



# Law@DME



Affiliated to GGSIPU, New Delhi  
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OFFICIAL NEWSLETTER OF SCHOOL OF LAW

## Anecdote Corner

### Director General's Desk

**Justice Bhanwar Singh**  
(Former High Court Judge)  
Director General  
Delhi Metropolitan Education



Justice D D Thakur was a Judge in Jammu and Kashmir High Court. Being in close quarters of the then Prime Minister Indira Gandhi he, on being persuaded by her resigned from the High Court judgeship and joined politics. He worked as a Minister in Sheikh Abdullah regime and Deputy Chief Minister of G.M. Shah. He was in limelight for about 15-20 years. After taking sanyaas from politics, he was appointed as Governor of Assam. Wherever he was - be it a legal profession before becoming a High Court Judge or a Minister or a Deputy Chief Minister or a Governor, he earned laurels by way of his good deeds. After he relinquished his office as governor, he resumed legal practice in Supreme Court and very soon became a famous practitioner. He was a consultant to many politicians. He was the father of Mr. Justice T.S. Thakur, the former Chief Justice of India.

During the regime of Deve Gowda, the Prime Minister of India, once Sri Laloo Prasad Yadav persuaded Mr. D D Thakur to accompany him to the house of Mr. Deve Gowda to plead his cause of Interest. The issue was CBI investigation against Shri Yadav mandated by the Hon'ble Supreme Court. Law fraternity people know that the judgment of the Supreme Court can be nullified only by the enactment of parliament. Mr. Laloo Prasad Yadav wanted Mr. D D Thakur to plead before the Prime Minister that it was a good case to get the Supreme Court's Judgment reversed by an Act of parliament (as was done by the parliament in Shah Bano's case of monthly maintenance).

Mr. D D Thakur agreed to accompany Sri Laloo Prasad Yadav and Mr. Sharad Yadav also accompanied them for moral support. The trio arrived at 7, Race Course Road and the Advocate General of Bihar also joined them there. Accordingly Mr. D D Thakur started giving a brief history of the Fodder case and put up a legal argument that no CBI investigation in a matter of state could be ordered unless agreed to by the Government of the concerned state. As recorded by Mr. D D Thakur in his autobiography "My Life", he started his arguments and continued to speak for 5 minutes believing that Mr. Deve Gowda was listening to him attentively with his eyes closed. A few minutes later, Mr. Deve Gowda began snoring very loudly. On being beckoned by the Chief Minister Laloo Prasad, Mr. Thakur stopped pleading his case. There was complete silence in the room and as Mr. Thakur humorously quotes the silence was disturbed only by the snores of the Prime Minister'.

It was only after about 10 minutes that the Prime Minister woke-up suddenly and asked Mr. Thakur about the point that he was making. Mr. Thakur explained a few things afresh and concluded his arguments. The reaction of the Prime Minister was simple and he said, "Mr. Thakur, you are absolutely right that in such a situation, the parliament should intervene. But tell me who in the parliament my ally is? Each one of them is after my blood". With this observation the Prime Minister regretted for his inability to move for annulment of the CBI investigation against the Bihar Chief Minister.



**Prof (Dr.) Rashmi K Nagpal**  
DEAN, DME Law School

## Skills for a Successful Law Career

A career in law offers an abundance of opportunities today and takes you on a journey of constant learning and self-betterment. Primarily skills such as an inquisitive nature, attention to detail, logical reasoning, persuasiveness, sound judgment and writing ability are crucial for success as a professional in law. The subjects involved in Law deals with the breadth of interpretation and depth knowledge about rules and regulations. The study allocates a range of skills to explore various aspects of social and corporate life.

Further, it gives you the chance to sharpen your mind, bolster your perception, expand your experience, and understand ethical obligations towards social life.

### Mandatory Skill Set required to become a Successful Lawyer:

Every profession comes with a distinct skill set. Suppose, you are aspiring to be a doctor, you need to have skills relevant to the profession. Similarly, if you desiring to be a successful solicitor, lawyer, or judge you need to acquire a few necessary skills of the same profession.

Few of you might have some of the basic skills in-built within, but few require to brush up their skills.

Lets learn about the necessary qualities/skills that law recruiters look in any student.

#### 1. Attention to Detail

This is one of the most important attributes that legal recruiters look for in someone who aspires a career in law. It includes understanding and knowledge about global and local business, awareness about worldwide legal trends, recent happenings and developments in the business world and market affairs impacting legal firms and their clients.

These skills enable us to study their prospective leads, conduct a strategic SWOT Analysis of an organization, implicate business proposals, maintain confidentiality, maintain records of legal expenses and handle social, political, and economic issues that might affect the sustainability of any business.

#### 2. Legal Reading and Legal Writing

Post analysis of heavy information, proofs, and specimens, understanding cases, facts, figures, and charts, are the important activities that a lawyer needs to dig into these tasks every day in order to find meaningful conclusions.

We are aware that profession demands a lot of dedication and analytical skills to clearly and concisely draft legal documents and guide clients with pieces of advice. Therefore, Legal Reading and Legal Writing is one of the prime attributes a lawyer should have.

#### 3. Interpersonal Skills

Communication is the key for any profession. To be successful in any profession, you are required to have a strong command over your oral, written, listening, and excellent presentation skills. You should have strong communication skills To build trust, develop long-term relations with clients, negotiate settlements, persuade courtroom arguments.

Lawyers must listen carefully to the details and analyse what their clients need and how to take action applicable to the situations.

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## UG Professional Development Series : 1- Condense your skills - Oct 5, 2021



This webinar was started with an opening statement which was given by Ms. Sreedurga T.N. This webinar on “CV writing” was conducted by the Training & Placement Cell of Delhi Metropolitan Education affiliated to Guru Gobind Singh Indraprastha University (GGSIU). Mr. Rituraj Srivastava, Senior Associate at Karanjawala & Co was the speaker for the Session 1 - Condense your Skills and Experiences: Build a Strong CV under the UG Professional Development Series. The webinar was attended by approximately 100 students from fourth & fifth year of B.A. LLB & B.B.A LLB The purpose of the webinar was to give an idea about the Curriculum Vitae, Resume and formats.

Mr. Rituraj started the session by introducing the aim of the webinar and with do's and don'ts of curriculum vitae. Later, he asked students to present their CVs with the help of a student's CV. He gave a general guideline on writing a CV (Name, address, mobile no., email, Objective, Education and Work experience with responsibilities, Skill- Educational and Managerial Achievements, Referrals).

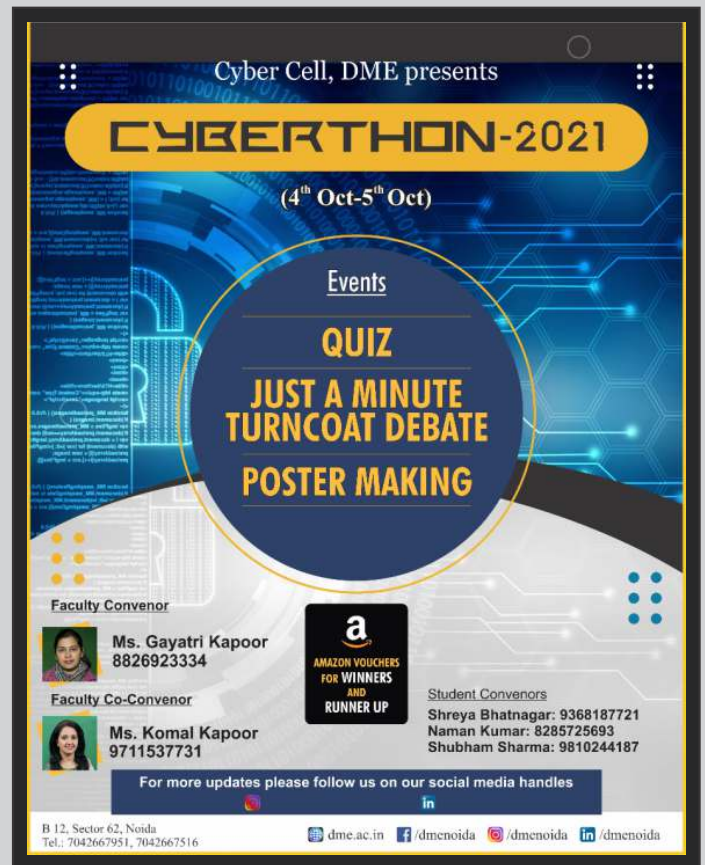
Mr. Rituraj explained how to write a cover letter and when it is required during an interactive session. Also, he made students aware about QR code and links as a medium for presenting Cv. Lastly, after doubt clarification feedback were taken from the

## Cyberthon - Oct 4, 2021

The student body of Cyber Cell, Delhi Metropolitan Education organized Cyberthon, 2021. The event consisted of various competitions such as Turncoat debate, quiz, just a Minute, and poster making competition. These were organized during the two-day annual event. The Opening Ceremony of the event took place on 4th October, at 2pm, where Mr. Naman Kumar, Co-convenor, Cyber Cell, DME, addressed the participants and welcomed the Hon'ble judges to the event. He explained the aim of Cyber Cell and how the cell makes a continuous effort in achieving its aim. Furthermore, he also elucidated upon the working of the cell and the events the cell conducts throughout the year besides Cyberthon. Additionally, he pondered upon the dire need for understanding Cyber laws which plays a crucial role in every individual's life, and the exponential increase in the dependency of human beings upon the technology and advancements. At the end of the closing ceremony he wished the participants good luck and assured them that their two days at the event are going to be fruitful and enriching.

Students from all the three departments law, management and Journalism participated in the event with enthusiasm. The Quiz was hosted by Cyber Cell through Google Forms and Zoom Platform to ensure transparency. The Quiz included questions from diverse topics of cyber law such as harassment and stalking, privacy, defamation etc.

The two-day annual event Cyberthon 2021, organized by



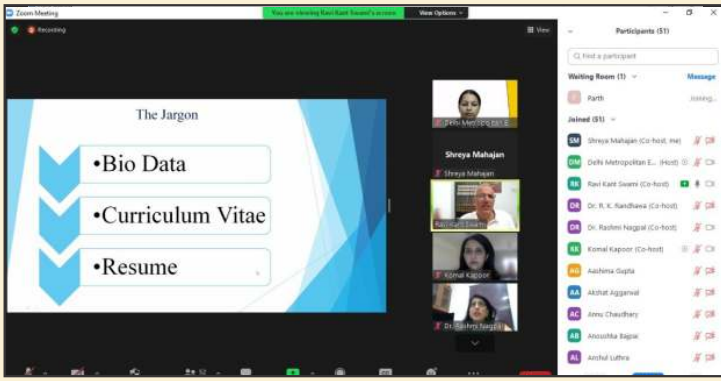
Cyber Cell, DME, came to an end on 5th September, 2021. Ms. R K Randhawa, Assistant Professor (Law) announced the winners for the competitions as, Rishabh Pandey (Winner), Anjali Anand (runner up) for Quiz, Hemang Chaudhary (Winner), Simran Gupta (runner up) for JAM, Anjali Anand (Winner), Rishika Chaurasiya (runner up) for poster making and for Debate Kartikeya Maithani (Winner) and Ms. Ayushi Sharma (runner up).

The faculty convener Ms. Gayatri Kapur addressed the closing ceremony event, where she thanked all the participants and congratulated winners. She gave a vote of thanks to all the judges and audience present.

## UG Professional Development Series : 2-Pathway to Good Internship - Oct 6, 2021

Training and Placement Cell of DME conducted the Session 2 of the UG Professional Development Series - Webinar on 'Pathway to a Good Internship: SOP and CV Writing Workshop' for the fourth and fifth year B.A.,LL.B and B.B.A.,LL.B students. Dr. Ravi Kant Swami – Director, DME was the Speaker for the event. The Session began with the opening words of Ms. Komal Kapoor and Ms. Sreedurga T.N.





Dr. Ravi Kant Swami started the session by introducing the aim of the webinar and with do's and don'ts of curriculum vitae. He gave the Insight about How one should prepare for an Internship Interview. According to him, there should be sequence information in CV. Before coming to academic curricular the person should be interested in knowing about Internship, Case Analysis, Paper Presentation. The hands-on Experience is much more Important. Providing things in a Tabular Form is something which gives very clear Information. Customizing the CV for every internship is always needed.

Sir explained regarding the mentioning of strengths and weaknesses in the CV. Dr. Ravi Kant Sir explained the things one should include first in CV Building. Mentioning the Achievements should be must whether it should be big or small. Lastly, there was the Doubt Clearing Session, after doubt clarification feedback was taken from the students for the webinar. The Session was very Insightful.

## UG Professional Development Series : 3-Joining Judiciary as a Career - Oct 11, 2021



This webinar was started with an opening statement which was given by Ms. Gayatri Kapur. This webinar on “Joining judiciary as career: Tips and Tricks” was conducted by the Training & Placement Cell of Delhi Metropolitan Education affiliated to Guru Gobind Singh Indraprastha University (GGSIPU). Hon'ble Mr. Justice Bhanwar Singh (Director General, DME) was the Keynote Speaker for “UG Professional Development Series” (Session 3). The webinar was attended by approximately 100 students from fourth & fifth year of B.A., LL.B & B.B.A., LL.B. The objective of the webinar was to understand the working of the judicial system of India and career opportunities regarding civil service examinations.

Hon'ble Mr. Justice Bhanwar Singh initiated his Keynote Address primarily by introducing the aim of the webinar and highlighting the present scenario of the Indian Judicial System. Hon'ble Mr. Justice enlightened the audience with all the utmost important information regarding the working of the Supreme Court, High Courts, District Courts, and Subordinate Courts, law and rules. Hon'ble Mr. Justice also shared the practical instances of some challenging cases which can be experienced being a judge, a career in the Indian judicial system, life after being in judicial services. Further, Sir also highlighted the roles and responsibilities of a District & Sessions Judge. He enlightened the audience by emphasizing upon the role of internships for law students. He encouraged and motivated the students to prepare for

the most prestigious service and shared his vast experience and insights.

Thereafter, Ms. Gayatri Kapur, Assistant Professor of Law and Mr. Gunjan Agrahari, Assistant Professor of Law explained how to prepare for judicial services. They elaborated about the process as to how the Judicial Examinations are conducted, its curriculum, tips for preparation etc.

Lastly, the webinar came to an end with doubts clarification. Also, feedback were taken from the students after an interactive session vote of thanks was given by Ms. Sreedurga TN.

## Webinar Vulnerable Tribal Groups - Issues & Imperatives Oct 11, 2021



DME Law School in collaboration with Placement Cell organized a special webinar on 'Particularly Vulnerable Tribal Groups: Issues and Imperatives' which was delivered by Ms. Jahnvi Tanwar, Member, Think India Tribal Rights Forum.

Ms. Jahnvi Tanwar, stated shared her views on Tribal Groups and their issues where she explained to us about who are aboriginal and Adivasi. At the start she started explaining about vanvaasi and janjaati. She stated that vanvaasi are the tribal people who still live in forests and janjaati are the tribal people who left forests to live in the urban community. After that she explained about the situations of tribals and why there is a need for tribal groups. She stated why some of the tribal groups are vulnerable whereas others are not. She then explained the causes of their vulnerability.

Ms. Jahnvi Tanwar, then moved forward on the topic 'Particularly Vulnerable Tribal Groups: Issues and Imperatives'. She explained to us about their issues and imperatives. She said the causes like economic and social conditions play a major role in their development. The conditions where they live is susceptible to backwardness. She then explained that people have a pre-mindset that the tribals are illiterate, unhygienic and are beneath the people who live in urban communities and are literates whereas the reality is completely opposite of it. She said that it is true that they don't have as much education as we do but they do have knowledge and skills about a lot of things like fishing, hunting, ayurveda etc.

At the end she addressed the questions and queries put forward by the students and advised the students to learn more about the tribals and their conditions, situations and choices as this will create awareness about the tribal community and will eradicate the myths like they're beneath anyone or any community. The lecture ended with Ms. Raveena Sarao, Assistant Professor, DME Law School giving a vote-of-thanks to our eminent guest speaker for gracing us all with her auspicious presence, and thanked her for sharing her immense knowledge on the topic and for making students recognize the need and importance of tribals and their protection.



## Visit to Vigyan Bhawan 12<sup>th</sup> Oct 2021

Students visited Vigyan Bhawan to attend the Foundation Day of National Human Rights Commission (NHRC) on 12th October, 2021. This visit was aimed at making the students aware of the functioning of the National Human Rights Commission. The National Human Rights Commission, NHRC, India, organized its 28th Foundation Day on 12th October, 2021. Prime Minister addressed that the whole world sees India as a symbol of human values and the National Human Rights Commission is providing strength to these moral resolutions. The Union Minister for Home Affairs, Shri Amit Shah emphasised the role of the NHRC towards the promotion and protection of human rights and said that it has been successfully working to get justice for the victims of human rights violations since last 28 years.

The NHRC Chairperson gave a brief insight into the work of the Commission towards the promotion and protection of human rights and said that since its inception in 1993 over 20 lakh cases were registered and disposed of and more than ₹205 crore were paid as monetary relief on the NHRC recommendations. It was added that during COVID-19 pandemic, the Commission continued to work for the protection of human rights of various sections of society and issued 22 advisories in this regard.

The NHRC Members Justice Shri M.M Kumar, Smt Jyotika Kalra, Dr. D.M. Mulay, Shri Rajiv Jain, Minister of State for Home Affairs, Shri Nityanand Rai, Chairperson and Members of State Human Rights Commissions, members of Judiciary, diplomats, senior government officers, civil society representatives, human rights defenders, among other dignitaries were in the program. The visit was coordinated by Mr. Kush Kalra, Assistant Professor, DME School of Law.



## Mock Interview Sessions 13 & 14 Oct, 2021

The Training and Placement Cell, DME Law School organised a two-day mock interview session with the alumni of DME Law School for final year students (Batch 2017- 2022). The event was organised with the aim of advancing fundamental opportunities to the participants to enhance their analytical, interpersonal, communication, interview -handling skills and such other legal aptitudes. The event was attended by more than 100 final year law students and was graced by 26 Alumni.

The event started with the Inaugural session presided over by Hon'ble Mr Justice Bhanwar Singh, DME, NOIDA, accompanied by, Director, DME, Prof. (Dr) Ravikant Swami and Prof. (Dr) Rashmi Nagpal, Dean, DME Law School. The alumni were felicitated by Hon'ble Mr Justice Bhanwar Singh for the various feats achieved by them. The event was conducted under the leadership of Ms. Komal Kapoor, Convener, Training and Placement Cell, DME Law School and Mr. Gunjan Agrahari, Co-Convener, Training and Placement Cell, DME, Law School.

The Alumni Community of DME Law School has grown and reached places far and wide. This event also hoped to acknowledge their success and present an example to the current batches.

The first day of the event was dedicated for Mock Interviews of BA., LL.B (H) final year students. Students were apprised about the practicalities and nitty-gritty of the placement and employment process in corporates and law firms. On the Second day of the event, final year students of B.B.A.,LL.B (H) were accorded with the opportunity to experience the practical environment of appearing in an Interview with the aim of making them aware about the code of conduct and professional skills required while appearing in placement interviews.





## Welcoming of New Batch 2021 -2026 (21 & 22 Oct 2021)

The DME Law School welcomed its newly inducted batch on 21st and 22nd October 2021 at the NM Auditorium, DME Noida in a physical gathering spread over two days. The Welcoming Ceremony on both days began with the Saraswati Vandana accompanied by the lighting of the lamp to establish the prosperity and success of the institute. This was followed by the felicitation of the chief guests.

The first day was graced by Hon'ble Mr. Justice Bhanwar Singh, Director General, DME He explained with great sense of knowledge to each one present there that students have enough time to study law but in today's time to be specific and general law teaches us much more than just being a bookworm, to be fully successful and achiever, one has to be independent for his or her set forth goals in life. He quoted that "Discipline is a good virtue of human life. It comprises many characteristics which includes honesty., dealing with community, people who are well mannered"

If you work in corners of discipline then you will be well settled with this, he included the example of Columbus when he went to discover, his country members thought he is mad but the confidence of sheer level which he had made him successful in his approach, keep trying if one route doesn't open for you the another one at right will surely do.

The second day was graced by Mr. Vipin Sahni, the Chairman DME Noida and Mrs Kiran Sahni, Chairperson, DME Noida. Mr. Vipin Saini stated that there are ample number of opportunities available for each and every individual, so one shouldn't fear that. He also differentiated between Education & Training.

The gatherings were then addressed by Dr. Ravi Kant Swami, Director DME. He congratulated the students with heartfelt welcoming to the college and choosing law to pursue as a particular stream with full ambitions. Then, the Dean, DME Law School, Prof. Dr Rashmi Nagpal made her address. She stated that, Law has a very wide concept, opportunities with ample amount of creativity in one's mindset, she stated that in older times law was seen as a last resort but in today's time law is a lucrative profession, has a no. of resort or who wishes to excel in this as a career option. The more we run away, the more we get distant from our vision and efforts. Participation plays a very important role, just do not settle for little, no substitute to hard work. Dr. R.K. Randhawa, the Academic Coordinator, presented the vote of thanks.



## Intra-Moot Court Competition 29 - 31st Oct 2021

Mooting is a skill which you don't learn overnight, you need days of practice, passion and concentration. It is an art which isn't born or inbuilt but you develop it with time on your own will. Mooting helps us to understand and grasp the style of arguments, effect of voice modulation on the arguments and the interpretation of the judges from the arguments. In order to promote mooting, the DME Moot Court Society organised the 7th DME Intra Moot Court Competition from 29th- 31st October, 2021. The competition witnessed participation from around 25 teams from 2nd year to 5th year.

On 29th October the Preliminary rounds were conducted and a total of 8 teams made it to the quarter finals. On 30th October the quarter finals and semi final rounds were conducted. On 31st October 2021, Final round was conducted at 12:30 p.m. Hon'ble Mr. Justice Bhanwar Singh Sir (Former High Court Judge Director General, DME) and Dr. Priya Vijay (faculty, NUSRL) graced the finals as judges. The proceedings began with the arguments of the appellant's counsel. Speakers skilfully argued their contentions and answered the questions of judges in a satisfactory manner. After the arguments of the respondent, the rebuttal chance for 2 mins was given to appellants. The Final round concluded at 2:00 PM.

The final round was followed by the valedictory and result announcement session. The results of the competition were announced by Hon'ble Mr. Justice Bhanwar Singh (Former High Court Judge Director General, DME) and Prof Dr. Priya Vijay (NUSRL, Ranchi).

After the result announcement Dr. Garima Goswami Ma'am (Faculty Convenor DME-Moot Court Society) gave a vote of thanks to everyone for being a part of the moot court competition and making it a successful event. Special thanks were given to the dignitaries, moot court judges and members of the DME Moot Court Society.





## Diwali for All - Community Connect

29 Oct, 2021

NSS Unit of Delhi Metropolitan Education affiliated to GGSIPU organized a Diwali celebration for the students of class 6th ,7th and 8th of Nawada Primary School, Rasoolpur, Sector-62 on 29 October 2021 . The volunteers celebrated the festival of lights by a range of performances and fun activities. The program started with a session of fun riddles, dumb charades, provoking quiz questions that was enjoyed thoroughly by the students. Those who participated enthusiastically received chocolates and gifts.

The afternoon also invited mesmerizing dance performances by the Dance Society- Fitoor of DME which included Bhangra, Kathak and western contemporary choreographies. The members of Art Society- Spectrum painted beautiful graffiti on the school walls during the celebration which enhances their learning environment. The day concluded by the distribution of refreshments and geometry boxes to everyone. Photographs were taken to remember this day filled with community service and commitment.



## Virtual Induction Program for Batch 2021 - 2026

30th Oct 2021

DME Law School, Noida organized a virtual Induction of Batch 2021-2026 on online platform Zoom on 30th October 2021 and the guest of honor and keynote speaker for the event was Hon'ble Mr. Justice Alok Mathur, Allahabad High Court. The event was open to the students enrolled under the law department of DME and approximately 150 students were in attendance. Hon'ble Mr. Justice Bhanwar Singh, Director General, DME Noida welcomed the Chief Guest Mr. Justice Alok Mathur, Allahabad High Court and blessed the students. His message emphasised to develop skills like critical reasoning, close reading, clear writing and ability to carry out quality research. He said that the students must take advantage of the law school environment to develop these skills and interact with professors and peers which will help in building their legal career.

Mr. Justice Alok Mathur, firstly congratulated all the students for choosing law as their career as law will help them to open up their minds and understand the surroundings. He said that law is a varied subject and it has many ramifications. In today's world everything is governed by law. It can be the birth, death, incorporation of a company or creation of a new country, these all are governed by law. Mr. Justice Alok Mathur, then said that Law is a constantly evolving field and lawyers are one of the most respected people of the society. Then he explained about the current scenario, that in India there is shortage of lawyers and especially the good lawyers.

The lecture ended with Prof. (Dr.) Rashmi Nagpal - Dean, DME Law School giving a vote-of-thanks to our eminent guest for gracing us all with his auspicious presence, and thanked him for sharing his insightful thoughts on the topic and for making students understand the importance and essence of law.





## FACULTY ACHIEVEMENTS

### Ms Navjot Suri

Navjot Suri was invited to Judge the Oral Rounds of the 11th Amity International Moot Court Competition (Paperless E-moot), An Annual Flagship event organized by Amity Law School, Amity University, Noida from 29th October, 2021 - 31st October, 2021.



## STUDENT CONTRIBUTIONS

### FEMINISM: - A HOAX

Our society and media are very much focused and concerned about women harassment cases. But what about when a man is harassed? I really hoped that feminism was for the benefit of our society but sadly this isn't true. How people have a soft corner for a female victim but if the victim is a male they simply just don't care about it. Woman in today's world have achieved many accomplishments and have done wonders in various fields from basic sports to running the country which is great and all of them have their own problems and to ease them the Indian law safeguard them with various laws which is absolutely right thing but again In India thousands of people are arrested on false dowry, domestic violence, molestation & rape charges without any evidence these laws are often used as tools to settle scores and the false victim continues to enjoys anonymity even if the complaint is found false, besides the alleged accused lose their reputation, career, etc even if they're declared innocent by the court their lives are never the same again because of the ridiculous media trials done by the media houses before the court gives decision.



There are so many issues to discuss like misuse of harassment laws. Laws meant to protect women from dowry harassment, domestic violence and sexual harassment at workplace are among the most misused laws in the country with a huge number of cases being false allegations.

While on the other hand we have issues, where no one pays any heed, whether it is their health problems or social issues or problems related to mental health there is no study, records or statistics. And this is because our society doesn't really care about the problems that men face in their life. There is no provision to safe guard men from crime such as rape or harassment cause our so-called legal system and society feel that nothing like this can ever happen to a man which is really heart-breaking that even after so many years there are no gender-neutral laws or any such laws for men

In my opinion, Feminists are hypocritical of the highest order. They think women are God's gift to earth which is absolutely a good thing but again they are actually immature and kiddish enough to think that only men do bad things. Doesn't matter how many examples of female evil you show them, they always make excuses for it. To any person who is reading this Please don't be a feminist because you don't have to be a feminist to support and love and appreciate women and their hardwork. Just be a non judgemental, regular person who believes in supporting both male and female rights (and not just women's rights). And don't go by the definition of feminism. Feminist and their agenda is all a hoax. All they want is revenge in the name of justice and special laws and powers in the name of equality which is really harmful for our society.

By Satya Sarthak, Batch- 2019-24  
Course - B.A.LL.B 3C

## MAJORITARIANISM LEADING TO DESPOTISM

Democracy in India was at its height after independence, its strength was increasing day by day. But after a few decades of independence democracy started to vandalize through various acts of government. In the year 1975, 38th Constitutional Amendment Act was introduced which clearly showed the heinous intention of the then government.



As per the 38th Constitutional Amendment Act the declaration of emergency by the president and promulgation of ordinance by the President or Governor cannot be challenged in any court on any ground. After a few months of the amendment emergency was declared for the period of 21 months in India by the then Prime minister Indira Gandhi, from this act it became very clear that the government has shifted from democratic form of governance to totalitarianism. Invoking Article 352 of the Indian Constitution, Indira Gandhi curtailed freedom of press and civil liberties, elections got suspended and several human rights violations were reported like forced mass sterilization, many eminent political leaders of opposition like Jay Prakash Narayan, Atal Bihari Vajpayee, Raj Narayan, Vijayaraje Scindia, Morarji Desai, Jivatram Kripalni, Arun jaitley, Gayatri Devi were immediately arrested, violating Right to freedom of speech and expression (Arts.19(1)(A)), Right against Conviction (Arts. 20), Right to life and personal liberty (Arts. 21), Protection against arrest and detention in certain case (Arts. 22(1), (2)). Many organizations like RSS and Jamaat-e-Islam were banned. On 21st march 1977 emergency was revoked. It has been 45 years of Emergency and it was the darkest era ever experienced by Independent India till date.

The current situation in India is also dismaying. As per the report published by the Economist Intelligence Unit (EIU), India's rank in democratic index is falling constantly. In the year 2018, India was ranked at 41 but in the next year India slipped 10 places in the democracy index. We have fallen from a global ranking of 27 in 2015 to 53 which is now characterized as a 'Flawed Democracy'. The major question comes to mind is where does the problem lie? We need to examine the events which have occurred in the recent year to understand the constantly deteriorating rank of India in the Democracy index. From the past few years it can be seen that an arbitrary decisions of the government like shutting down of internet in Jammu & Kashmir, making UAPA act more harsh and its irrational use, dissatisfaction regarding citizenship amendment bill (CAB), information technology (Intermediary Guidelines and Digital Media Ethics code) Rules 2021, farmer's protest, suspension of question hour during pandemic mishandling during corona pandemic, commercialization and suppression of media are the reasons for such deteriorating ranking. From the above mentioned data and facts it can be concluded that the single majority government tries to control the functioning of the democratic system in all the possible manner.

### Way Ahead

In order to avoid such despotism, the opposition has to play a crucial role and come up with new ideas and new faces. They should use different OTT platforms in order to convey their ideas. Any ruling government should strengthen their belief in democracy and it is their duty to protect the essence of democracy.

By Surya Prakash, Batch- 2021-26  
Course - B.A.,LLB.

## Make a Living

“We make a living by what we get, but we make a life by what we give” We have been reading this quote since childhood but as I entered this profession, I have been hit hard by the fact that we educated, privileged lawyers have a professional and moral duty to represent the under represented in our society, to ensure that justice exists for all, both legal and economic justice. Our society has major unmet legal needs that adversely affect low- and middle-income families. It's a situation that threatens the well-being of our democracy. This situation has always been tackled by phrases and legal terms such as “Pro bono publico - 'for the public good' - but it shall not be just understood in the sense of professional work undertaken voluntarily and without payment, but in the sense of a public service to those who are unable to afford the services of skilled professionals. It is a noble and necessary calling for all attorneys.



Certainly, life as a lawyer is a bit more complex today than it was a century ago. The ever-increasing pressures of the legal marketplace, the need to bill hours, to market to clients, and to attend to the bottom line, have made fulfilling the responsibilities of community service quite difficult. But public service marks the difference between a business and a profession. While a business can afford to focus solely on profits, a profession cannot. It must devote itself first to the community it is responsible to serve.

Therefore, with this vision, I Megha Chaturvedi in association with H.K. Law Offices are launching a pro bono legal initiative, to contribute towards social welfare and justice. This initiative will be launched by next month. Stay tuned.

**Megha Chaturvedi,**  
Alumni, Batch 2016-2021

## Legal Guardianship and Custody of Adults with Mental Disabilities

In India, children above the age of eighteen years are considered major and custody laws do not apply to them. However, the High Courts have the power to exercise *patria potestas* jurisdiction in matters of custody. Mental Health Act, 2017 defines a guardian as a person who is appointed to look after another person. They have to assume the care and protection of the person for whom they are appointed as a guardian. The guardian takes all legal decisions on behalf of the person concerned.



In India, children above the age of eighteen years are considered major and custody laws do not apply to them. Though it is not mandatory to apply for legal guardianship of a person with disability, since the National Trust Act, 1999 has made provision for such appointment it is always advantageous to apply for legal guardianship under the provisions of the said Act. Such an occasion may arise when a person with disability has to deal with issues related to himself, his interests and his properties and since he/she may not always be able to take appropriate decisions in those respects, it would be in the best interests if represented by a legal guardian in such matters.

People with autism, cerebral palsy, and mental disabilities are in a special situation as even after they have acquired 18 years of age, they may not always be capable of managing their own lives or taking legal decisions for their own betterment. Therefore, they may require someone to represent their interests in the legal areas throughout their lives. However, in cases of cerebral palsy and multiple disabilities, there may be a need for only limited guardianship because of the availability of enabling mechanisms and/ or scientific facilitations which enable such persons to function with varying degrees of independence.

**Harshit Singh Bhatia,**  
Alumni, Batch 2016-2021

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### 4. Self-confidence and Resilience

We all are aware that law is a challenging and competitive career to opt for. A person who is deprived of determination and enthusiasm in the race should avoid choosing the profession.

Hence, in order to get selected in the best law firms one needs to showcase their complete dedication and commitment to the recruiters.

The best way to gain self-resilience and confidence is to observe and learn from the feedback. This allows one to improve their communication and confidence.

### 5. Academic Potential

To excel and stay ahead, you have to make a name in your profession. Aspirants who want to pursue law should have great knowledge in their academics. They should master the art of creativity, research and analytics, and business management.

At DME, we guide candidates to polish their decision making and reasoning skills, train them to be a multi-tasker to meet deadlines, handle pressure, and conduct practical course work (accounting, networking, and marketing), to add an advantage to their resumes.

### 6. Thirst for knowledge

You have to be extremely blunt and attentive if you are thinking to choose for this profession. It demands trust and precision. Small mistakes like grammatical, spelling, and punctuation errors can hamper the reputation of the organization.

You need to pay extra attention while drafting communication emails, letters, and legal agreements of the clients. Suppose, if a lawyer happens to commit a mistake on sentence formation or a single word it can change the entire meaning of a contract or a clause. So, to avoid huge losses, proofreading of the documents is mandatory.

### 7. Time Management

One of the most common skills for any profession is, “Time Management”. This skill increases the efficiency of an individual at their work. Hence, it forms the main part of a lawyer's work ethics.

There are times when the lawyer needs to address and present a case within a short period. Managing their time will help them to meet the challenging demands of their client thus, making them versatile at work.

Having the right organizational and time management skills will help any lawyer to strengthen their capability in order to prioritize situations and perform work more effortlessly and efficiently.

### 8. Technological affinity

It is one of the basic requirement of a lawyer these days. If a person cannot efficiently use e-mail, access the Internet, work with instant messaging, Adobe Acrobat and the like, clients and colleagues will surpass you.

## UPCOMING EVENTS

- Community Connect- Diwali with Slums - Nov 2
- Workshop on Resume Building - Nov 12
- NSS Cell celebrates Children's Day - Nov 17
- Justice Krishna Iyer Lecture - Nov 25
- Law Day/ Constitution Day - Nov 26

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