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From the Editor's Desk

The new session has started and brings with it a host of new possibilities and opportunities. We have new cheerful young faces amongst us, shining with anticipation of what a college life holds for them. We have the older recognizable faces, with a hint of gravity from the previous year's experience and knowledge gained here at DME. A warm welcome to all of us to the new spring at DME. We have a multitude of activities lined up ahead of us. The Memorial lectures, Intra Moot Court competition, the Youth Parliament and not to forget the daunting internals that await us this coming month. The start of a new semester always seems to pass like a whirlwind with corridors abuzz with activities and everyone trying to come to terms with regular timetables post the laxity of the vacation. I hope all of us will shake our vacation lulls and jump into the fray. So buckle your seatbelts and snap your protective goggles on. Let's embrace our spring at DME with gusto and zeal.

Ms. Shambhavi Mishra
*Assistant Professor,
 DME Law School*

Editorial Board:

*Ms Shambhavi Mishra, Ms Shabeeh Rahat,
 Ms Sakshi Aggarwal*

**Justice V.R. Krishna Iyer**

Memorial Lecture series

in assistance with

Center for Criminal Law and Justice (CCLJ)

Thoughts & Reflection on Talaq-Ul-Biddat (Triple Talaq)

-Shakshi Shreya (Student, DME Law School)

-Akansha Sharma, (Student, DME Law School)

On 27th August, 2019, the Research Cell Centre for Criminal Law and Justice (CCLJ) of the esteemed institution, DME organized lecture on the topic of "Thoughts & Reflection on Talaq-ul-Biddat (Triple talaq)" in Nelson Mandela Auditorium as a part of the Research Day Activity. The enlightening event was honoured with the presence of Hon'ble guests Mr. Manoj Goel (Senior arguing counsel Supreme Court who argued in the Triple Talaq case), Ms. Azra Rehman (Advocate Supreme Court) and Mr. Wajeeh Shafeeq (Advocate on Record Supreme Court).



The event was initiated with paying tribute to Maa Saraswati by lightning of lamps by all the respected guests and dignitaries of DME. Kuber Mahajan, final year student of DME commenced the event by giving brief introduction on the status of Triple Talaq prevailing in India and consecutively invited Justice Bhanwar Singh to share some words of wisdom with the students. J. Bhanwar Singh shared his knowledge about the immense contribution of J. V.R. Krishna Iyer in the development of Indian Judiciary and his profound work for the upliftment of the weaker section of the society.

The event continued with the presence of Mr. Wajeeh Shafeeq who appeared as a counsel for the husband (Rezwan) in the landmark judgement of Shah Bano case. He shed lights upon the facts that the husband gave Talaq as all the possibilities of re-conciliation failed. He also mentioned that every Muslim is governed by Muslim Personal laws (Shariat) throughout their lives wherein he criticized the interference of Judiciary in the personal matter of wife and husband. He shared his knowledge on the types of Talaq and henceforth procedure for re-conciliation with the students of DME. He also emphasized on the importance of Article 25 and 26 of Indian Constitution with respect to the judgement of Triple talaq. He concluded with the quote of Prophet Mohammad that "Triple talaq is just but sinful."

Thereafter, Mr. Manoj Goel was felicitated to the podium to share his experience, views and knowledge on the subject of the event. He greeted the Hon'ble dignitaries of DME before commencing his lecture. He put forward his extreme criticism against the Shah Bano judgement and the Anti-Triple talaq Bill. He emphasized on the fact that the entire Triple talaq judgment was not influenced with the issue of Triple talaq but various other major societal concerns and legal issues.

Then in the final hours of the lecture, the Hon'ble guests were felicitated by our diligent student, Kuber Mahajan with his authored book on "Traditional and modern forms of Talaq under Muslim Law."

Orientation Programme of B.A.,LL.B and B.B.A., LL.B (Batch 2019-24)

The Orientation Programme for the new batch of the Law School was held on Sunday, 18th August 2019. The day commenced with the arrival of the Chief Guest of the Programme Prof. (Dr.) Ranbir Singh, Vice Chancellor, NLU, Delhi.

Hon'ble Mr Justice Bhanwar Singh (Director General) gave his blessings and valuable advise to the new students. He emphasised on adherence to principles of discipline, humanity, confidence, good behaviour, self dependance and punctuality to excel in the profession of law and wished best of luck to the new batch. In addition to this, Mr Vipin Sahni welcomed the students and saw it to be a new chapter in their lives, of which they would be their own authors and it would be both daunting and exciting.



Chairman Vipin Sahni Felicitating Prof Ranbir Singh



Director Pro. Ravikant Swamy with Prof. Ranbir Singh

The event further witnessed an intellectually and morally stimulating address by the Chief Guest of the Programme Prof. (Dr.) Ranbir Singh, Vice Chancellor, NLU, Delhi. He emphasised law to be a very important profession which could be seen from the fact that historically, lawyers had a key role in the freedom struggle both at national and international level. Dr. Singh went on to discuss the landscape of the legal education in the country and opined that a good law school in itself does not guarantee success in the legal profession.

He inspired the students by narrating interesting anecdotes from his own life to underline the fact that hard work can create talent and ensure success. He further advised the students to value team spirit in addition to developing skills and expertise to reach the desired goals. In the course of his address, Dr. Singh narrated his experiences of establishing the three best law schools of the country - NLSIU Bangalore, NALSAR Hyderabad and NLU Delhi and said that success as an institution can only be achieved if everyone works as a team.



Because asking questions is important

The Orientation Day also witnessed the felicitation of Ms. Harshika Rastogi (student of DME Law School Batch of 2018) and her parents as a token of appreciation from the college on the occasion of her selection in the Uttar Pradesh Judicial Services (Civil Judge Junior Division) Examination right after the completion of her graduation. Ms Harshika Rastogi in her address expressed heartfelt gratitude towards Hon'ble Mr Justice Bhanwar Singh (Director General) and Dr. N.K. Bahl for their constant guidance and support in her endeavours. She also thanked her teachers and family for her success. In narrating her journey, she emphasised upon clarity of concepts, revision and improvement of communication skills as effective tools in addition to a positive attitude.

The event concluded with a vote of thanks by Dr. Ravi kant Swami who thanked the dignitaries on stage and luminaries in the audience for the great programme.



Ms. Harshika Rastogi with the dignitaries

Research Day Activity

CENTRE FOR ADR, SCHOOL OF LAW, DME

JUST A MINUTE HELD ON 20/08/19

Just a Minute competition was organized with Centre for ADR, DME Law School to create awareness among students about role of arbitration, conciliation and mediation and lokadalats in reducing pendency in Courts on 20th August, 2019 (Tuesday). Students from 2nd to 5th year participated in the competition. They were allotted 1 minute to share the views on the following topics :

1. 3.3 crore cases pending in Indian courts: Role of Arbitration
2. 3.3 crore cases pending in Indian courts: Role of Mediation
3. 3.3 crore cases pending in Indian courts: Role of conciliation
4. 3.3 crore cases pending in Indian courts: Role of Lokadalat
5. Role of arbitration courts/forums in dispute settlement
6. Role of Mediation courts/forums in dispute settlement
7. Role of lokadalat courts/forums in dispute settlement
8. Role of ADR in criminal cases
9. Role of ADR in criminal cases
10. Role of ADR in Family cases
11. Role of ADR in IPR cases
12. Role of ADR in Consumer cases

Centre Members Mr. Kush Kalra, Ms. Priyansha Badoni, Mr. Surya Saxena along with Research Cell Head Dr. Isha Jaswal were present. The competition was judged by Ms. Shivani Bhaduria. There were around 20 participants who spoke on different topics

which covered various aspects of ADR and emphasized on the need of Arbitration, Mediation, Conciliation in helping reduce the mounting pendency of litigation in the Indian courts.

The students were evaluated on the following parameters:

- a. Contents
- b. Expression
- c. Pronunciation
- d. Body Language and attire

3 winners were announced i.e. Eknor Khurana, Aashi and Gursimar for this competition. Participation certificates will be provided to all the participants.



VISITS

Visit to ICRC (International Committee of Red Cross) of students of DME, Noida, 30th August, 2019

- On 30th August, 2019 the students of BA LLB, 1st Year (B) of DELHI METROPOLITAN EDUCATION, Law Department, Noida visited International committee of Red Cross (ICRC) with faculty Assistant Professor Kush Kalra. .
 - The ICRC is a Humanitarian institution based in **GENEVA, SWITZERLAND**. The ICRC was established in 1859 after the battle of **SOLFERINO**. The **German redcross society** was the first national society which was established in **1863**. The ICRC is the national humanitarian organization. ICRC's mandate is to protect victims of international and internal armed conflicts. Such victims include war wounded, prisoners refugees, civilians, and other non-combatants. The ICRC is part of the International Red Cross and Red Crescent Movement along with the International Federation of Red Cross and Red Crescent Societies (IFRC) and 190 National Societies. The red cross and red crescent offices are called **Delegations**. The **South Sudan** is the youngest national society established in 2013.
 - **History of ICRC**- There were no organized and well-established army nursing systems for casualties and no safe and protected institutions to accommodate and treat those who were wounded on the battlefield. In June 1859, the Swiss business man **Henry Dunant** travelled to Italy to meet French emperor **Napoléon III**. He witnessed about 40,000 soldiers on both sides died or were left wounded on the field he devoted himself to helping with the treatment and care for the wounded he devoted himself to helping with the treatment and care for the wounded Back in his home in Geneva, he decided to write a book entitled A Memory of Solferino which he published with his own money in 1862. He sent copies of the book to leading political and military figures through out Europe.
 - This international federation is based on **seven fundamental principles**, which are as follow :-
 1. Neutrality
 2. Humanity
 3. Impartiality
 4. Independence
 5. Unity
 6. Voluntary service
 7. Universality
 - The ICRC is the independent organization, it has many donors and the biggest donor is **US Government**.
 - The emblem of the ICRC is very meaningful it is the reverse symbol of the Swiss flag, it is the sign of protection, no religious connotations. There is criticism on the current emblem of ICRC so on Dec.8, 2005 ICRC came with the idea of the **Red Crystal**.
 - **CORE OF ICRC:-**
 1. Promoting humanitarian law
 2. Provides assistance to affected people
 3. Service to be close to victims
 4. Confidentiality is the key of ICRC, they make no public statements.
 - The ICRC is not an NGO or INGO, they are humanitarian body.
 - The students were informed about the work of The ICRC, New Delhi and were informed about the various humanitarian works done by ICRC.
- This visit will help students understand the role and importance of ICRC in India.



Visit to Supreme Court of India of BA LLB 1st Year Students (Section C)

A group of 40 students along with Asst. Professor Mr. Kush Karla visited Supreme Court of India on 26th August, 2019 as a part of DME Law School Education Visit programme. This visit was aimed at making the students aware of the functioning of the highest body of justice.

Students were informed about the landmark decided cases of Supreme Court. Students were further informed about the Public Interest Litigation and Jurisdiction of Apex Court. The students were also shown the documentary about the Supreme Court establishment and were informed about its working.

Students also visited Supreme Court Museum and observed the evolution of Legal System in India from ancient time to present days.

This visit will help students understand the role of Hon'ble Supreme court in dispensing justice and to ascertain whether the laws are executed and obeyed properly and to see to it that no person is deprived of justice in any court of law.



Visit of students of BBA LLB, 1st year A section to Central Adoption and Resource Authority (CARA)

A group of students from BBA LLB 1ST Year (section A) along with Asst. Professors Mr. Kush Karla of DME, Noida visited CARA on 21st August, 2019 as a part of DME Law School Education Visit programme. This visit was aimed at making the students aware of the functioning of the CARA. Students meet the senior official and Law officer of CARA and learnt about the working of CARA in detailed manner.

Central Adoption Resource Authority (CARA) is a statutory body of Ministry of Women & Child Development, Government of India. It functions as the nodal body for adoption of Indian children and is mandated to monitor and regulate in-country and inter-country adoptions. CARA is designated as the

Central Authority to deal with inter-country adoptions in accordance with the provisions of the Hague Convention on Inter-country Adoption, 1993, ratified by Government of India in 2003.

CARA primarily deals with adoption of orphan, abandoned and surrendered children through its associated /recognised adoption agencies. Students were informed about the process of Legal adoption in India and the role of CARA in dealing with adoption of orphaned, abandoned and surrendered children through its associated and recognised adoption agencies.

This visit will help students understand the role of CARA and the process of Legal and valid adoption in India.



Visit to ICRC (International Committee of Red Cross) of students of DME, Noida, 23rd August, 2019

On 23rd August, 2019 the students of BBA.LLB and BA LLB, 1st Year (A) of Delhi Metropolitan Education, Law Department, Noida visited International committee of Red Cross (ICRC) with faculty Assistant Professor Kush Kalra.

The ICRC is a Humanitarian institution based in **GENEVA, SWITZERLAND**. The ICRC was established in 1859 after the battle of **SOLFERINO**. The **German Red Cross Society** was the first national society which was established in **1863**.

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This visit will help students understand the role and importance of ICRC in India.



REPORT ON NANI PALKHIVALA DEBATE, 2019

- Kunika Kanodia
(Student, DME Law School)

"If the facts are against you, argue the law. If the law is against you, argue the facts. If the law and the facts are against you, pound the table and yell like hell" said the Former Supreme Court Judge, Justice AK Sikri as a Moderator for the Nani Palkhivala Debate on 21st August, 2019 held at Indian Society of International Law (ISIL) Auditorium, Delhi.



Students of fifth year

Constitutional Betrayal".

Team A consisted of Mr. Raju Ramachandran, Senior Advocate and former Additional Solicitor General, who has served as an amicus curiae for the Supreme Court of India in the 2002 Gujarat riots case and in the appeal of Ajmal Kasab in the 2008 Mumbai attacks case, and his Junior Mr. Shankar



Privy Purses and Us!



Arvind P.Datar and Rajuramachandran in action

The final year law students of Delhi Metropolitan Education attended the debate organized by Lex Consilium Foundation, spearheaded by Major General Nilendra Kumar, as a part of the Birth Centenary Celebrations of Mr. Nani Palkhivala, an eminent advocate, economist, impressionable orator, erudite scholar and writer, champion of civil rights and an activist. Having regard to the magnificent role played by Mr. Palkhivala in *Madhav Rao Jivaji Rao Scindia vs Union of India*, (1971) 1 SCC 85, the topic for the debate was "The Final Outcome in the Privy Purses Case Was a

Narayanan, Advocate, Supreme Court of India and Senior Research Fellow at Vidhi Centre for Legal Policy. Team B was headed by Mr. Arvind P. Datar, Senior Advocate and renowned Jurist, who is an authority on tax, company and Constitutional matters, having authored several highly regarded legal commentaries, along with his Junior Mr. Gautam Bhatia, Advocate, Supreme Court of India and recipient of prestigious Rhodes scholarship. Hon'ble Mr. Justice AK Sikri, Former Judge, Supreme Court of India was the Moderator for the debate. The Senior Advocates were assigned 15 minutes each who were assisted by their respective juniors who were allotted 7.5 minutes each. Further two slots of 10 minute each were provided for questions by the Moderator and the audience.

The event was concluded successfully and the students were inspired to imbibe and follow Mr. Palkhivala and other respectful dignitaries present at the debate as an example of hard work, self-improvement, dedication, philanthropy and patriotism. The students were able to grasp the advocacy skills.

The Unlawful Activities (Prevention) Amendment Bill, 2019



- Ms. Swaril Dania
Assistant Professor

The Rajya Sabha on the 2nd of August passed the contentious Unlawful Activities (Prevention) Amendment Bill, 2019 which had been introduced in the Lok Sabha by the Minister of Home Affairs, Mr. Amit Shah, on the 8th of July, this year. The Act which received the assent of the President on the 8th of August and has also been notified in the Gazette, has been challenged by way of two separate petitions filed in the Supreme Court on the ground that the Act is violative of fundamental rights as contained in Articles 14, 19 and 21.

The UAPA has, since its inception in 1967, remained a controversial piece of legislation and concerns have always been raised as to the propensity of its misuse. The Act as amended, empowers the Central Government to add to or remove from the Fourth Schedule contained therein, the name of an individual as a terrorist (Section 35). Till date, no provision in Indian law had been in existence, which allows for such 'branding' of an individual as a terrorist, and thus, the amendment has added to these concerns of its possible misuse.

Such a provision for labelling of an individual as a terrorist even before the commencement of a trial, is susceptible to be challenged on grounds of possible 'arbitrariness' and thus

Article 14 and also, is in stark contrast to the very essence of the requirement of following the 'procedure established by law' which lies at the heart of Article 21. Moreover, the same has serious repercussions for the 'Right to Dissent' without which any democracy is meaningless. In addition to this, the 'Right to one's Reputation' has been read to be an integral part of Article 21, which presents another potential ground for objecting to the aforementioned amendment.

The Statement of Objects and Reasons appended to the Bill as introduced in the Lok Sabha mentioned that the Bill was aimed at overcoming the difficulties which are faced by the National Investigation Agency in the process of investigation and prosecution of terrorism related cases. Further, it stated that the same has been brought to align the domestic law with the international obligations as mandated in several conventions and Security Council Resolutions on the issue of terrorism. However, in the wake of the above discussed challenges, it can be said, that the Supreme court has once again before it, the task of ensuring that the cause of individual liberty is not sacrificed at the altar of any 'overzealous' attempts to secure national security.

Triple Talaq Verdict



- Ms. Navjot Suri
Assistant Professor

On 17 August 2017, the Supreme Court held a landmark verdict with 3: 2 majority by striking down the Muslim practice of Triple Talaq by stating it as unconstitutional as it violates the fundamental right of Muslim women. Triple Talaq is an age-old concept in which a Muslim man could give divorce to his wife by uttering the word "Talaq" thrice. The court stated that practice of triple talaq irrevocably ends marriage and is against the basic tenets of Quran. The urge for such change began with the Shayara Bano case in 2016 followed by Petitions by other Muslim women Aafreen Rehman, Gulshan Parveen, Ishrat Jahan and Atiya Sabri which were tagged along with Bano's plea. Finally, the apex court decided to constitute the constitution bench to hear and decide on whether triple talaq is constitutionally valid or invalid. The Hon'ble supreme Court through this landmark judgement stating triple talaq as unconstitutional and arbitrary further directed the Government of Union of India to deliberate upon the opinions taken by the court in the Judgment and to come up with a standard legislature to regulate the practice of divorce in Muslim community which led to the placing of, The Muslim Women (Protection of

Rights on Marriage) Bill, 2017 (Triple Talaq bill) by the Hon'ble Law Minister Shri Ravi Shankar Prasad before the Lok Sabha. The judgment in my opinion was the need of an hour as an oral, instant divorce must be declared unconstitutional because "Triple Talaq is not a basic and integral part of Islam" and is not even permitted in several Muslim countries. It is true that the said Bill has gained a lot of appreciations but at the same time the Bill has been severely criticized by many. Some state it is a "politicised move" and some state it as discriminatory against the Muslim men as they are getting punished for abandoning their wives but not Hindu men. But according to my opinion it is an historic move which will lead not only in empowering the Muslim women but also guarantee them the basic Human right i.e. equal status in society with dignity.