

ARGHYA SENGUPTA

Current Address: #384 D-Block, Defence Colony, Third Floor, New Delhi-110024; **E-Mail:** arghya.sengupta@vidhilegalpolicy.in; **Mobile:** +91-9999084375

CURRENT WORK

Founder and Research Director, Vidhi Centre for Legal Policy

BOOKS

- "The Working of the Indian Constitution" (Routledge, 2024)- an inter-disciplinary edited volume on how the Indian Constitution has impacted the daily lives of Indian citizens with contributions from doctors, anthropologists, lawyers and photographers [co-edited with Omita Goyal]
- "The Colonial Constitution" (Juggernaut, 2023)- a bestseller on the origins of the Constitution of India
- "Hamin Ast: A Biography of Article 370" (Navi Books, 2022)- a historical account of the legal relationship between the Union of India and the state of Jammu and Kashmir [co-authored with Jinaly Dani, Kevin James and Pranay Modi]
- "Independence and Accountability of the Indian Higher Judiciary" (Cambridge University Press, 2019)- an academic work on appointments, transfers, impeachment and post-retirement employment of judges in the Indian higher judiciary
- "Appointment of Judges to the Supreme Court of India: Transparency, Accountability and Independence" (Oxford University Press, 2018)- an edited volume of essays on the executive-judiciary conflict over who will appoint India's Supreme Court judges [co-edited with Ritwika Sharma]

JOURNAL PUBLICATIONS AND BOOK CHAPTERS

- "Law and Legislation" in Indrajit Roy and Manali Desai (eds.) *Cambridge Companion to Indian Politics and Society* (Cambridge University Press, 2026)[co-authored with Aditya Prasanna Bhattacharya]
- "Judicial Independence and Political Impunity" in Shimon Shetreet and Hiram Chodosh (eds.) *Judicial Independence: Cornerstone of Democracy* (Brill Nijhoff, 2024)
- "Judicial Appointments in India: From Pillar to Post" *10 Constitutional Court Review* 44 (2020) [co-authored with Jay Vinayak Ojha]
- "The Basic Features of Article 370" in Arvind Datar (ed.), *Essays and Reminiscences: A Festschrift in Honour of Nani A. Palkhivala* (LexisNexis, 2020)
- "Legislating Human Rights: The Experience of the Right to Education Act in India" in Katharine G. Young (ed.) *The Future of Economic and Social Rights* (Cambridge University Press, 2019) [co-authored with Ajey Sangai, Shruti Ambast and Akriti Gaur]
- "I.C. Golak Nath and others case" in Rainer Grote, Frauke Lachenmann, Rüdiger Wolfrum (eds.) *Max Planck Encyclopedia of Comparative Constitutional Law* (2017).
- "Treaty-making and Implementation in India: A Constitutional Paradox" *57(1) Indian Journal of International Law* 47 (2017) [co-authored with Akriti Gaur]
- "Appointment of Judges and the Basic Structure Doctrine in India" (2016) *132 Law Quarterly Review* 201
- "Judicial Primacy and the Basic Structure: A Legal Analysis of the NJAC Judgment" Vol L No. 48 *Economic and Political Weekly* 27 (2015)
- "Judicial Accountability: A Taxonomy" *April Public Law* 245 (2014)

- "The Kesavananda Bharati Case" (2013) 129 *Law Quarterly Review* 451
- "A dangerous recourse? A critical relook at Section 17 of the Civil Liability for Nuclear Damage Act, 2010" 3(4) *International Journal of Nuclear Law* 292 (2012).
- "Judicial Independence and the Appointment of Judges to the Higher Judiciary in India: A Conceptual Enquiry" 5 *Indian Journal of Constitutional Law* 99 (2011)
- "The Supreme Court of India" in Pratap Bhanu Mehta and Niraja Gopal Jayal eds., *The Oxford Companion to Politics in India* (Oxford University Press, 2010)[co-authored with Lavanya Rajamani]

SELECT ASSIGNMENTS AND RESEARCH PUBLICATIONS

Assignments:

- Assisted the Department of Atomic Energy, Government of India in drafting the Sustainable Harnessing and Advancement of Nuclear Energy (SHANTI) Act, 2025, which creates a modern and unified legal framework for India's nuclear power sector (2025).
- Assisted the Ministry of Housing, Government of India in drafting amendments to the Real Estate (Regulation & Development) Act, 2016. The amendment act establishes an efficient regulatory structure for real estate in India (2023-24).
- Assisted the Ministry of Commerce & Industry, Government of India, in drafting 5 legislations to repeal and replace the Acts regulating the coffee, tea, spices, rubber, and tobacco industries (2021-22).
- Assisted the Ministry of Finance in drafting the Tribunals Reforms Act, 2021, which abolished defunct tribunals and standardised service conditions to streamline the functioning of tribunals in India (2021).
- Assisted the Unique Identification Authority of India in drafting the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016. This Act put Aadhaar (a national identification card) on a statutory footing and for the first time provided privacy protection for collection and use of Aadhaar numbers (2015-19).
- Assisted the Telecom Regulatory Authority of India (TRAI) with drafting and research for the Prohibition of Discriminatory Tariffs for Data Services Regulations, 2016. These regulations laid down norms of net neutrality in India (2015-18).
- Advised the Max Planck Foundation and a delegation of the Sudanese Government, civil society and academia on drafting a new Constitution of Sudan (2017).

Overall count: 390+

Publications:

- "The Model Code on Indian Family Law" Vidhi Centre for Legal Policy, May 2024
- "One Nation Many Paths: A Position Paper on the Indian Constitution" Vidhi Centre for Legal Policy, September 2022
- "Responsible AI for the Indian Justice System – A Strategy Paper" Vidhi Centre for Legal Policy, April 2021
- "A Blueprint of a National Health Insurance Law" Vidhi Centre for Legal Policy, May 2019
- "A Proposal to reform the University Grants Commission: Reimagining a pan-India regulator for the higher education sector" Vidhi Centre for Legal Policy, November 2018

Overall count: 300+

SELECT OPINION EDITORIALS

- "New Colonialists", *The Telegraph*, February 18, 2026 (On preserving sovereignty and autonomy in the AI age)
- "How Trump's 'spectacular assault' may have broken the world order", *The Economic Times*, January 9, 2026 (On the need for India to define its place in the changing global order)
- "Beyond optics", *The Telegraph*, May 28, 2025 (On diversity and inclusion in the judiciary)
- "Well Done, Quietly Done, CJI Sanjiv Khanna", *The Times of India*, May 13, 2025 (On Sanjiv Khanna's understated leadership and contributions to the judiciary)
- "Pragmatic justice", *The Telegraph*, January 23, 2025 (On the role of courts in ensuring both justice and state accountability)
- "The Nariman Points", *The Times of India*, February 22, 2024 (An obituary for Fali Nariman, contemporary India's greatest lawyer)
- "Wise Counsel", *The Telegraph*, February 21, 2024 (On lessons from Justice Radhabinod Pal on decolonisation)
- "A time to articulate new constitutional ideas for India", *The Hindu*, October 02, 2023 (On the need to reconsider original, novel visions of the Constitution as India seeks to shed its colonial legacy)
- "Shared Essence", *The Telegraph*, April 15, 2022 (On the need to preserve and promote multilingualism in India)
- "Can we please make our laws SARAL?", *The Times of India*, January 6, 2022 (On the need to write simple, accessible, rational, and actionable laws in India)
- "The Constitution must permeate Indian society" *Hindustan Times*, June 17, 2019 (On the need for scholars to take the Constitution to the people)

Overall count: 200+

LAW REFORM COMMITTEE APPOINTMENTS

- Member, High Level Committee for Harmonization of Regulatory Framework for DigiLocker, Government of India. This committee aims to strengthen DigiLocker's regulatory framework to improve ease of living and ease of doing business in India.
- Member, Sub-Committee, E-Committee, Supreme Court of India for formulating the Vision for Phase 3 of the E-Courts project.
- Member, Committee of Experts on Data Protection, Government of India. This committee drafted India's data protection law pursuant to the judgment of the Supreme Court declaring the right to privacy as a fundamental right.
- Member, Committee of Experts on Arbitration Law, Government of India. This committee recommended an overhaul of India's framework for resolution of bilateral investment disputes and international commercial arbitrations in India.
- Member, Expert Committee on Specific Relief Act, 1963, Government of India. This committee recommended amendments which were codified in the Specific Relief (Amendment) Act, 2018.
- Member, Sub-Committee, Law Commission of India, 248th- 251st Report on Repealing Laws in India. This committee recommended 288 antiquated laws for repeal.

LITIGATION

- Appeared and argued on behalf of the State of Haryana and Telecom Regulatory Authority of India before a 9-Judge Constitution Bench of the Supreme Court in *Puttaswamy v. Union of India* (Right to Privacy case). Written submissions may be found [here](#); arguments were reported [here](#).
- Appeared and argued on behalf of the Union of India in the Supreme Court in *Binoy Viswam v. Union of India* (linking of Aadhaar number with the income tax database).
- Appeared and argued on behalf of the Union of India in the National Judicial Appointments Commission case before a 5-Judge Constitution Bench of the Supreme Court in *SCAORA v. Union of India* (NJAC case).

ACADEMIC RECORD

YEAR	COURSE	INSTITUTION	STATUS/GRADE/RANK/CGPA
2010—2014	Doctor of Philosophy in Law (D.Phil.)	University of Oxford (St. Catherine's College);	Title of Thesis: "Independence and Accountability of the Indian Higher Judiciary"
2009-10	Master of Philosophy in Law (M.Phil.)	University of Oxford (Balliol College);	Title of Thesis: "Judicial Appointments to the Higher Judiciary in India: Is a New Beginning Needed?"
2008-09	Bachelor of Civil Laws (B.C.L.) specialising in International Treaty Arbitration and Transnational Commercial Law	University of Oxford (Balliol College)	Distinction
2008	BA LL.B. (Hons.)	National Law School of India University, Bangalore, India	CGPA -6.57 /7.00 (Rank 1/80)

RECOGNITION AND AWARDS

- India-UK Achievers Award, NISAU and British Council (January, 2023)
- Jury's Choice for Special Recognition, India Legal Award (November, 2017)
- St. Catherine's College, Great Eastern Scholarship (October, 2011)
- Rhodes scholarship (October, 2008)
- Indira Khaitan Medal for Securing First Rank, B.A. LL.B. (Hons.), August, 2008
- R. Keshava Iyengar Medal in Administrative Law, B.A. LL.B. (Hons.), August, 2008
- Shri A.R. Udayasankar Medal in Public Law, B.A. LL.B. (Hons.), August, 2008
- K.B. Jhunjhunwala Medal in Constitutional Law, B.A. LL.B. (Hons.), August, 2008
- Duttal Jhunjhunwala Medal in International Law, B.A. LL.B. (Hons.), August, 2008
- Prof. P. Shivashankar Medal in Intellectual Property Law, B.A. LL.B. (Hons.), August, 2008

FORMER POSITIONS

- Lecturer in Administrative Law, Faculty of Law, University of Oxford (2011-2013)
- President, Oxford India Society, University of Oxford, 2012
- Chief Editor, National Law School of India Review, 2007-08