



Law@DME



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OFFICIAL NEWSLETTER OF SCHOOL OF LAW



Message Academic Coordinator

Dr. Rajinder Kaur Randhawa

Academic excellence is important to progress in technologically demanding occupations in future. Academic success positively impacts behavior and social interactions with peer groups and family members. For achieving the academic success students need to develop reading, writing and thinking skills which are beneficial in the future. Surely the things we learn in class would help us a lot when we step into the real world after completing the studies. But there are other things such as the practical skills like that of money management, prioritizing of tasks, multi-tasking, social behavior

etc. It also helps students build competencies that further help them personally, socially and in career. Collaborative learning is a key to building academic excellence because students gain communication skills that help them work together in the present and in their career in future. Those who excel in their academic endeavors, soon become competent professionals, contributing to the advancement of their respective industries and of the societies they are part of. In DME we work towards academic excellence which guarantees a successful life. We focus on the holistic development of our students. We work towards making them future ready. DME exert all efforts in instilling in our students the significance of academic excellence, thus, challenging them to strive for it.



From the
Dean's Desk



Prof. (Dr) Rashmi K Nagpal

Who am I - Swami Vivekananda

This is an extract from Unspeakable Anecdotes by Justice V.R. Krishna Ayer which depicts Swami Vivekananda as the vibrant symbol of Youth power. Quote "Swami Vivekananda was a humanist so compassionate that he could see God in everyone. The divinity in him was so dazzling that he was full of courage and advocated fearlessness in the youth of India. You are Lions, he said. Wake up to your personalities and see divine power everywhere in the universe. He was a socialist not by political profession but by moral, material and spiritual foundation of life. He hated superstition and obdurate bigotry. For him, all religions were search for truth and the manifestation of the divinity in every man. In him, shone a perennial light not contradictory but bonded integrally. Racism, regionalism, divisiveness, hatred were alien to him. Be of good health and never be weak. Play football and be of good health. That is better than worshipping in the dark and chanting not knowing what. He was a rationalist and immersed in Indian culture and nationalism. He had met Tilak, travelled to Germany and had been influenced his outlook by German philosopher like Herbert Spencer and Max Muller. He stood for social and economic justice and in the Supreme Court of India I have had occasion to quote him. In fact, in my last judgment on the Bench delivered on 14th of November, 1980, I am extracting the following passage:

Aye, Brahmins, if the Brahmin has more aptitude for learning on the ground of heredity than the Pariah, spend no more money on the Brahmin's education, but spend all on the Pariah. Give to the weak, for there all the gift is needed.....Our poor people, these downtrodden masses of India, Therefore, require to hear and to know what they really are. Aye, let every man and women and child, without respect of caste of birth, weakness and strength, hear and learn that behind the strong and the weak, behind the high and the low, behind everyone, there is that infinite Soul, assuring that infinite possibility and the infinite capacity of all to become great and good."

Let us proclaim to every soul: 'Arise, awake and stop not till the goal is reached.'

"He remains a rebellion against weakness physical and moral and rightly the Indian Nation has chosen him as the symbol of youth power."



Justice V R. Krishna Iyer Memorial Lecture on Constitutional Values

(Jan 10, 2022)

DME Law School, Noida on 10th January 2022, organised its Justice V.R. Krishna Iyer Memorial Lecture on Constitutional Values. The lecture was delivered by Hon'ble Mr. Justice Kurian Joseph, Former Judge, Supreme Court of India. The event was also graced by other dignitaries of DME including Hon'ble Mr Justice Bhanwar Singh, Director General, DME and Former Judge, Allahabad High Court.

Hon'ble Mr Justice Bhanwar Singh, began the lecture by introducing the exemplary career of Justice Kurian Joseph and enlightened the audience behind the concept and purpose of the lecture series held in the memory of Justice Krishna Iyer.

Justice Kurian Joseph began his lecture by addressing the introductory phrase of the Preamble of the Indian Constitution 'We the People' which incidentally was the title

of a book written by Justice V.R. Krishna Iyer. He said that the essence of democracy is a government by the people, of the people and for the people. He then discussed the concept of freedom enshrined in our constitution. He said that the core of democracy is in having the space to raise one's voice of dissent. However, there is a need to separate the voice from the noise.

He then spoke about the addition of two pillars of constitutional values by the 42nd amendment to the Indian Constitution in the form of socialism and secularism. India according to him is marred by the 3Cs: Casteism, corruption and communalism. He advised the students to follow and abide by the values enshrined in our constitution and most importantly to aim to be a good human being and a good citizen of this country. They will then be able to serve the country better and get rid of the 3Cs. The lecture ended with a vote of thanks by Dean, DME Law School, Dr. Rashmi K. Nagpal.



Aao Nyayaalay Vaad Seekhein 3.0

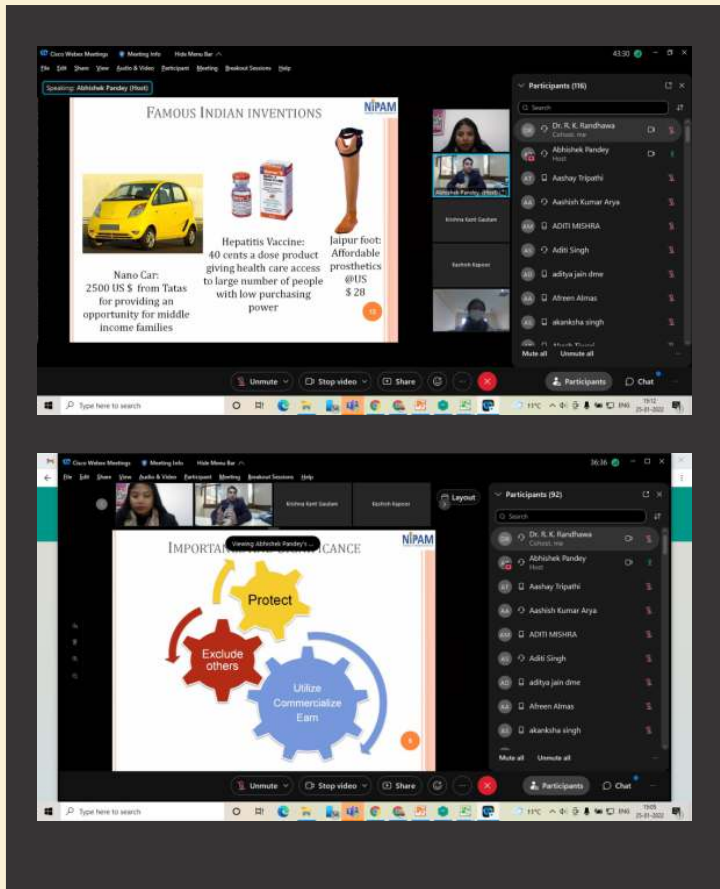
(January 22, 2022)

DME Moot Court Society organized 'Aao Nyayaalay Vaad Seekhein 3.0' on 22nd January, 2022, 11 am - 2 pm, an online workshop on mootng skills for the law students. The workshop commenced with the welcoming speech of Ms. Dr. Garima Goswami, Faculty Convenor, and Ms. Riya Kumar, Student Convenor, DME Moot Court Society. Mr. Kuber Mahajan emphasized upon the importance of researching in moots, he said that research is of paramount importance in any moot court competition and is a team job, in which the speakers must contribute for better argumentation. He motivated the students to come out of their comfort zone in order to learn something new, he firmly believed in the principle of learning from other's achievements and mistakes, and expressed that one must seek out help from other people who are more experienced than them instead of being hesitant or indecisive. Mr. Alekshendra Sharma focused upon the point that researching and memorial making goes hand-in-hand, and how drafting of arguments in a proper systematic manner is important. Mr. Sharma later shared his screen and presented the memorials for the benefit of first- and second-year law students, and explained every part of the memorial making.

The workshop ended with a vote of thanks by Dr. Garima Goswami, Faculty Convenor, Moot Court Society. The moot Court helped the first year students in understanding the finer nuances of mootng and research and motivated them to participate in such competitions.



Intellectual Property Rights Awareness Programme (Jan 25, 2022)



The Centre for Intellectual Property Rights Delhi Metropolitan Education in association with Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, Government of India organized Intellectual Property Rights Awareness Programme under National Intellectual Property Rights Awareness Mission (NIPAM) on 25th January 2022 from 3:00 PM- 4:30 pm on Cisco Webex platform. The session was attended by 144 participants that included faculty and students. The eminent speakers in the programme were Dr. Sunil Kumar, Examiner of Trademarks and Geographical Indications; Mr. Abhishek Kumar Pandey, Senior Examiner of Trademarks and Geographical Indications; Dr. Lakshmi Meena, Examiner of Patents and Designs; Mr. Devesh Kumar Lodhi, Examiner of Patents and Design and Mr. Rahul Dhakad, Examiner of Patents and Designs. The speakers of the programme explained the meaning, importance and different kinds of Intellectual Property. The concept of and law relating to Patents, law relating to Designs, concept of Copyright and law regulating Copyright, Law of Trademark and Law regulating Geographical Indications was explained in detail.

The session was declared open for questions that were satisfactorily answered by the speakers. The information regarding different career opportunities available in the field of intellectual property was shared. A quiz was then held whereby the participants answered all the questions put up by the speakers. The session was then concluded with the formal vote of thanks by Dr. R.K. Randhawa, Academic Coordinator, DME Law School. The session was enriching and insightful.

FACULTY ACHIEVEMENTS

Gunjan Agrahari

Delivered lecture at School of Biotechnology, Guru Gobind Singh Indraprastha University, on 31st December 2021 on "Legal aspects of AI Mediation in space".



Dr Isha Jaswal

Research Publication titled "Can the post-covid FDI Boost the Indian Economy?" in Vision: The Journal of Business Perspective, Sage Journal, Jan 15, 2022.



Dr. Garima Goswami

Presented research paper titled "Trade, Green Economy and Sustainable Development: Opportunities and Challenges" in National Law Conference, 2022 organized by Ideal Institute of Management and Technology, Delhi on 22 Jan 22.



Raveena S Bhargava

Received cash prize for Best Paper Award at 12th National Conference on "Emerging Trends in Rule of Law, Democratic Norms and Constitutional Values" organized by CHRIST (Deemed to be University) Bengaluru (27th-28th Jan, 22).



STUDENT ACHIEVEMENTS

Lakshay Kumar

(BA LLB, 2018-2023)

Selected as Brand Ambassador of Bar & Bench. Bar & Bench is a leading Indian online portal for all the Indian legal news, interviews and columns related to the Supreme Court of India and all the High Courts.



Manogya Misra

(BA LLB, 2019-2024)

Student Convener for Girls, DME Sports Society bagged a silver medal in Junior Women Individual and Team, 10 m Air Pistol Shooting Championship held from 28th January to 31st January 2022 in Modinagar.



Samridhi Bhatt & Ramey Krishan Rana

(B.B.A LL.B 2017-22 Batch)

Grabbed second position in the Spardha Debate Competition- 'The War of Words' organized by The Jaipuria Institute of Management and Studies, Indirapuram, Ghaziabad on 18th of December 2021.



Tanisha Sharma from BA LL.B

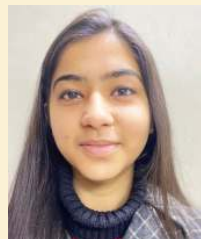
(BA LL.B 2018-23 Batch)

Selected for Research Internship Programme, Child Rights at National University of Study and Research in Law, Ranchi, Feb 2022. She was selected out of around 1000 International and National applications.



STUDENT CONTRIBUTIONS

An Actual Day of Constitution



I have always wondered from where do I get these rights?

Which always helped me to solve all my fights.

Are they here in front of my sight?

Or I need to find them with a ray of light.

Why do they protect me? Am I a star?

Or they just want to avoid the war.

From where do the word justice and liberty come?

Are they many or only some?

Well, it's not a one day letter or a two month book

It's the Constitution dear, have a look.

With help of great leaders and thousand sleepless nights ,

We have come with a book of rights.

Why are we so afraid to be on its way?

Why can't we just follow and stay?

Lets raise our voices because together we can let them heard.

Why not to actually fly freely like a bird.

To make that vow, let's take this resolution,

Let's celebrate an actual day of Constitution.

By Riddhi Gupta

Course - B.A.,LLB. 2021-26

Online Dispute Resolution: The Future Is Now



An independent and efficient judicial system is one of the basic structures of our constitution. It is our constitutional obligation to ensure that the backlog of cases is decreased and efforts are made to increase the disposal of cases. Where there is an explosion of cases in the courts of law, there is a high need for odr mechanisms to come and take the spotlight. ODR mechanisms are recently gaining considerable importance & are also being recognized at the world stage as an instrument for settlement of disputes. Almost all the business enterprises are carrying an arbitration clause. Owing to the situations induced by the COVID-19 pandemic, these traditional notions of dispute resolution have come to be challenged. In these trying times, technology has emerged as a harbinger of revolution and neutralizer of circumstances. At the helm of this technology revolution is Online Dispute Resolution.

It is cost effective, convenient, efficient, allows for customizable processes to be advanced and can limit the bias that results from human connections. In terms of layers of justice, ODR can help in dispute avoidance, dispute containment and dispute resolution. Its widespread use can improve the legal health of the society, ensure increased enforcement of contracts and consequently improve the ease of doing business ranking for India. ODR can help reduce the burden on the courts by leveraging the capacity of the private sector, which has already seen some innovation and capacity building in the last few years. In the long term, ODR can be the preferred mode of

solution for, though not limited to, all low-value high-volume disputes such as those involving e-commerce transactions.

THE FAMOUS VODAFONE ARBITRATION CASE:

Vodafone Group Plc is a company based in the UK, the business that Vodafone does in India is taken care of by its subsidiary Vodafone International Holding BV, based in the Netherlands. Similarly, Hutchison Telecommunications International Limited (HTIL), company is based in Hong Kong. It also operates through its subsidiaries like CGP Investments Holdings Ltd. based in Cayman Island. CGP investment is fully owned by HTIL. The entire issue revolved around the decision of the Ministry of Finance of India, applying a tax law retrospectively to circumvent the decision of the Supreme Court demanding INR 22,500 crores from Vodafone as capital gains and withholding tax. Immediately after which, Vodafone took this case to the Permanent Court of Arbitration in Hague. The Court unanimously ruled in the favour of Vodafone holding the tax demand of the Indian government unfair and 'in breach of the guarantee of fair and equitable treatment.' The arbitration panel consisted of three members one of which was neutral and one each nominated by the party to the case. The decision was unanimously against India which means all the three members voted in favour of Vodafone. Even the panellist nominated by India Rodrigo Oreanuno voted against India and found no merit in India's case. The reason why the decision went in the favour of Vodafone was the violation of the bilateral investment treaty and the United Nations Commission on International Trade Law. Article 9(1) of the BIT & Article 3(5) of the Arbitration Rules of UNCITRAL.

By Yash Sharma,

Course - B.A.LLB 2018-23

Landmark Judgment passed by Hon'ble Supreme Court of India in the Year 2021 on Women Laws



Women need to be considered as human beings, first, and foremost. We should have equal rights. And security, and safety. And well-being. -*Maheen Sultan*

The Jammu and Kashmir daily "*State Observer*" published an article written by **Rishika Chaurasia and Adv Meenu Padha** on January 5, 2022. The paper focuses on court rulings that show the Indian judiciary's efforts to protect women's rights. A country will never be able to develop if women are left behind. No other branch of government, except the judiciary, could help turn this constitutional equality into de facto equality. At this time, it's vital to emphasize the pragmatic judicial viewpoint on women. They shed light on the Supreme Court and the High Court of India's key women-related rulings in 2021. They focused on the cases of women in the army, the right to self-perceived gender identity, acid attacks, and other issues. They believe that a country will never be able to flourish if women are left behind. No other branch of government, except the judiciary, could help to make this constitutional equality a de facto equality. It is necessary to emphasize the pragmatic judicial stance on women. They shed light on the landmark judgments of the Supreme Court and High Court of India in the year 2021. They focused on the cases of women in the army, the right to self-perceived gender identity, acid attacks, and other issues.

They believe gender equality is a social context in which men and women are treated equally, enjoy equal liberties, and share equal responsibilities in all aspects of life. To achieve gender equality, we must empower women and focus on issues that are vital to their well-being. Women's economic, social, and political empowerment, as well as the protection and promotion of human rights, are critical for the development of a nation.

By Rishika Chaurasia

Course - B.A.LLB 2020-25

Gender Prejudice and Social Stigma



'I am what I am, so take me as I am'- Johann Wolfgang von Goethe.

The basic law of nature is to respect the dignity of every living entity and anything which undermines the dignity is a violation and paves the way of discrimination. But from last few centuries dignity and rights of homosexual has been undermining and they are still struggling for their recognition and basic rights. In the recent years legalising the same sex marriage has been one most burning topic in India. Even after recognition of transgender as third gender LGBTQ people are fighting for their civil rights and they continue to face discrimination in all aspects of life whether in job, education and socialisation. It has been three years since Navtej Singh's judgement yet there has been no active pronouncement of rights for same-sex couples. In the recent year Allahabad HC held that the right to choose a partner is a fundamental right. The right to life and liberty of an individual is guaranteed under Article 21 of the constitution of India. Right to live with a person of his/her choice irrespective of religion professed by them, is intrinsic to the right to life and personal liberty. However, they still don't have the privilege of fundamental civil rights like marriage, maintenance, adoption, succession and other economic benefit schemes. In order to make the society healthier & more progressive we must think beyond the ambit of male and female and should grant equal rights and opportunity to the homosexuals. We should accept them as a normal citizen of this country as Article 5 of the constitution defines citizens on the basis of geographical and political boundaries and not the basis of gender, thus the supremacy of the Constitution must be obeyed.

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

Changing The World by Changing Ourselves!



You and I can do better than that.

We often seek external validation from others to change our inner selves, from becoming more kind than before, from becoming more mindful and peaceful than before. The world today needs people who knows what kindness means, what empathy means and what teamwork means. Without any rallies, protests, marches and quoting on social media we have to work upon us silently, because we are the part of this universe and we really have to give up on all those evil qualities to make this world a better place to live in and for the betterment of coming generations as well. We usually think that this world will become more peaceful place if everyone becomes like us but maybe we failed to examine our own hearts somewhere that we need a change too in order to look good in others. We also take resolutions on New Year's Day but by the end of the month those ideas are out of the window. This way it won't work. It is understandable that changing is hard but if we get determined for it then it will slowly but definitely work out one day. Hence, we can improve the world simply by beginning the long, silent process of becoming a better person, by learning to love more, understand more, being kind enough to those who really are in need of it. This is how, "together" we can shape the world into a beautiful place.

"We can change society, change humanity by changing ourselves as individuals. By cultivating inner values, we can change our own lives and those of our families. This is how we can create a more peaceful world."

— Dalai Lama

By Darshika Vaishla
Course - B.A.,LLB. Batch 2020-25

Make most of your life



It's a matter of pride to mention that my Alma Mater is a place that nurtures its students with love and care! DME was a new college when I enrolled as a Law student in 2014. With me, the institution was also learning and growing. But its pillars were so strong that its students could always fall on them and rebound for a higher flight.

DME always braces its students with faith and trust. I will take this opportunity to narrate one incident that I hope inspires and motivates the present students. One day, while discussing cybercrimes with our then Principal Prof. (Dr.) Vikram Dutt, I timidly said that our college should have a Cell specifically dedicated to raise awareness about protective measures to tackle cybercrime and help cybercrime victims by providing legal advice.

To this he replied, why don't you take this initiative and start this Cell. The confidence with which he spoke to me gave me the assurance that I could bring the positive change I want to see in the

world. I acted on his advice and started our college's Cyber Cell. The rest is history, and indeed a fulfilling one! (You can read more about the inception and journey of Cyber Cell of DME here - <https://www.linkedin.com/pulse/cyber-cell-dme-journey-from-dream-reality-trupti-panigrahi/>).

My message to my juniors in this write-up. Therefore, I conclude with the following:

Make the most of your student life by taking initiatives for things that matter to you and the world at large. Don't worry about failing...you can never fail when you have the support of DME.

Trupti Panigrahi
Assistant Dean, O.P.Jindal Global University,
Sonapat, Haryana Batch 2014-19

My Life as Law Student



I joined DME in 2014 as an avid and curious student, keen to explore the field of law. Throughout my five years of education and training at DME, I found myself fascinated by the scope of studying law. I realized that one can never stop studying law! I was fortunate enough to meet some friendly and learned professors

who not only guided, but also inspired me to scout the field of legal academics. Along with academics, my engagements in co-curricular activities at DME is also something I cherish. Being a music enthusiast, I was actively involved in the music society endeavours. I got the opportunity to represent DME at various fests and competitions, while also jam with fellow music buffs, including professors! I completed my education at DME in 2019. From DME I moved on to study International Law and Diplomacy as a Post-Graduate Diploma course at Indian Society of International Law. Having decided to build a career in legal academics, I thereafter joined Azim Premji University to pursue LL.M in Law and Development. My education at the Masters level concretized and expanded my learnings in undergrad law school in DME. I traversed the area of field research during my LL.M to study prisons and prisoners. The insights I gained throughout these years is invaluable!

Being in law school gives you ample opportunities to explore and practice the skills you have, be it the art of debating/ arguing, researching, writing, leading, etc. These opportunities may be found in various competitions and workshops, such as moot courts, client counselling, judgment writing, MUNs, research paper writing, and of course internships. Having access to such rich platforms, I would encourage the current students at DME to take up at least one of these skills and hone it. This is the time to explore your abilities and identify your interests. Interacting with the faculty is an excellent way of learning and training yourself in law. What we all need to keep in mind is that opportunities are always there. Sometimes you have to take the effort and seek it. All the best!

By Ancy Susan George
Advocate, LL.M from Azim Premji University
Batch 2014-19