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NLU MUMBAI

MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI
LAW HUMANITIES AND SOCIAL SCIENCES COLLECTIVE

LHSS Policy Drafting Competition 2023

Inaugural Edition

in association with



PLR
CHAMBERS



RTERC
IIM AHMEDABAD

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ABOUT MNLU MUMBAI

Maharashtra National Law University Mumbai, established under the Maharashtra National Law University Act 2014 on 20th March 2014, is one of the premier National Law Universities in India. The Act envisaged to establish a National Law University in Maharashtra to impart advanced legal education and promote society-oriented research in legal studies for the advancement of societal life of the people in the country. Hon'ble Dr. Justice D. Y. Chandrachud, Chief Justice of India is the Chancellor of the University and Hon'ble Justice S. V. Gangapurwala, Chief Justice of Bombay High Court is the pro-chancellor of the University, who not only guide but also inspire the institution with their novel ideas and rich experience in the field of law. The prime goal of the University is to disseminate advanced legal knowledge and processes of law amongst the students and impart in them the skills of advocacy, legal services, law reforms and make them aware and capable to utilize these instruments for social transformation and development.

ABOUT LHSS COLLECTIVE

The LHSS Blog of MNLU Mumbai, initiated in January 2022 metamorphosed into The LHSS Collective after 11 months of its inception as the founding vision of the blog stirred us to expand our operations, outreach and team. The LHSS Blog was formed due to an observable lack of platforms in the global south which were dedicated to studying the intersection between Law and Social Sciences. Hence, MNLU Mumbai approved the creation of such a platform. The faculty in charge for the blog is Dr Upamanyu Sengupta. LHSS aimed to function uniquely. Apart from functioning as a regular blog, LHSS successfully consolidated and curated the relevant literature produced in monthly roundups, apart from creating content like editorials, podcasts and such other forms, while actively commissioning and soliciting content from well-known personalities in this field among other things. The collective today delivers on all goals of the blog apart from a renewed approach to collaborating with like-minded sister organizations.

ABOUT PLR CHAMBERS

PLR Chambers is based out of New Delhi, India. The Firm's name (POLICY, LAW and REGULATION) underpins its unique approach to providing legal advisory services - Policy defines the framework within which governments and/or private parties understand any activity; Law represents the applicable statutory framework within the policy context; and Regulation reflects the actual application of law and policy by statutory/judicial/quasi-judicial authorities. The Firm applies these filters to any legal analysis for client-driven outcomes. Recognizing that a pigeon-holed approach undermines business and institutional cohesion in a dynamic environment, the firm believes that legal advice should be precise, actionable, and relevant.

The firm prides itself in providing practical advice, analyzing the policy, legal and regulatory implications, allowing clients to better understand and balance their priorities, with focus on business life-cycle advisory services. Combining unique public, private and non-profit experience and deep global relationships allows PLR Chambers to deliver results and create value and bring a unique approach to every client-scenario, and tailor effective and sustainable solutions that respond to clients' needs

ABOUT RTERC WINTER SCHOOL - IIM AHMEDABAD

The Right To Education Resource Center Winter School has been held annually since 2014 at the IIM Ahmedabad Heritage Campus. Spanned across five days the school includes activities, workshops and seminars conducted by practitioners in the development and policy sectors, faculty from esteemed institutions, government officials, civil society organizations and activists.

Past speakers include Manish Sisodia (Deputy Chief Minister, New Delhi), Athishi Marlana (member of Political Affairs Committee, Aam Aadmi Party), Ravish Kumar (Senior Executive Editor and TV News Anchor, NDTV), Professor Anil Gupta (Founder, Honey Bee Network, National Innovation Foundation), Mr. Bezwada Wilson (Founder, Safai Karmchari Aandolan) and Faculty of institutions such as Azim Premji University, IIT Delhi, and IIM-A including Professor Vijaya Sherry Chand, Professor Rohit Dhankar, Professor Reetika Khera.

Participants of the winter schools also included students, teachers, practitioners in development sector, and members of local government.

It concludes with participants proposing a practical project that they will undertake in the development sector. Past participants have worked on designing interventions and research studies in areas of social justice in education, policy implementation, technology integration in schools, sustainable waste management, Swacch Bharat Mission, etc.

ABOUT FIRST LHSS POLICY DRAFTING COMPETITION

The LHSS (Law, Humanities & Social Sciences) Collective is coming out with its first edition of Policy Drafting Competition.

As unscrupulous digital data collection poses a threat to our privacy and erodes trust in an ever intrusive digital healthcare system, a policy addressing digital healthcare privacy becomes critical. One that safeguards personal data, ensures informed consent, mandates robust security measures, and upholds legal compliance, all of which are essential for ethical and secure digital healthcare practices.

This competition offers a valuable opportunity for individuals to learn the nuances of policy drafting and hone their skills in that respect. Participants will gain insights into the entire drafting process, from identifying issues to striking a balance between idealism and pragmatism. Policy drafting enhances the capacity to observe current legal issues, propose solutions, and broaden their knowledge, analytical skills, and interpretation of the law. This event aims to provide a platform to tackle the pressing concern of privacy in the current digital healthcare framework. The competition seeks innovative policy solutions to address existing issues and aims to instil the importance and understanding of policy drafting among them. It encourages critical and creative thinking and inspires participants to develop innovative policies and contribute to overcoming challenges.

STRUCTURE

All participants will be required to attend a one day virtual orientation program conducted by our partners on nuances of policy drafting. Only after completion of this session, will the submission of policies by the participants be valid. The winners and runners up will be invited to defend their policies at a virtual conclave in February 2024.

In a bid to encourage insights from across disciplines, we are opening the submissions to participants from two categories, "Law" and "Other Disciplines". Please note that the marking scheme for participants under both the categories is the same.

LAW

All participants enrolled in a 5 year BA/BBA/BSc/BCom LLB programme/ 3 year LLB programme/an LLM programme/a research programme in law from a recognized institution of higher education in India.

OTHER DISCIPLINES

All participants enrolled in undergraduate/postgraduate/research programmes in any other discipline from a recognized institution of higher education in India.

PRIZES & INCENTIVES

All participants will receive certificates of appreciation. All winning policies will be published on the LHSS Website.

FIRST PRIZE (Law Category)-

- Internship Opportunity at the prestigious PLR Chambers
- Free access to all events of the LHSS Collective for a period of 1 year

RUNNERS UP (Law Category)-

- Internship Opportunity at the LHSS Collective

FIRST PRIZE (Other disciplines)-

- Opportunity to attend the prestigious RTERC Winter School at IIM Ahmedabad. All Costs* borne by the LHSS Collective.
- Free access to all events of the LHSS Collective for a period of 1 year

RUNNERS UP (Other disciplines)-

- Internship Opportunity at the LHSS Collective

*includes registration fees, hospitality and study material for the winter school only. Does not include travel costs to and from the IIM Ahmedabad campus.

**Please note that should the reviewers find no policy submission up to the mark from within a category, the prizes for that category would lapse over to the other.

**All policy submissions will be reviewed for merit by a panel of external experts. The team at LHSS-MNLU Mumbai will only review them for preliminary plagiarism checks.

***All decisions pertaining to the ranking of the policy submissions will be per the reviews and final and binding.

TIMELINE

1 OCTOBER 2023

Announcement of
Competition and
publication of the Problem
statement

15 OCTOBER

Registrations Close for
participants at 11:59 PM IST

16 OCTOBER

Deadline for Queries
Pertaining to the Problem
statement

17 OCTOBER

Orientation and Briefing of
participants to introduce
them to nuances of policy
drafting

6 NOVEMBER

Deadline for Submission of
Policy drafts

20 NOVEMBER

Publication of Results

FEBRURAY 2024

Policy Defending Conclave

WHO CAN REGISTER FOR THE COMPETITION?

- The competition is open to all bonafide participants enrolled in undergraduate/postgraduate/doctoral studies from recognized institutions of higher education in India. Registration may please be made under respective categories as indicated on page 4.
- Team participations is not allowed, participants must apply individually.

REGISTRATION FEE & LINK

- The (non-refundable) registration fee for each participant is INR 500/- (Rupees Five Hundred Only).
- Students interested in participating in the competition may register on the submission portal [here](#).
- The Last Date of Registration: October 15, 2023; 11:59 pm IST.

QR CODE FOR REGISTRATION FEES



PROBLEM STATEMENT

Astoria is a developing nation which lies near the equator. A burgeoning population with an avid interest in technology, Astoria saw its technology sector progress by leaps and bounds compared to the other sectors. Astoria's government, seeking to further engrain the use of technology, promoted and incentivized its adoption in multiple sectors including the medical sector which it sought to capitalize on, owing to Astoria's sizable population of trained medical professionals providing affordable and quality healthcare to their population.

Over time, Astorians became more adept in the use of technology to make their lives more convenient and to increase effectiveness, efficiency, and productivity. This led to rapid adoption of technology in all sectors across the country, particularly by business. Economic benefits started showing for Astoria as other countries started buying both know-how and hardware from Astorians in an effort to replicate the technological leap. However, in this rush to adopt the latest technology, particularly amongst companies racing to get an edge in the market, the issue of regulation of such technology was largely neglected.

Among Astoria's most popular technological developments was a mobile application called HEALTHY ME. Launched in 2018, it allowed users to have all their health data with them at all times by uploading it on a cloud server called Cryptic Security (CS). The application aimed to make medical care accessible to all, particularly in countries with low income and those with high cost of medical care. In furtherance of this objective, the application sought to promote telemedicine which would directly connect global customers with doctors in Astoria for consultation and diagnosis. Along with that the app would also automatically refill medicines by intimating online pharmacies and store all data over CS. With the onset of the COVID-19 pandemic, the market for telemedicine witnessed tremendous growth and the app surged in popularity.

In fact, two years into its launch, the app had managed to amass 30% of the market share in the health-related technology sector globally, whose market shareholding is otherwise fragmented. This market share was also a representation of the high degree of trust people placed in the services delivered by the company, without looking into issues like data collection and security by the CS. In September 2023 however, a report by an anonymous whistleblower revealed that the health data stored on CS's servers had been leaked and was also being used for targeted advertising by companies. During this time period, legal and cyber-security experts who analyzed the privacy policy of CS and HEALTHY ME flagged lack of safeguards against external data breach, lack of information dissemination to consumers about their data and lax norms for internal data access amongst a slew of other issues. This development dealt a near body blow to Astoria's dreams of becoming a global leader in digital medicine and caused panic in the global community regarding data privacy, particularly regarding such kinds of information. The Government of Astoria, realizing the need to update the old technology regulations by way of creating a new policy, sought to form a committee, who would also be responsible for investigating the policies regarding health data. This was also in line with the recently passed Digital Personal Data Protection Act which mandated the government to form policies specific to each sector.

You have been appointed as the head of this committee to propose appropriate provisions for the new policy.

NOTE:

- The laws of Astoria are the same as Indian laws till September 2023. This means no law passed after September would be applicable in Astoria.
- The demographic of Astoria is the same as the Indian demographic with the only exception being that 80% of Astoria's population has access to the internet and uses it .

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MEET THE TEAM

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Hon'ble Vice Chancellor,
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Associate Professor,
Maharashtra National Law
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Faculty In-charge

Dr. Upamanyu Sengupta
Assistant Professor,
Maharashtra National Law
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meet our student members [here](#)

GET IN TOUCH

All queries related to the competition must be mailed to the official mail ID of the collective.

Follow our social media handles for regular updates.

 lhsscollab@mnlumumbai.edu.in

 (022) 25703188 / 91 7498207519 (between 10.30 am and 4.30 pm)

 <https://lhsscollective.in/>

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