

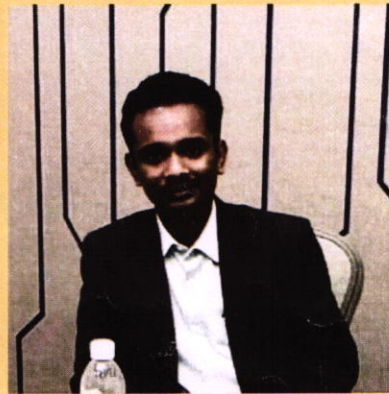


AJEENKYA | THE INNOVATION
D Y PATIL UNIVERSITY UNIVERSITY

PRESENTS

VIRTUAL LECTURE ON MOOTING SKILLS AND MEMORIAL DRAFTING BY ADV. RANIT BASU

**DATE-31ST
OCTOBER, 2020
TIME- 4:00 PM**



MOOT COURT SOCIETY

FACULTY COORDINATOR MCS
MS. PRAKRITI PURDHIT

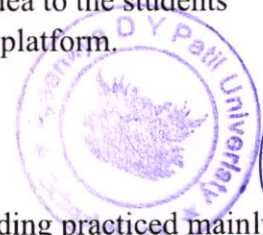
HEAD- SCHOOL OF LAW MRS. BINDIYA NAIK

FACULTY COORDINATOR MCS
MS. ANWESHA PATHAK

The Lecture provided guiding light for the students who wish to participate in the moot court competitions to represent the college. Furthermore the Session gave an idea to the students regarding the changing ways of appearing for the moot court on a virtual platform.

Parameters discussed in the session:

Mooting is a form of an Oral proceeding similar to that of a court proceeding practiced mainly in institutions and universities where law as a subject is taught to see that how efficient a student is in fighting an argument based on law. In this a proper court scenario is created where the students act like the Councilors (Advocates) presenting each side(Plaintiff and Defendant) on the basis of evidences and substantive questions of law argue with each other to prove their point in front of



Bindiya

the judge who in the end will give his judgment in the same regard and will also declare the winner who has performed the best.

Also, while presenting their arguments the judge can question them on facts or question them on any of the legal concepts to check the aptitude and in prompt adaptability to the situation of the student. Mooting was earlier not practised as a subject by the universities in the law courses but now due to the scope and requirements of lawyers around the globe mooting in the form of "Moot Court" as a subject has been added to the curriculum of the students so that they get prepared and groomed in a proper manner as a lawyer before they complete their degree.

Can mooting help you in your career?

Honestly speaking, Mooting is one of the most important things that help you in your career and your future growth as well. Mooting is one thing that inculcates a lot of habits and discipline that are requirements by many of the Law firms Recruiters and when a law student sits in a Job Interview, if your resume will display that you have done a different kind of moots then it will be very beneficiary as the employer will know that you have a good amount of knowledge in this field and you have experience and your chances of being selected will automatically go up. Mooting in today's generation is something considered to be one of the most important factors which everybody looks after because if you are a good mooter, people will consider you important and knowledgeable. Also the exposure you get in mooting helps you to easily adjust in your future jobs which is quite important.



B. D. Patil

6. Student were explained the importance of networking in the profession

Bidya





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THE INNOVATION
UNIVERSITY

Research and Legal Writing Committee

School of Law, ADYPU

Research and legal writing committee is an initiative taken by the School of Law, ADYPU for their students to have a better understanding and knowledge of legal writing and research. This club got incorporated on 7th January 2020

The Committee aims the following:

1. Create awareness and generate interest amongst students regarding legal writing.
2. To provide platform by way of publication of freedom of speech and expression wherein they can express their thoughts, ideas on varied legal issues.
3. To help the students develop their legal research and writing skills.

Committee Head: Dr. Samraggi Chakraborty

Committee Coordinator: Nimisha (BALLB, 6th Sem)

Events organised:

1. Women's Day Celebration held on 11th March, 2020.
2. Freedom of expression Issue 1, 08/09/2020
3. Freedom of expression Issue 2, 02/11/2020
4. Freedom of expression Issue 3, 26/11/2020

Samraggi Chakraborty



Freedom of Expression

Research Paper and Legal Writing Committee, School of Law,
Ajeenkya DY Patil University, Pune



Some CrPC Facts

1. Complaint doesn't include police report. Complaint is made to magistrate.
2. CrPC, 1973 came into force on 1st April 1974. It is divided into 37 chapters and 484 sections.
3. The subject of CrPC, 1973 falls within the concurrent list; therefore it can be amended by Parliament or any State legislature.
4. The unique feature of CrPC is separation of Executive from Judiciary.
5. The classification of offenses has been given under I Schedule of CrPC.

CONCEPTUALIZING LAW AS A SCIENCE

While making a law, society as a whole is studied. With the emergence of new situation in the society, a detailed, continuous and systematic study is carried out. What is the reason for the rise of such situation, how it can be resolved, what may be the possible solution, to what extent the solution will be viable, how the

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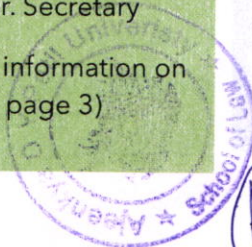
Ghanshyam Upadhyay
v. State of Uttar Pradesh

2

Uttar Pradesh Prathmik
Shiksha Mitra
Association v. State of
Uttar Pradesh

3

Vodafone Idea Limited
v. Department of
Telecommunications
Thr. Secretary
(More information on
page 3)



proposed law will be effective and help the society are many of the things that are considered before framing a law. Science involves a systematized approach of study, so also while making a law a systematic approach of study is undertaken. Law is evolved and developed from the society. It has no external source. Just as scientific laws are derived from the nature by observing and making a systematized study of the behaviour and reactions of the matter so also law is derived from the society by observing and making a systematized study of the behaviour of the society. It is said that

law is minimum morality. Every society has its own minimum morality and any law which is against the minimum morality of the society will be discarded by the society. The concept of minimum morality is constant for all society. Thus before making a law for a society a systematic study of the society is done so that it is not against the minimum morality of the society. Thus we can say that law is also a science.

Dr. Samraggi Chakraborty,
Assistant Professor,
School of Law,
Ajeenkya DY Patil University, Pune

“Fake Encounter”

The Increasing cases of fake encounter show the shambolic work of our police system. This type of abysmal act by the Police hamstrings the judicial procedure of giving proper justice and punishment. And, our Indian government pander to the public and work according to public demand to show or to please people which always labyrinthine the case. The recent case of Hyderabad veterinarian doctor rape and murder case (2019) in which all the four suspects were encountered and the case was closed in the pretext of self defence by the Hyderabad police. Why Police smearing the validity of the Indian constitution and forget that constitution and judiciary is always above the public demand. The thinking to the police to kill anyone dominantly to be hero in public and dismiss case anyhow as fast and to stop one violation Indian



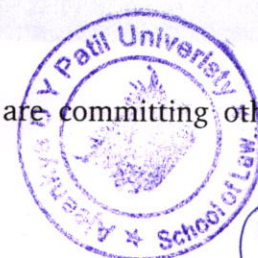
POLICE BRUTALITY

It is the high time we need to talk about the increasing cases of police brutality, the recent case of police brutality which shook the entire nation and even the world at a whole the custodial death of the son-father duo Jeyaraj and his son J Fenix and the death of George Floyd in the U.S.A all these cases clearly show the day by day increment in the cases of custodial violence and police brutality. Also, people start accepting the illegality of an offence within a due course of time just because it presumes alright in some cases.” Why the police often forgets that their job is just to arrest the criminal not to prove them criminals by torturing them incessantly? You will be astonished to know that 1700+ cases of custodial death have been registered in India only in 2019 and still the (Prevention of torture bill 2010) is being discussed In the Rajya Sabha.

Naitik Parashar (B.A LL.B 2nd year)

authorities are committing other violations.

Samraggi Chakraborty



Bioliys

Instead of doing encounters i.e. fake encounter for so called fast justice there should be more fast track courts. Because nobody will ever know if suspects who were encountered were innocent, and maybe real rapists roam freely and will do more rapes and other crimes.

Vineet Kumar Tiwari (B.A LL.B 2nd year)

"Evolution of Education and innovative teaching methods in the education sector"

Imparting education has always been considered a noble profession in the society. If we trace its evolution from the ancient times, education was governed by the guru-shishya parampara wherein the knowledge was passed only to the capable individual considered worthy by the Guru. Then there came a time when education was being given to those who had money to take it from the schools. Now, the education is easily available by paying online for the courses you want to learn which not only provide flexibility but is also time saving. Online educators like Udemy, Unacademy etc. are some of the examples which have become really popular among the students.

Education in simple words, is the process of facilitating learning or the acquisition of knowledge, skills, values and beliefs. It can be done with the help of educators or by the students themselves. Now when we say it can be done through the help of educators it means which requires a person to carry out the work which has been remarkably done by the various academicians throughout. But now in this digital world, everything is becoming digitized. This wave of technology has even impacted the education sector. The rampant use of ICT in the facilitation of learning is seen everywhere now a days. Various e-learning platforms have been developed like google classrooms, zoom, EDFLY Learn LMS which have helped the various teachers to operate online.

Ghanshyam Upadhyay v. State of Uttar Pradesh

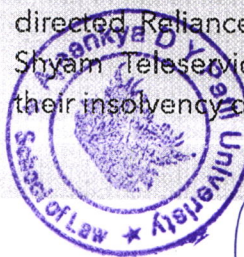
The Supreme Court approved the constitution of an inquiry commission headed by Justice B S Chauhan, former Supreme Court judge, to probe into the genuineness of the encounter killing of UP gangster Vikas Dubey.

UP Prathmik Shiksha Mitra Association v. State of Uttar Pradesh

The Supreme Court on Friday reserved its judgment in a case related to the recruitment of 69000 assistant teachers in the State of Uttar Pradesh. A bench led by Justice UU Lalit, MM Shantanagoudar & Vineet Saran reserved its judgment after hearing Counsel for Petitioner(s) in a batch of pleas.

Vodafone Idea Limited v. Department of Telecommunications Thr. Secretary

The Supreme Court reserved orders in the plea by Department of Telecommunications (DoT) seeking to allow telecom companies to make payments of the AGR dues in a staggered fashion over 20 years. A bench of Justices Arun Mishra, MR Shah & S. Abdul Nazeer also made it clear that it shall not entertain any objections for re-assessment/ re-calculation of AGR in light of the decision passed by Top Court in October 2019 and directed Reliance Communications, Sistema, Shyam Teleservices & Videocon to submit their insolvency details within 7 days.



Abhishek

of an educator by reading online material or by visiting various educational sites.

The question that still remains is that can we substitute the human factor with technology? Traditional form of teaching where the teacher used to use blackboard method in order to deliver the lecture has lost its value or can we say that the blackboard has been substituted with the online whiteboard. Can we think of a time when the technology will absolutely substitute the humans?

I recall a chapter that I read as a student in the NCERT book which shows a story wherein the student was studying with the help of a robot and there was no teacher who was actually teaching him. I still think that the way technology has overtaken us we are not far behind when most of the work in the education sector will be done with the help of machines. We need to ponder upon this as to how far we have to take the help of technology in the education sector.

When we talk about the innovative methods of imparting education there are a few that comes to my mind namely videos method, online method, case study methods , discussion method etc.

There is no doubt the technology has really helped in the facilitation of learning with the help of reading material available online which used to be a constraint in the primitive times when accessing library was an indispensable part in the lives of students.

Now a days even that has lost its value to some extent as everything is readily available that's just a click away from the reach of a person. But is this statement apt for all the countries? The answer is certainly no. As in many places, people and communities cannot access computers or the Internet. In the developed world, for example, over 80% of individuals use the Internet; in the developing world, less than 35% do. The remaining 65% are often poor and remote communities or disenfranchised groups.

The ninth goal of sustainable development focusses upon investing in ICT access and quality education to promote lasting peace. The 2030 Agenda recognizes the need to develop knowledge societies where everyone has opportunities to learn and engage with

Few Landmark Judgments

Jury decision overturned by High Court (KM Nanavati v State of Maharashtra) - 1961

Hardly an open-and-shut case, the nature of the crime garnered media attention. This case is notable for being the last case when a jury trial was held in India. KM Nanavati, a naval officer, murdered his wife's lover, Prem Ahuja. The jury ruled in favour of Nanavati and declared him "not guilty" which was eventually set aside by the Bombay High Court.

Amendment masquerades as law (IC Golaknath v State of Punjab) - 1967

Parliament's prevented from taking away individual rights. In the highly famous case of Golaknath V State of Punjab in 1967 the Supreme Court ruled that Parliament could not curtail any of the Fundamental Rights of individuals mentioned in the Constitution. Parliament's overarching ambitions nipped in the bud (Keshavananda Bharti vs State of Kerala) 1973.

Parliament limited by itself (Minerva Mills v Union of India) - 1980

In this landmark judgment, the Supreme Court of India in 1980 strengthened the doctrine of the basic structure which was propounded earlier in the Keshavananda Bharti Case. Two changes which were made earlier by the 42nd Amendment Act were declared as null and void by the Supreme Court in this particular case.



Belgijs

Information and Communication Technologies (ICTs). In the words of Foster Whitaker, SDG 9, which calls on states to "build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation.

"It is also clear that we cannot achieve anything sustainable if we disconnect technology from learning, and this relates particularly to SDG 4 on quality education for all."

This gives rise to several doubts in the mind that is this true that if we disconnect technology from learning we can't achieve anything sustainable? Sustainable development to my understanding is the development in a way wherein we are making the utilization of resources in order to leave a better future for our coming generations.

Change of views and ideas on a digital platform by encouraging nations to build infrastructure, making people aware about the technology and investing in all the information and communication technology is no doubt leading us to a digital world but eventually taking us away from nature which is indispensable for human lives.

We need to seriously think as to how far we want the involvement of technologies in our lives.

Tripti Arora Dohutia

Assistant professor

School of law

Wenkyu DY Patil University Pune

"Making India the preferred international arbitration seat and the global arbitration hub"

The legal framework in India's Arbitration sector has undergone transformation and reforms keeping in mind the vision of making India a preferred arbitration seat and global arbitration hub. The Government of India, The High Level Committee and The Law Commission stressed upon the need for popularizing institutional arbitration in India and called for establishment of an institution which would have international standards, amendments in legislation,

Divya Jyoti v. Union of India

The Supreme Court has issued notice in a plea seeking for directions to the Centre to formulate a law in order to ensure that e-commerce sites and business houses declare the "country of origin" of goods so as to facilitate boycotting of Chinese products. A bench comprising Chief Justice SA Bobde, Justices AS Bopanna & V. Ramasubramanian heard the matter and proceeded to issue notice in the same.

Jairaj v. State of Maharashtra

The Supreme Court recently quashed charges of Cruelty by a wife against her husband basis an amicable settlement between them. A bench of Chief Justice SA Bobde & Justice R Banumathi held that considering that the complainant wife and accused husband have already compromised the matter.

N Prajapati v. Governor of MP

The appointment of 28 ministers by the Shivraj Singh Chouhan led BJP government in Madhya Pradesh has come under the scanner of the Supreme Court, which on Wednesday took note of the objections of former assembly speaker and Congress leader that this violated the ceiling on the maximum number of ministers fixed under the Constitution. A bench of Chief Justice S A Bobde, Justices A S Bopanna & V Ramasubramanian issued notices to Chief Minister Shivraj Singh Chouhan.



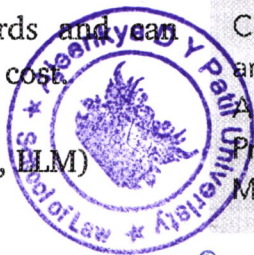
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have implemented nearly all suggestions of the Commission and the Committee. In order to achieve above stated aim of making India a hub for International Arbitration, apart from above amendments we have to work on followings:

1. The Government, trade bodies and commerce chambers should start new arbitration centers with their own rules, modeled considering foreign centers and help by providing land and funds.
 2. Promote institutional arbitration by specialized institutions with a permanent character aids and administers the arbitral process. The High Courts shall encourage the parties to refer the disputes to institutionalized arbitration by a professional Indian or international arbitral institute.
 3. Institutionalized arbitration would have to be supported by a dedicated bar comprising of professionals to conduct arbitration and provide competent, viable services.
 4. In a situation that the reduced role of the Courts and the enhanced powers accorded to the arbitral tribunal, the courts must, support and not supplant and the balance be maintained by recognition by the courts that arbitration exists only to serve the interests of the community as the extra-judicial process which the parties have chosen.
 5. Streamline the governance framework of arbitration which is needed on legislative, executive and judicial fronts.
 6. There should be a primacy not only to conduct arbitration but also to implement the arbitral award without interference, except on public policy considerations, a concept which is more debatable, though the term is explained in the amended Act.
 7. Create an administrative mechanism to ensure that arbitration matters are handled separately and efficiently.
 8. Create an enabling framework for arbitration events, training and conferences.
 9. There should be provisions for transparency, reliability and familiarity to the minds of the public and quicken the process of arbitration in India.
 10. We should ensure that arbitration in India will be less time consuming and more cost effective as compared to arbitration elsewhere across the globe.
 11. We should ensure that it is a win-win situation for all stake holders leaving a limited scope of the award being challenged.
 12. Expose the arbitration professionals to cross cultural inputs and experiences.
 13. Create human capital to bring suitable positive infrastructure to promote both domestic and international arbitration.
 14. Decentralize dispute resolution mechanism as a private market based solution.
- The efforts in these areas will definitely help to demonstrate to the world that Indian Arbitral Institutions are in accordance with the world standards and can deliver an effective arbitration work at lower cost.

CA. Nandkishor R. Sonavane (Batch 2019-20, LL.M)

In **State of MP v. MP Transport Workers Federation**, there was a challenge to certain provisions of the Madhya Pradesh Labour Laws (Amendment) and Misc. Provisions Act, 2002 as ultra vires Article 14 of the Constitution as it took away the power to try offences under labour laws from the labour courts and conferred it on regular criminal courts. The Court held that as for over 10 years the process had been as pursuant to this Act and no grievances had been raised against the same and there was no representation on behalf of the respondents. Thus, the Court set aside the impugned order and upheld the constitutionality of the Act. [Constitutionality of Madhya Pradesh Labour Laws (Amendment) and Misc. Provisions Act 2002]



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Nature Of Activity: Guest Lecture

Title: Soft Skills

Program Name: BHM/BScH&HA/BScCA

Semester: I

Class :

Subject Name: Language skill

Date: 26th Aug 2020

Time/ Duration: 10.00AM to 11.00AM

Venue: ADYPU-SOHM

Speaker/s Name: Ms. Soumya Sen Gupta

**Designation: Learning and development
Manager, Taj Kolkata**

Objectives of the Activity

- 1) To know the importance of the communication skills in the industry.
- 2) It helps in imparting Knowledge.

Execution of Activity/ Proceedings (In detail):

Ms. Soumya Sen Gupta, Learning and Development manager at Taj Kolkata, Has conducted guest lecture which was scheduled on 26th Aug 2020.

Outcomes

- 1) On 26th Aug 2020, A communication skills and grooming session has be organized online at the time of Induction program.
- 2) Ms. Soumya Sen Gupta guided students how to communicate effectively.
- 3) Further she explains skills such as listing, collaborating with others, presenting ideas and communication with teams are highly valued in current workplace.
- 4) Conclusion was to improve on communication on day to day basis and its possible with practice.