and Finance from State University of New York.

He is a self-confessed tech geek, enjoys growing vegetables and loves horse-riding.



Mr. Aditya Raut
-Associate Partner,
Desai Desai Carrimjee & Mulla

Mr. Aditya Raut is an alumnus of Government Law College. He graduated in the year 2006. He enrolled as an Advocate with the Bar Council of Maharashtra & Goa on the 15th July, 2006. He heads the litigation and dispute resolution department of Desai Desai Carrimjee & Mulla.

He was awarded a scholarship in 2008 for studying private international law at The Hague Academy of International Law located in the precincts of The Peace Palace in The Hague, Netherlands. He secured a Post Graduate Diploma in Intellectual Property Rights from the National Law School of India University, Bangalore in June 2007.

He was featured in the Special Collectors Issue of the Magazine “BUSINESSWORLD” (April 2007 Edition) in the section relating to “Young Professional Indians”. He has been acknowledged in the Preface of the First Edition for my efforts in helping to write the “LEGAL LANGUAGE JHABVALA”, a book extensively used by law students to study the subject in India. The book was written by Professor Homer Pithawalla. Mr. Raut has written an extensively researched Article on “Trademark Infringement by Comparative Advertising” wherein, apart from the Indian law and case laws, he has also analyzed the law as it stood internationally along with the relevant case laws, as a part of the Dissertation for the Post Graduate Diploma in Intellectual Property Rights securing an “A” Grade in the same.



Mr. Amoolya Vassa
-Founder and Managing Director,
TRANSACTWORLD GROUP

Mr. Amoolya Vassa is undoubtedly a highly distinguished and reputed personality in the online payment industry. As the founder of the TRANSACTWORLD GROUP, the maiden end to end solution for the card absent industry, he is a developer par excellence.

Mr. Vassa's venture 'Paymentz' under TRANSACTWORLD GROUP provides state of the art white label payment gateway solutions. Operational in 60 countries worldwide, Paymentz offers unsurpassed innovative, unique and cost-effective Payment Industry related software products. Before starting his business in the online payment industry Mr. Vassa managed a family owned import/export trading business. When starting the new venture, the business naturally had to survive on a tight budget environment. As the business started to flourish and client base grew, the company managed to become a niche player acting on international lines. Now, the company has reached a point where the past years strategy to massively upgrade the system and investing in new products is picking up and the group is ready for an international mass scale of the business.



Mr. Ritesh Bhatia
-Founding Director of V4WEB

Mr. Ritesh Bhatia is the founding director of V4WEB- a top 25-company well known for creating secure web and mobile applications.

He is a certified Cyber Forensic professional from Asian School of Cyber Law and a certified ethical hacker from the International Council of E-commerce consultants. Apart from being a Search Engine Marketing (SEM) expert he solves cybercrime cases and has collaborated with corporate, government agencies and Mumbai Police. His recent case on busting a WhatsApp group that was circulating child pornography was well appreciated not just by the Indian police but also by Interpol. He has been involved in several cyber safety awareness campaigns ranging from 'new age cyber crimes' to 'predators in the cyber world'.

He is on the board of many companies, serving as a cyber security consultant and auditor. He has been instrumental in securing systems and critical business information from cyber-attacks. His key areas of interest include Infrastructure and Data Protection, Security Audits, Risk Assessment, Business Continuity, Disaster Recovery, New Age Cybercrimes, Dark Web and Digital Forensics. His articles are frequently published in widely known national newspapers and he also appears on national TV Shows of great repute.

Mr. Bhatia has been a very sought-after speaker to discuss issues related to new age cyber-crimes, mobile security, data privacy, cyber security and prevention at many conferences and organisations such as RBI, Anti-Narcotics Cell, Economic Offences Wing Indian Air Force, State Police, leading corporate houses, schools and colleges.

Along with his partner, Mrs. Nirali Bhatia who is a cyber psychologist, Mr. Bhatia has formed an anti-cyber bullying organisation called Cyber B.A.A.P. which stands for Cyber Bullying Awareness, Action and Prevention.



Mr. Divij Joshi

-Research Fellow,
Vidhi Centre for Legal Policy

Mr. Divij Joshi is a lawyer and a legal researcher. He graduated from the National Law School of India in 2016, and joined the bar in 2017, while litigating at AZB & Partners in Bombay. He is presently a research fellow at the Vidhi Centre for Legal Policy, Karnataka. His research interests include internet governance, copyright law and access to knowledge.

Message from the Vice-President



Since its inception in 2010, Students for the Promotion of International Law (SPIL) has witnessed monumental growth. What began as an endeavour to promote International Law within the college, SPIL Mumbai's flagship event today is one of the country's largest and most sought after gathering of legal enthusiasts. It is indeed an honour and a privilege to have been a part of SPIL and organize the Treaty Appreciation Competition and Panel Discussion themed on 'International Data Protection and Privacy Law'.

I would like to take this opportunity to thank the drafter and professors who have shown unwavering faith in us. On behalf of SPIL, Mumbai, I am utterly grateful to Mr. Divij Joshi, research fellow at the Vidhi Centre for Legal Policy, Karnataka for having deftly drafted the Competition Module for the Treaty Appreciation Competition. The unending support and guidance shown by Judge Smt. Suvarna K. Keole, Principal, Government Law College, Mumbai, our Professors-in-Charge, Prof. Sunita Masani and Prof. Vismay Shroff, Prof. Kishu Daswani, our mentor, and the college staff is what enabled us to strive to make this year's event a success. I would also like to extend my gratitude to all our panelists, who consented to address the delegates and participants in engaging discussions at the Panel Discussion and the Special Rapporteurs who judged the sessions of the Treaty Appreciation Competition.

The core committee and all members and volunteers deserve to be congratulated for their tireless efforts throughout the year. I thank Ms. Priyanka Rathore and Ms. Janhavi Patankar, for very ably heading the committee. Special thanks to the core organizing committee - Ms. Anusha Shah, Ms. Anushka Mehta, Ms. Disha Mantry, Ms. Harshita Jhavar, Mr. Kushan Kode, Mr. Mehul Bachhawat, Ms. Nidhi Raj, Mr. Pratik Saini and Ms. Shrutika Barabde for their diligence and efforts throughout the year. I owe a special mention to the alumni of the college and senior members of SPIL, Mumbai, Ms. Krutika Chitre, Mr. Utkarsh Srivastava, Ms. Anvita Mishra, Ms. Sarrah Khambati, Mr. Aayush Raman, Mr. Shadab Jan, Ms. Shilpa Singh, Mr. Aayush Kevlani, Ms. Poorva Kaushik, Mr. Priyesh Srivastava, Ms. Saloni Tyagi, Mr. Vedant Churi, Ms. Kyati Goel, Mr. Avirup Mandal, Ms. Dikshita Baruah, Ms. Heer Bataviya and Mr. Kush Mahtani for their valuable inputs and continuous hand-holding. In conclusion, a big thank-you to countless number of individuals, members from the legal fraternity for their humble efforts and able guidance which enabled us to raise the bar of the competition and the panel discussion and make it larger in grandeur and more extensive in its reach.

Mr. Brihad Ralhan

Vice President

Students for the Promotion of International Law, Mumbai

Message from the Vice-President



In today's globalised world, where legal problems span countries and involve regional and international treaties and laws, knowledge about International Law is considered to be almost essential. There is a significant demand for lawyers with this skill set. The establishment of SPIL, Mumbai was an attempt to encourage learning in this field. Since its inception in 2010, SPIL has grown as a committee and has continually been setting higher benchmarks with the passing of every successive year. Each year has soared to previous untouched levels surpassing the prior successes. Every academic year witnesses series of guest lectures, seminars, webinars, call for papers, panel discussion and two novel competitions- the Judgment Deliberation Competition (JDC) and the Treaty Appreciation Competition (TAC). The year 2018-19 revolved around the theme "International Data Protection Law and Privacy". We hope to have successfully explored various aspects of it. I sincerely hope the year was of great learning to all the students, participants, members and attendees.

The confidence and faith shown by our Principal, District and Additional Sessions Judge Smt. Suvarna K. Keole, Principal, Government Law College, Mumbai, has been a strong motivation to SPIL, Mumbai. I am sincerely grateful to our mentor, Prof. Kishu Daswani and our professors-in-charge, Prof. Vismay Shroff and Prof. Sunita Masani for their consistent, unequivocal support and guidance. I would also like to express heartfelt gratitude to all those who have formed an integral part of this event- the Panelists, Drafters, Judges, Guest Speakers and the Alumni.

This year in particular has been a challenge. But with the motto, 'The greater the obstacle, the more glorious is the triumph', embedded at the heart of the SPIL along with the indelible diligence and the dedication to the committee, the members have striven and left no stone unturned in overcoming the challenges barricading the path. Special thanks to all the core committee members and volunteers for labouring untiringly to make the year a success and helping us reach the glory we have reached today. Lastly, I thank Ms. Priyanka Rathore and Mr. Brihad Ralhan for ably heading the committee with great enthusiasm. They made the event possible with their constant support, encouragement and dedication. I am grateful to have shared the year with them. It has been a privilege to be part of SPIL, Mumbai and to be able to contribute to the successful organizing of the events. I wish luck and confidence to all the enthused participants and sincerely hope that this will be an enriching and cherished opportunity and experience for all.

Ms. Janhavi Patankar,
Vice-President,
Students for the Promotion of International Law (SPIL), Mumbai

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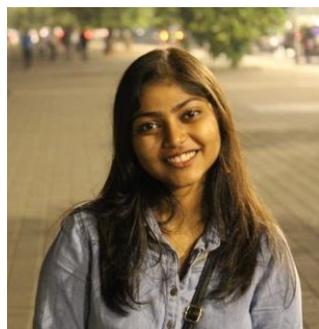
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The Members

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