



**CENTRE FOR BUSINESS AND HUMAN RIGHTS,  
TAMIL NADU NATIONAL LAW UNIVERSITY**

**IN ASSOCIATION WITH**



**L'INSTITUT SHASTRI INDO-CANADIAN INSTITUTE**

**IS ORGANIZING A**

**TWO-DAY SYMPOSIUM ON  
PORT PRIVATIZATION LAW, POLICY AND  
PRACTICE IN INDIA: A BUSINESS AND HUMAN  
RIGHTS PERSPECTIVE**

**MARCH 10 & 11, 2023 (FRIDAY & SATURDAY)  
ONLINE: GOOGLE MEET**

# ABOUT TNNLU

The Tamil Nadu National Law University (TNNLU), Tiruchirappalli, one of the country's youngest, premier, and fully residential national law universities, was established in 2012 by the Tamil Nadu Act No. 09 of 2012. TNNLU is committed to excellence, through faculty-to-student, student-to-student and faculty-to-faculty academic engagement in curriculum development and teaching-learning, interdisciplinary and multidisciplinary research, knowledge dissemination, cross-sectional stakeholders engagement for continuous innovation and improvement of curriculum, pedagogy and the teaching-learning outcomes. Interdisciplinary approach remains the central hallmark of the research and teaching culture of TNNLU.

The TNNLU fraternity, while appreciating the multi-dimensional nature of the background of the students, banks on the unique relationship between each student and her educational context in furthering the wholesome development of each of the students. In order to make the academic endeavours meaningful, rewarding and experiential, multiple levels of engagement through student-to-faculty and student-to-student is particularly planned and the same is supplemented by a structured multiple-stakeholder engagement approach balancing between academic rigour and the space for reflection available to each of the students, which is the critical component of the experiential learning.

## MISSION OF TNNLU

To impart quality legal education nurtured within a robust culture of interdisciplinary research and teaching in an equitable, respectful and supportive environment producing legal practitioners and scholars who will be committed to justice, social transformation and national development.

## VISION OF TNNLU

To achieve global recognition as an institution of eminence and excellence in all spheres of legal education, rooted in an interdisciplinary approach to the study of law, such that the graduates of TNNLU will be independent, critical thinkers and socially responsible human beings.

# ABOUT CENTRE FOR BUSINESS AND HUMAN RIGHTS, TNNLU

Research Centres are established to support and promote a consistent programme of research. TNNLU's Mission is to inculcate interdisciplinary research culture in the TNNLU community. It is often overlooked that the research within business law disciplines concentrates more on corporate governance and giving importance only to the business entity. However, the recent political economy has made us think of business law research beyond the welfare of the business entities and to focus on society and its development emphasising the protection of human rights. Research which has been undertaken by TNNLU will not remain as mere academic research but its ultimate goal is to witness social transformation leading to the nation's development. TNNLU's Centre for Business and Human Rights (CBHR) is one of the rarest centres in the country which tries to locate the connection between business and human rights. CBHR will take up research work and related activities in bringing awareness and suggesting reforms that will transform the idea of human rights for the betterment of the Nation.

## ABOUT SHASTRI INDO-CANADIAN INSTITUTE

In the year 1968, with its basic objective of improving the 'quality' of life of the people of Canada and India by building and strengthening intellectual and cultural linkages through academic research, dialogue and exchange, Shastri Indo-Canadian Institute started as a bi-national organization promoting understanding between India and Canada. The Shastri Indo-Canadian Institute became bi-national in 2005. It has the honour of being the only Institution which has 142 premier academic Institutions as its members in India (including IITs, IIMs, NITs, Law schools, Central and State Universities) and 37 universities in Canada (including McGill, Queen's and York Universities).

The Institute's scope has expanded as well to include law, management, arts, information science, environment, science, and technology including biotechnology along with humanities and social sciences. The aim is to further the bi-national ethos through different programmes facilitating scholarly research and exchanges between the Indian and Canadian Universities, Cultural organizations, Government Bodies and United Nations Sustainable Development Goals.

# CONCEPT NOTE

Ports are the backbone of international trade comprising infrastructure that is critical to the economic development of any country. India is a major maritime nation in Southern Asia with a coastline of about 7,517 km and hosting 12 major ports and about 200 minor and intermediate ports. Maritime transport accounts for approximately 95% of the country's trade by volume and 68% by value. Thus, it is pertinent to have an efficient management of ports in this globalized world. However, the State claims that such management of port infrastructure is a costly affair and hence privatization of ports would economically benefit the country. Further, it also satisfies the political desire of the State to retract itself from long-term financial and administrative responsibilities.

Privatization of ports in India began in 1997 with the Jawaharlal Nehru Port Trust Authority entering into a Public Private Partnership (PPP). Today, PPP projects in the port sector have been initiated for various purposes like the modernization, development & management of terminals, berths, and other port assets. In July 2022, the Union Minister of Ports, Shipping & Waterways inaugurated a Maritime Public-Private Partnership Conclave, 2022 in Mumbai marking the successful completion of 25 years of PPP in the Indian port sector. In the Conclave, the Minister claimed that there are 32 PPP projects working successfully in the major ports and also PPP accounts for nearly 90% of the new investment in berth/terminal infrastructure. In addition, the Ministry has identified 81 PPP Projects worth a value of Rs. 42,300 Crore till the financial year 2024-25 for developing major ports' berths, terminals, oil jetties, etc. This includes the commencement of privatizing operations of 7 major ports in India from 2021-22 worth a value of Rs. 2,000 Crore.

Thus, it is pertinent to look at the plausible consequences of this port-led development. Coastal environmental degradation and loss of biodiversity in the area is one of the common harmful consequences. Construction or upgradation of ports means not just infrastructure within them, but also infrastructure like roads and railways connecting the ports to various hubs. This can lead to the loss of livelihood of the coastal communities who have been using the coastal commons for years together, as witnessed in Kasarkod-Tonka, a coastal village in Uttara Kannada, Karnataka.

# CONCEPT NOTE

Further, ports can give way to the creation of Special Economic Zones in the vicinity leading to further industrialization of the area. The coastal communities are often left out of this decision making process. In fact, coastal communities' opposition to such port projects has witnessed violence being inflicted on them and requires legal intervention to protect their rights and that of the coastal environment. This sheds light on the importance of compliance with relevant environmental and coastal regulation zone laws to prevent unnecessary human rights violations. Adding to this, there are often labour strikes in the ports due to insufficient wages, lack of housing, lack of safety training, etc. Thus, ports are not just economically viable, they are also susceptible to various human rights violations. The State ought to address these issues with the stakeholders before handing over the ports to the private sector.

Fearing the level of exploitation will be colossal in the coastal areas by means of acquiring lands and depriving the livelihood of the coastal communities, lack of public participation, loss of biodiversity, degradation of the coastal environment, work security for the labourers, etc., there are continuous protests against port privatization by trade unions, labourers, and coastal community people. In this context, it is significant to have an academic discussion to analyse the law, policy and practice of port privatization in India.



# SESSIONS

DAY 1

## TECHNICAL SESSION I

### *Privatization of Ports: Impact on Socio-Economic & Political Conditions*



*Socio-economic-ecological and livelihood impacts of port construction and port privatization in the background of Kerala*

**MR. KUMAR SAHAYARAJU**

Chevening Scholar and  
Indigenous Marine  
Researcher

*Blue Economy*

**DR. DHARMESH RAVAL**

Assistant Professor of  
Finance, School of  
Maritime  
Management, Gujarat  
Maritime University



*Developmental Projects and Public Participation*

**DR. ANUSHA KESARKAR  
GAVANKAR**

Senior Fellow at Centre for  
Economy and Growth,  
Observer Research  
Foundation

*Political Will*

**MR. JOE D CRUZ**

Former member,  
National Shipping  
Board, Ministry of  
Shipping, Government  
of India.



## TECHNICAL SESSION II

### *Privatization of Ports: Impact on Business*



*Public- Private Participation in Ports - the Indian experience*

**MR. JOSE PAUL**

Visiting Professor, AMET  
University Chennai and  
Former Chairman,  
Mormugao Port Trust.

*Corporatization of Special Economic Zone*

**DR. J B RAJAN**

Associate Professor,  
Kerala Institute of  
Local Administration



# SESSIONS

DAY 2

## TECHNICAL SESSION III

### *Privatization of Ports: Impact on Human Rights*



*Environmental impact*

**MS. JISHA ELIZABETH**  
Investigative journalist,  
Senior sub-editor,  
'Madhyamam'.

*Violence*

**MR. NITHYANAND  
JAYARAMAN**  
Writer & Social Activist,  
Chennai



*Labour*

**DR. NEETHI P**  
Senior Consultant at Academics &  
Research at Indian Institute for Human  
Settlements (IIHS), Bangalore



## TECHNICAL SESSION IV

### *Privatization of Ports: Legal and Judicial Impact*



*Legislative Framework*

**DR. SELVI GANESH**  
Assistant Professor  
School of Maritime Law,  
Indian Maritime  
University.

*International  
Framework*

**MR. VJ MATHEW**  
Senior Advocate,  
Former Chairman of  
Kerala Maritime  
Board



# REGISTRATION

## ELIGIBILITY

The symposium can be attended by students of law and allied social disciplines, research scholars, Academicians, members of NGOs, social Activists, advocates, and other professionals.

## FEE DETAILS

Students of Law and Allied social disciplines - Rs. 200

Others - Rs. 250

## PAYMENT DETAILS

Name of the Account Holder: THE REGISTRAR, TAMIL NADU NATIONAL LAW UNIVERSITY

Bank Name: UCO Bank

A/C No.: 16560110029565

Branch and Address: TNNLS BRANCH, NAVALUR KUTTAPATTU, TRICHY-27

MISCR: 620028012

IFSC Code: UCBA0003003

Account Type: S B ACCOUNT

REGISTRATION LINK - <https://forms.gle/qE2GHZYaBzA1p5Nn8>

## IMPORTANT DATES

Last date for registration - 9 March 2023

Dates of Symposium - 10th & 11th March 2023

## CONTACT INFORMATION

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# ORGANISING COMMITTEE

## PATRON

Prof. (Dr.) V.S.Elizabeth, Vice-Chancellor, TNNLU

## SYMPOSIUM DIRECTOR

Ms. Shanthi Samandha K, Assistant Professor (Law)

## MEMBERS

Ms. Shanthi Samandha K, Assistant Professor (Law)  
Ms. Vedavalli S, Assistant Professor(Law)  
Dr. Peerzada Shah Faisal, Assistant Professor (Economics)  
Dr. Kaustav Choudhury, Assistant Professor (Law)  
Ms. Keerthana S, Assistant Professor(Law)  
Ms. Manju Priya S, Research Assistant, CBHR

## TECHNICAL SUPPORT

Mr. Pradeep Jayan L  
Mr. Senthil P  
Mr. Arul J

## STUDENT VOLUNTEERS

Ms. Sumeeran, V Year B.Com.LL.B. (Hons.)  
Mr. Mohammed Adnan Sami, III Year B.Com.LL.B. (Hons.)  
Ms. Reshma Shajani, II Year B.A. LL.B.(Hons.)  
Mr. Mohamed Athib, I Year B.Com.LL.B.(Hons.)  
Ms. Seneha, I Year B.Com.LL.B. (Hons.)