



COGNIZANT

A QUARTERLY NEWSLETTER

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FROM THE DESK OF THE HON'BLE VICE-CHANCELLOR



The highlight of the newsletter is the interactive series “Beyond Judgments” that aspires to offer our students a holistic understanding of the law by exploring the lived experiences, ethical convictions, and jurisprudential insights of esteemed members of the judiciary.



The idea to have the newsletter of RPNLU, Prayagraj, came to my mind immediately after the culmination of the International Conference hosted by the University in March, 2025. By this time, I was convinced that the university had a modest number of events and activities that can be systematically presented before the readers. The idea got enthusiastic support from my colleagues and the consensus was built on the ‘quarterly issue’ of the same. Since, we take on board our students for the activities of the university, a team of interested and capable students was selected by the teachers for the editing work.

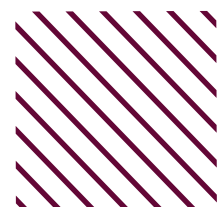
We had to showcase the university’s events from July 2024 onwards. This way, in March, 2025, we were having backlog of three issues. To manage this backlog, the first two issues have been thoughtfully consolidated into a single volume. This editorial decision enables us to align more swiftly with the current academic timeline and maintain continuity in our publication schedule. Along with the reporting of various co-curricular and extra-curricular activities of university, the Newsletter also presents the participation of students and teaching faculty at various programs outside this university. The segment titled “Expressions” gives special space to the budding lawyers to write about the lighter side of the law. The sections on Judicial Trends and Legislative Updates, reports on the content, as it is, without giving any views on it.

The highlight of the newsletter is the interactive series “Beyond Judgments” that aspires to offer our students a holistic understanding of the law by exploring the lived experiences, ethical convictions, and jurisprudential insights of esteemed members of the judiciary. A selected team of 2-3 students conducts the session, facilitating a candid and enriching dialogue with the distinguished Judge. We are immensely grateful to the Chief Justice Arun Bhansali, Allahabad High Court, who is also the Hon’ble Chancellor of RPNLUP for allowing us to conduct the debut session with His Lordship.

It is anticipated that readers will find the content of this newsletter engaging. Suggestions for its enhancement are earnestly solicited.

10 April, 2025

Senior Prof. (Dr.) Mrs. Usha Tandon



ONLINE INTERNATIONAL WORKSHOP:

Integrated Legal Education - Transformative Approaches to Pedagogy and Research in Law
(3rd -7th July, 2024)



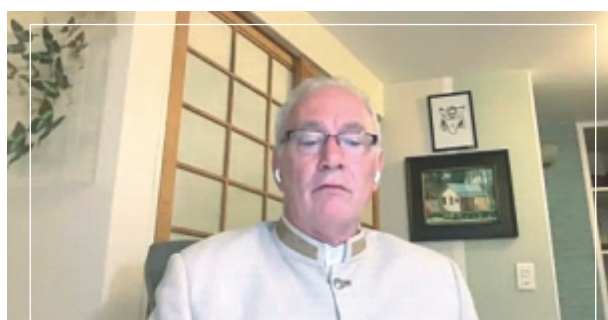
(from left to right) Hon'ble Chief Justice Arun Bhansali, High Court of Allahabad & Chancellor, RPNLUP; HMJ M. K. Gupta, Senior Judge, High Court of Allahabad

Dr. Rajendra Prasad National Law University, Prayagraj, convened a global gathering of legal experts to explore the future of legal education. The workshop, "Integrated Legal Education: Transformative Approaches to Pedagogy and Research in Law", addressed the critical need for law education to adapt to contemporary societal challenges through interdisciplinary integration and innovative teaching methods. The workshop in its span of 14 Technical sessions, featured a galaxy of distinguished speakers from globally renowned institutions such as the Supreme Court of Hawaii, USA; University of Bradford, United Kingdom; University of British Columbia, Vancouver, Canada; University of Colombo, Sri Lanka; and University of Kathmandu, Nepal. Additionally, the presence of distinguished speakers from eminent Indian institutions and universities, including the Vice Chancellor of National Law School of India University (NLSIU), Bangalore, and many others, further enhanced the workshop's academic excellence.

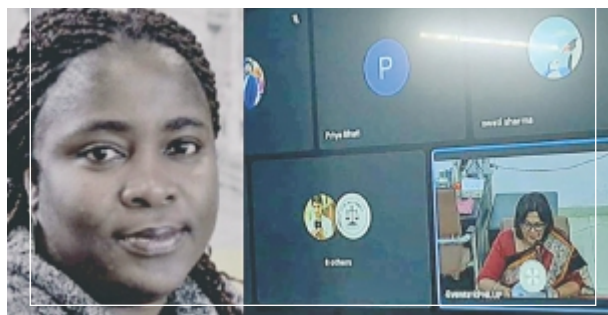
The workshop commenced with an inaugural session on the 3rd of July, 2024 graced by the esteemed presence of **Hon'ble Mr. Justice Arun Bhansali**, Chief Justice of the High Court of Allahabad and Chancellor of RPNLUP, as the Chief Guest, and **Hon'ble Mr. Justice M.K. Gupta**, Senior Judge of the High Court of

Allahabad, as the Guest of Honour. The inaugural addresses articulated a compelling imperative for the recalibration of legal education paradigms in response to the dynamic exigencies of contemporary society, underscoring the pivotal role of law in addressing pressing global challenges.

The event commenced with judicial leaders emphasizing the urgent requirement to recalibrate legal education paradigms, acknowledging law's crucial role in confronting pressing global issues. Subsequent discussions delved into the necessity of integrating diverse academic fields into legal studies, with **Prof. Sudhir Krishnaswamy** (Hon'ble Vice Chancellor of National Law School of India University (NLSIU), Bangalore) highlighting the importance of interdisciplinary approaches for a holistic understanding of law's societal impact. **Hon'ble Mr. Justice Michael D. Wilson** (Judge, Supreme Court of Hawaii, USA) underscored the value of experiential learning to bridge the gap between theory and practice, while **Professor EngoboEmeseh** (University of Bradford, United Kingdom) advocated for embedding sustainability principles within law curricula to address environmental concerns.



HMJ Michael D. Wilson



Prof. Engobo



Prof. Pradeep Kulshreshtha

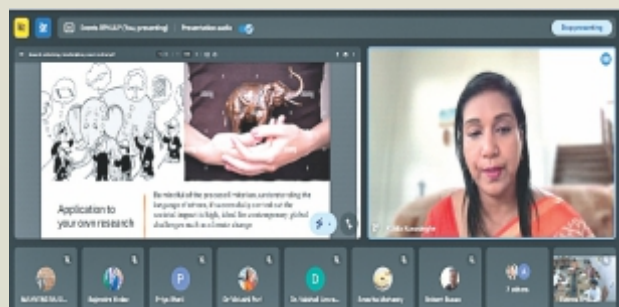
Scholars further explored pedagogical strategies, with **Dr. Om Prakash Mishra** (NLU, Jodhpur) examining the integration of history into law education, and **Dr. Ritu Sharma**

(Associate Professor of

Sociology, NLU, Delhi) elucidating the law-sociology relationship. The crucial role of language proficiency in legal education was emphasized by **Prof. Mukesh Srivastava** (NLIU, Bhopal), and **Dr. Alok Kumar Gupta** (Associate Professor, Department of Political Science and Public Administration, Central University of Jharkhand) discussed the significance of political science in legal studies. Curriculum development and assessment were also key topics, with **Dr. Uday Shankar** (Associate Professor, RG School of IPR, IIT Kharagpur) discussing legal methods, **Prof. Pradeep Kulshreshtha** (Dean, Bennett School of Law, Bennett University) providing curriculum insights, and **Professor Shiva Giri** (Professor of Law Kathmandu University, Nepal) stressing the need for interdisciplinary perspectives.



Dr. Uday Shankar



Prof. K. L. Konasinghe

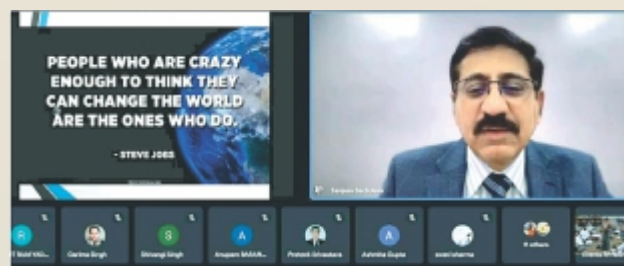


Dr. Robert Russo

The workshop also addressed research methodologies and the impact of digital technologies.

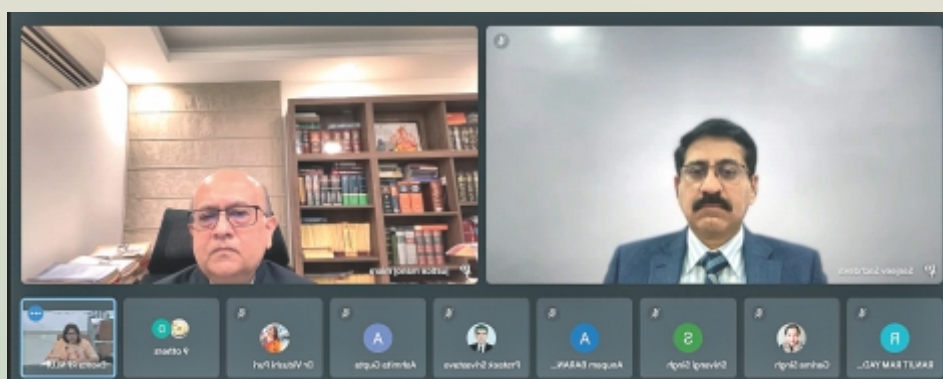
Professor K. L. Konasinghe (Faculty of Law, University of Colombo) provided a

framework for interdisciplinary legal research, and **Dr. Robert Russo** (Peter A. Allard School of Law, University of British Columbia) explored the transformative potential of digital tools in legal education. **Dr. Rajesh Singh** (University librarian & Head DULS, University of Delhi) discussed the utilization of electronic resources, and **Hon'ble Mr. Justice Sanjeev Sachdeva** (Judge, High Court of Madhya Pradesh) concluded with a discourse on the evolving legal profession in the digital age.



HMJ Sachdeva also joined for the valedictory session, wherein **Hon'ble Mr. Justice Manoj Misra Judge**, Supreme Court of India, and Visitor, RPNLUP gave valedictory address and stressed on the continuous innovation imperative in legal education. Speakers emphasized the workshop's success in fostering dialogue on evolving pedagogical and research methodologies, highlighting the necessity of preparing future legal professionals to navigate an increasingly interconnected world.

Sr. Prof. (Dr.) Usha Tandon, Hon'ble Vice-Chancellor, RPNLUP, also spoke in the valedictory session, commending the participants and organizers for the workshop's successful execution and its significant contribution to the global evolution of legal education paradigms.



(from left to right) HMJ Manoj Misra, Judge, Supreme Court of India & Visitor, RPNLUP and HMJ Sanjeev Sachdeva, Judge, High Court of Madhya Pradesh

STUDENT'S INDUCTION PROGRAM



Foundation Batch 2024-29 at Academic Block, RPNLUP

Dr. Rajendra Prasad National Law University, Prayagraj (RPNLUP) successfully conducted six-days Students' Induction Programme, held from July 22 to July 27, 2024. This thoughtfully curated event was designed to acquaint new students with the university's academic framework, vision of the institution under the distinguished leadership of the **Hon'ble Vice Chancellor Sr. Prof. (Dr.) Usha Tandon**, its commitment to excellence, esteemed faculty, and administrative protocols, on the commencement of their academic pursuits.

The programme commenced on July 23rd, 2024 with an inaugural address by the **HVC Sr. Prof. (Dr.) Usha Tandon**, who extended a warm welcome to the inaugural cohort of the B.A. LL.B. (Hons.) Programme. In her visionary discourse, she eloquently outlined the institution's mission and objectives, offering an academic orientation while inspiring students to embody the humanistic values that set RPNLUP apart from its peer National Law Universities. Stressing the importance of time management and discipline, she underscored their indispensability to those embarking on the rigorous journey of legal education.

Throughout the induction, the students were introduced to the university's policies, practices, ethos, and values. The programme further incorporated a detailed exploration of the campus, encompassing the academic and administrative blocks, the expansive library, and the well-appointed hostels. After the inaugural session, mentor-mentee groups were allotted to provide consistent guidance and foster a sense of support. Rules regarding hostel and library usage were introduced by faculty members, and after lunch, students engaged in cognitive and enrichment activities. The day concluded with a briefing for the Outreach Learning Program.





Students at Permanent Campus Site, Prayagraj



Students at Anand Bhawan, Prayagraj

On 24th July, the Outreach Learning Program took students beyond campus to significant locations such as Anand Bhawan, the Museum of Allahabad High Court, and the university's permanent campus.



Students at Law Museum, Prayagraj

Participants assembled at the main gate early in the morning before departing. Upon their return, lunch was served in the hostel mess, and the afternoon featured enrichment activity titled – Human Diary, followed by a briefing for the next day's outreach session.



The second segment of the Outreach Learning Program, scheduled for 25th July, took students to Chandrashekhar Park, Sanskrit University, Public Library, and Triveni Sangam. The structure remained similar, ensuring a mix of learning, exploration, and development.



Students along with Faculty Members at Sangam Ghat, Prayagraj



Students at Shaheed Chandrashekhar Azad Park at, Prayagraj

Students at Sanskriti University (Central), Prayagraj



(From left to right) Professor A. P. Singh, HMJ Mayank Kumar Jain, Judge, High Court of Allahabad, HMJ Ram Manohar Narayan Mishra, Judge, High Court of Allahabad, HVC Sr. Prof. (Dr.) Usha Tandon & Registrar Sh. Satya Prakash

As the induction reached its later stages, 26th July focused on introducing students to various societies that would shape their extracurricular engagement. Faculty members presented details about the Moot Court, Legal Aid, Debate and Discussion, Internship and Externship, cultural, and sports committees, helping students understand their roles and significance. A thought-provoking talk on “Ethical Values in the Constitution” was delivered by **Prof. Adesh Kumar**, (Dean & Coordinator of Law Faculty, University of Allahabad). After lunch, students continued with cognitive and enrichment activity, titled – Draw your Name.

On 27th July, the final day of the induction, students witnessed a Moot Court demonstration led by Dr. Sonika, followed by a break and an insightful talk on “Foundations of Law – Human Values and Societal Principles” by entrepreneur **Ms. Shubhra Chaturvedi**. After lunch, cognitive and enrichment sessions continued, wherein the students were given the opportunity to show their talent and, in the end, write a letter encapsulating their experience of past few days. The induction programme culminated with the Valedictory Session.

The valedictory session, held in the evening of July 27, 2024, was marked by the distinguished presence of **Hon’ble Mr. Justice Ram Manohar Narayan Mishra**, Judge of the High Court of Allahabad, who graced the occasion as Chief Guest. HMJ Ram Mishra delivered an inspiring address, emphasizing the significance of

dedication and perseverance in achieving legal excellence. He further elucidated key principles of the legal framework, including the notions of justice, the rule of law, constitutionalism, and constitutional morality.

Adding to the grandeur of the event, **Hon’ble Mr. Justice Mayank Kumar Jain**, also of the High Court of Allahabad, participated as the Special Guest of Honour. He encouraged students to lead by example through punctuality, discipline, and commitment, qualities he deemed vital for success. His Lordship, also shed light on the legislative process and its pragmatic responses to contemporary challenges.

Professor A. P. Singh, Hon’ble Vice-Chancellor of RMLNLU, contributed his valuable insights as the Guest of Honour. Prof. Singh emphasized the importance of meticulous practice, noting that attention to detail is a hallmark of human excellence. He also advised students on the virtues of humility and language mastery as integral to professional success.

HVC Sr. Prof. (Dr.) Usha Tandon reiterated the core principles of academic and professional achievement: discipline, punctuality, and attentiveness. Ma’am urged students to make meaningful contributions to the university’s academic standing.

The event concluded with the release of the workshop report on the International Online Workshop on Integrated Legal Education, held earlier that month from July 3 to July 7, 2024.

CELEBRATION OF 78th INDEPENDENCE DAY



Flag-March led by the Hon'ble Vice Chancellor RPNLUP



Students Celebrating Independence Day at RPNLUP

Hon'ble Vice Chancellor hoisting the National Flag

Dr. Rajendra Prasad National Law University, Prayagraj, solemnly observed India's 78th Independence Day on 15th August 2024, in a heartfelt tribute to the nation's historic struggle for freedom. The **Hon'ble Vice Chancellor, Sr. Prof. (Dr.) Usha Tandon**, alongside the respected Registrar, **Shri Satya Prakash**, faculty members, students, and staff, convened on this momentous occasion to honor the innumerable sacrifices made by valiant freedom fighters.

The ceremony commenced with the hoisting of the national flag, followed by a heartfelt rendition of the national anthem, encapsulating the spirit of patriotism. Thereafter, the **Hon'ble Vice Chancellor** addressed the gathering with an impassioned speech. In her speech, Ma'am acknowledged the tireless efforts of freedom fighters specially drawing attention to the contribution of Uttar Pradesh and its rich history, Ma'am recalled the 1857 Rebellion and the pivotal roles played freedom fighters such as Rani Lakshmibai of Jhansi and Mangal Pandey of Balia. Her speech also focused on Prayagraj,

a city that has been a cradle of revolutionary thought and action.

Their stories remind the nation of the collective effort that transcended gender, caste, and creed in the fight for freedom eloquently underscoring the principle of “unity in diversity,” a cherished value reflected within RPNLUP’s vibrant student community, where individuals from diverse regions of India come together in pursuit of academic excellence. Together everyone participated in a disciplined Flag-March led by the Hon’ble Vice Chancellor, symbolizing solidarity among RPNLUP family and with the nation.

The celebration resonated with fervor through an array of cultural performances, including dance, musical renditions, oratory, and poetry, each fostering a profound sense of national pride. Independence Day serves as an enduring symbol of unity, binding citizens from varied backgrounds with the common thread of patriotism.

THE FIRST INTRA-CONQUEROR MOOT COURT



Finale Battle of the Moot Court Competition

The Moot Court Society of RPNLUP, hosted the prestigious two-day Conquerors Intra Moot Court Competition from 21st to 22nd August 2024, providing aspiring lawyers with a platform to refine their advocacy and legal reasoning skills. Centered on the Law of Contract, the moot proposition explored the nuances of promissory estoppel, limitation principles, and the scope of civil disputes.

The competition commenced with two rigorous preliminary rounds, adjudicated by esteemed advocates of the Allahabad High Court, testing participants on legal acumen and argumentative prowess. Advancing teams competed in intense semi-final rounds judged by senior legal professionals, culminating in the grand finale, presided over by **Hon'ble Vice-Chancellor Sr. Prof. (Dr.) Usha Tandon** and **Sr. Advocate Shri Radhakant Ojha**.

The victorious team featured Ms. Srijal Mishra, Mr. Suryansh Mishra, and Ms. Saumya Sachan, while other notable accolades recognized exceptional research and advocacy. The event reinforced ethical legal practice and instilled a passion for jurisprudence among participants.



Finale Battle of the Moot Court Competition

CELEBRATION OF JANMASHTAMI

On 26th August 2024, the auspicious occasion of Janmashtami, the students of Dr. Rajendra Prasad National Law University, Prayagraj came together to celebrate the birth of Lord Krishna with great devotion and enthusiasm. The event was held in the evening, with the university campus lit up in festive spirit and joy. Students dressed in vibrant and traditional ethnic attire gathered to mark the celebrations, creating a colourful and spiritual atmosphere.

The festivities began with a collective prayer and worship ceremony dedicated to Lord Krishna. After the aarti, students engaged in an energetic session of group dancing and singing, celebrating the playful and joyous spirit of Lord Krishna.

Adding to the sweetness of the evening, delicious traditional sweets were distributed among all attendees, creating a warm and festive environment. A thoughtful gesture was made as beautifully crafted statues of Lord Krishna were presented to the **Hon'ble Vice Chancellor Senior Professor (Dr.) Usha Tandon, Registrar Sh. Satya Prakash**, and all professors as token of respect and celebration. The Janmashtami celebration proved to be not only a religious and cultural gathering but also a moment of unity and happiness for the university community.



Janmashtami Celebration at RPNLUP



Students Celebrating Janmashtami at RPNLUP

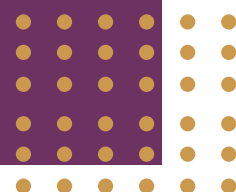
INAUGURATION OF LEGAL AID CLINIC AND PARA-LEGAL VOLUNTEER TRAINING PROGRAM



Inauguration of Legal Aid Clinic and Para-Legal Volunteer Training Program by Dignitaries

In a significant stride towards fostering social justice and empowering marginalized communities, Dr. Rajendra Prasad National Law University, Prayagraj (RPNLUP), has established a Legal Aid Clinic (29th Aug. 2024). Under the visionary leadership of **Hon'ble Vice-Chancellor, Senior Professor (Dr.) Usha Tandon**, the clinic was inaugurated by **Hon'ble Mr. Justice Arun Bhansali**, Chief Justice of the Allahabad High Court and Chancellor of RPNLUP, with **Hon'ble Mr. Justice Manoj Kumar Gupta**, Senior Judge of the Allahabad High Court & Executive Chairman (SLSA). This initiative, aligning with the guidelines of the National Legal Services Authority (NALSA), reflects the university's proactive commitment to extending crucial legal assistance to those in dire need.

HVC Sr. Prof. (Dr.) Usha Tandon welcomed the distinguished guests and emphasized the vital role of legal aid clinics in bridging justice gaps. HMJ Arun Bhansali highlighted the moral and constitutional duty of legal professionals to assist marginalized communities, while HMJ Manoj Gupta offered a thorough analysis of the history and progression of legal aid in India. He provided an in-depth discussion on the establishment and operational framework of legal aid clinics in Uttar Pradesh, explaining their roles and the reasoning behind their creation.



Para-Legal Training Program >>

Dr. Rajendra Prasad National Law University, Prayagraj, organized a three-days Para-Legal Training Program (Aug. 31st to 2nd Sep. 2024), offering law students valuable firsth and exposure to the criminal justice system. The program was structured into two parts: the first two days consisted of campus-based training sessions, while the third day was dedicated to an outreach initiative led by SLSA & DLSA. As part of this outreach, students visited Naini Central Jail, District & Sessions Courts, and the Juvenile Justice Board of Prayagraj, gaining practical insights into prison administration and judicial proceedings.

DAY ONE



Session I: Family Laws: Mrs. Rashmi Singh, Additional Principal Judge of the Family Court in Prayagraj, led the first session, focusing on Family Laws. She provided an insightful overview of key topics, including Marriage Laws, Adoption, Maintenance, Custody & Guardianship, and Judicial Separation & Divorce.

Session II: The Purpose and Role of Paralegals: Dr. Ishanya Raj, a counsellor, and Sh. Surjan Singh, OSD at UPSLSA, led the second session, which centered on key competencies for paralegals. The session emphasized crucial skills such as listening, communication, and observation, along with the importance of maintaining ethical conduct in legal practice.

Session III: Criminal Laws and Rights of an Arrested Person: Sh. Dinesh Gautam, Secretary of the District Legal Service Authority in Prayagraj, conducted the third session, focusing on Criminal Laws as defined in the Bhartiya Nyaya Sanhita and the Bhartiya Nagarik Suraksha Sanhita. The session primarily emphasized the legal rights of arrested individuals, providing critical insights into their protections under the law.

Session IV: Mediation an Overview with Role Play Activity: Sh. Surjan Singh, OSD at UPSLSA, led the fourth session, which delved into the essential aspects of mediation.

DAY TWO



Day Two - Session V



Mr. Dinesh Kumar Gautam (Secretary, DLSA, Prayagraj)

Session V: Laws Relating to Children, Juvenile Justice and Missing Children: Sushri Priyamvada Priyadarshani, Principal Magistrate of the Juvenile Justice Board, and Mrs. Mahima Maurya, Senior Advocate and social activist, conducted a session on key aspects of child protection laws.

Session VI: Social Security and Welfare Scheme: Session six was conducted by Sh. Sarvajit Singh, D.P.O. of Prayagraj, who provided an insightful discussion on social security and welfare schemes aimed at supporting victims of crime. Following this, Sh. Anil Singh, Joint Development Commissioner of Public Development Services in Prayagraj, elaborated on various government initiatives designed to assist marginalized communities, with a particular focus on those living below the poverty line (BPL).

Session VII: Rights of Prisoners: Laws & Judicial Pronouncements: Sh. R.B. Patel, Superintendent of Central Jail, Naini, Prayagraj, led the seventh session, which centered on prisoner rights and their legal protections. The discussion covered relevant laws and significant judicial rulings that impact the welfare of incarcerated individuals, highlighting key aspects of their rights within the justice system.

Session VIII: Drafting of Applications Pertaining to Various Types of Legal Aid: Sh. Vikas Gupta, Chief of the Legal Aid Defence Counsel (LADC), and Sh. Gaurav Singh, Deputy Chief of LADC, conducted the eighth session. The session emphasized essential skills in drafting applications for different forms of legal aid, equipping participants with practical knowledge to assist those in need.

DAY THREE



Para-Legal Outreach Training Program- Students' Visit to Naini Central Jail

DAY THREE of the outreach training program, the HVC Sr. Prof. (Dr.) Usha Tandon along with Mr. Santosh Kumar (Secretary, U.P. SALSA), Mr. Dinesh Kumar Gautam (Secretary, DLSA, Prayagraj), and Sh. Vikas Kumar Gupta (Chief Legal Aid Defence Counsel), led the initiative alongside esteemed faculty members and students. The group visited Naini Central Jail, District & Sessions Courts, and the Juvenile Justice Board, engaging in discussions on legal aid challenges. In the mentoring of the **Jail Superintendent Sh. R. B. Patel** of Central Jail, Naini, the students were guided through the facility, showcasing inmate rehabilitation efforts. The visit concluded with the students' interaction with the inmates of Juvenile Justice Board. The program underscores RPNLUP's commitment to experiential learning, fostering socially responsible and well-rounded legal professionals.

THE FIRST INTRA SPORT'S EVENT



The Sports Society of RPNLUP successfully organized the 1st Intra-University Sports Fest on 27 September 2024. This dynamic event provided students an opportunity to exhibit their athletic abilities and engage in spirited competition.

The fest focused on Badminton and Chess, both drawing an enthusiastic turnout. The badminton tournament saw intense participation, with notable players such as Mr. Aditya Raj, Mr. Ayush Narayan, Mr. Abhishek Rao, and others in the boys' category, while the girls' division featured athletes like Ms. Babli Chaudhary and Ms. Dia Singh. Matches were conducted professionally, allowing players to showcase their skills.

In Chess, competitors like Mr. Rahul Pandey and Mr. Aditya Agarwal engaged in strategic battles in a round-robin format that emphasized precision and consistency. Faculty members - Dr. Suchit Yadav, Dr. Prakash Tripathi, Dr. Deepak Sharma, and Dr. Akanshi Vidyarthi for Badminton, and Dr. Neha Dubey for Chess, ensured fairness throughout.

Following keen evaluation, badminton champion in boy's category was Mr. Ayush Narayan, and in girl's category was Ms. Tanu Grewal. In chess, Mr. Aditya Agarwal emerged victorious. The event reinforced the university's commitment to fostering sportsmanship and holistic growth.



Students at the Badminton Court, RPNLUP



Students engaged in Chess Battle



FRESHER'S *fiesta*



Hon'ble Vice Chancellor, Sr. Prof. (Dr.) Usha Tandon along with Prof. (Dr.) Faizan Mustafa, Faculty members and Students

Dr. Rajendra Prasad National Law University, Prayagraj, hosted its first-ever Freshers' Fiesta for the pioneering batch (2024-2029) on 1st October 2024 at Hotel Prayag Inn, Prayagraj. The grand event, organized to welcome the inaugural cohort, was graciously hosted by **Hon'ble Vice Chancellor Sr. Prof. (Dr.) Usha Tandon** and esteemed faculty members.

Distinguished guests included judges, **Hon'ble Mr. Justice Mayank Kumar Jain**, **Hon'ble Mr. Justice Vinod Diwakar**, **Hon'ble Mr. Justice Arun Kumar Singh Deshwal**, and **Prof. (Dr.) Faizan Mustafa**, Hon'ble Vice Chancellor of Chanakya National Law University, Patna. The evening commenced with a warm welcome, followed by Hon'ble Vice Chancellor's inspiring address, encouraging students to embrace their journey and forge lasting memories.

The festivities featured a Ramp Walk, where students vied for the titles of Mr. Handsome and Ms. Gorgeous. Musical performances, dance showcases, and an engaging Talent Round captivated the audience. HMJ Vinod Diwakar delivered a motivational speech, urging students to pursue excellence. Winners included Mr. Aditya Agarwal (Mr. Handsome), Ms. Tanu Grewal (Ms. Gorgeous), Mr. Suryansh Mishra (Mr. Fresher), and Ms. Stuti Mishra (Ms. Fresher). The event concluded with a lively dinner and DJ night, marking a joyous and unforgettable start to the students' academic journey at RPNLUP.



Hon'ble Vice Chancellor, Sr. Prof. (Dr.) Usha Tandon along with Faculty members and Winners of the Titles

LEGAL AID CAMP

IN THE VILLAGE MALAAK CHAUDHARI, PRAYAGRAJ



Legal Aid Camp at Malaak Chaudhari Village, Prayagraj

RPNLUP has demonstrated a strong commitment to community outreach through its adoption of Malaak Chaudhary, a village in Prayagraj, under the NALSA (Legal Aid Clinics) Regulations, 2011. On October 7th, 2024, the university organized a legal awareness camp to educate villagers about their fundamental legal rights and to promote the newly established legal aid clinic. This initiative has since provided free legal aid services, helping address various community grievances and ensuring justice for many individuals.

SHUBHRAAS'24

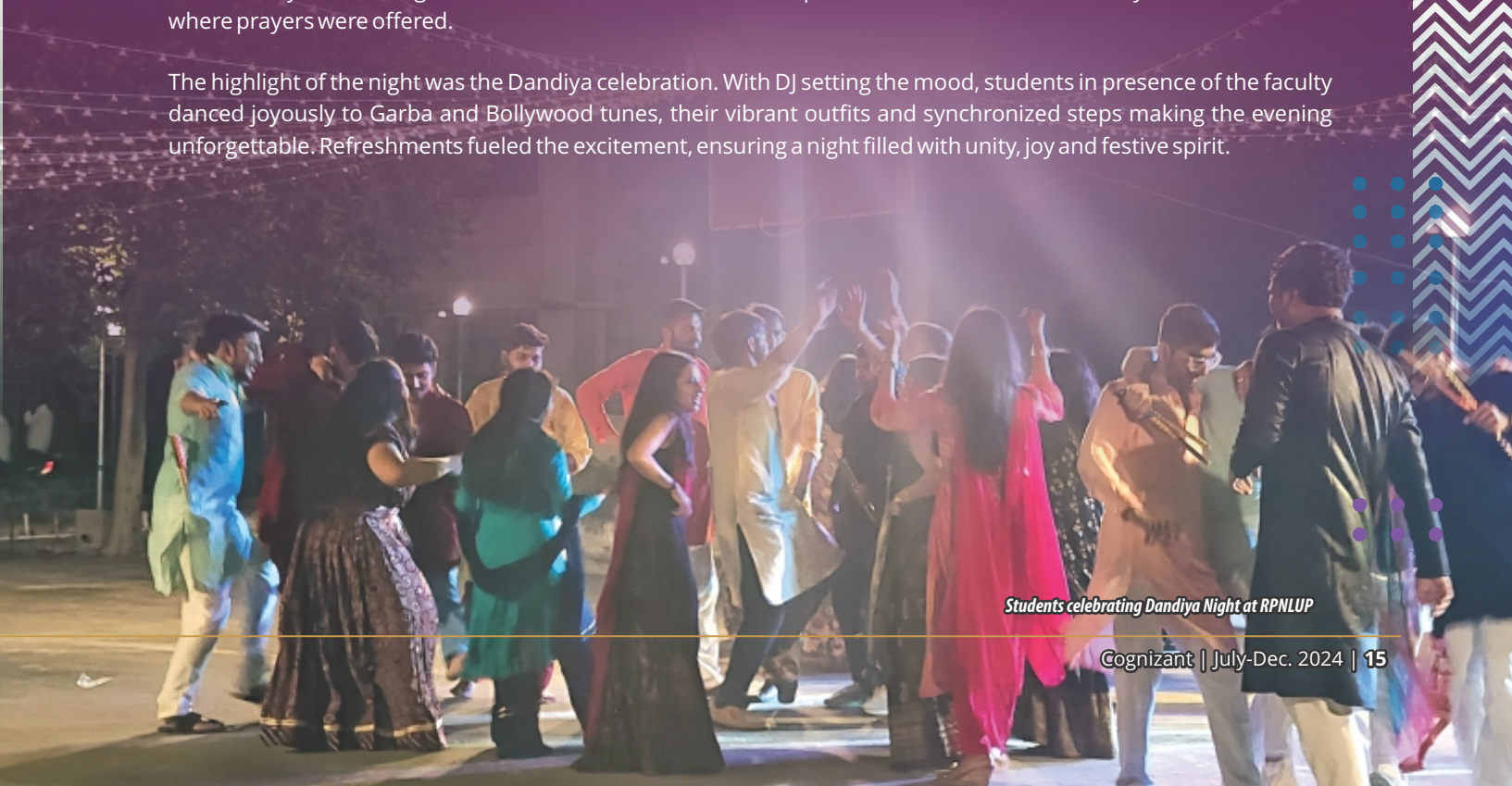
DANDIYA NIGHT



On October 7, 2024, the Cultural Society of RPNLUP hosted Shubhraas'24 – Dandiya Night, a highly anticipated event celebrating Navratri. Students and faculty members participated enthusiastically, creating an atmosphere brimming with energy, music and devotion.

The evening commenced with a warm welcome and the sacred sthapana of Maa Durga, symbolizing the beginning of the festivities. Respected faculty members—Dr. Prakash Tripathi, Dr. Deepak Sharma, Dr. Neha Dubey and Dr. Akanchi Vidyarthi—along with students, led the ritual with deep reverence. This was followed by a traditional Aarti, where prayers were offered.

The highlight of the night was the Dandiya celebration. With DJ setting the mood, students in presence of the faculty danced joyously to Garba and Bollywood tunes, their vibrant outfits and synchronized steps making the evening unforgettable. Refreshments fueled the excitement, ensuring a night filled with unity, joy and festive spirit.



Students celebrating Dandiya Night at RPNLUP

THE FIRST INTRA-DEBATE COMPETITION »



Winners - Mr. Ayush Pandey, Mr. Rahul Pandey, Runner ups - Ms. Khushi Shandilya and Ms. Nehal Sharma

The Debate and Discussion Club of RPNLUP, successfully hosted its inaugural Intra-Debate Competition on 8th October 2024, marking a significant milestone in fostering intellectual discourse among students. The competition comprised of preliminary round, leading to an intense final round, wherein the participants were presented with an impromptu topic to assess their analytical depth and rhetorical finesse.

Demonstrating debating prowess, Mr. Rahul Pandey and Mr. Ayush Pandey emerged as the winners, while Ms. Khushi Shandilya and Ms. Nehal Sharma secured the Runner-Up position. The **Hon'ble Vice-Chancellor**,

Sr. Prof. (Dr.) Usha Tandon, conferred the winners with trophies in the presence of the event's Chief Guest, **Prof. Dr. R. K. Chaubey**, former Head of the Department of Law, Allahabad University. The competition not only celebrated eloquence and critical thinking but also reinforced the university's commitment to nurturing future leaders in legal advocacy and discourse.

DIWALI POOJA »



Registrar Shri. Satya Prakash along with Faculty Members and Students at Academic Block, RPNLUP

On 29th October 2024, Dr. Rajendra Prasad National Law University, Prayagraj celebrated its first Diwali with warm and intimate gathering that beautifully reflected the spirit of the festival. A colourful rangoli welcomed everyone, adding charm to the celebration. Students along with faculty and staff, came together to mark the occasion. Registrar, **Shri Satya Prakash** led the traditional aarti with devotion, joined by assistant professors of RPNLUP, Dr. Deepak Sharma, Dr. Prakash Tripathi and Dr. Neha Dubey. The soft glow of diyas lit up the campus, creating a serene atmosphere. Sweets were distributed among the attendees, spreading festive cheer. Gifts were distributed to the non-teaching staff. The celebration, though small, was filled with warmth, joy, and togetherness.

NUKKAD NATAK »

ON 'CHILD ABUSE' IN THE VILLAGE
MALAAK CHAUDHARI, PRAYAGRAJ



Students along with Faculty Members Malaak Chaudhari Village, Prayagraj

Legal Aid Clinic of RPNLUP raised awareness about child abuse through a "Nukkad Natak" (street play) on November 14th, 2024, which highlighted the harmful effects of child abuse and the available legal recourse. The Legal Aid Clinic's comprehensive approach, including training, awareness camps, and community engagement, aims to foster a culture of legal awareness and social transformation, ultimately empowering marginalized communities and promoting justice.

STRESS MANAGEMENT WORKSHOP

The Debate and Discussion Club of RPNLUP, organized an insightful and transformative “Stress Management” Workshop on 9th October, 2024 to equip students with essential techniques for handling academic pressures while fostering overall well-being. The event provided students with practical strategies to manage stress caused by rigorous course work, exams, deadlines, and social transitions. The first session, “Manage the Unmanaged Stress,” led by **Mrs. Jyoti Mishra** (U.P. State Coordinator, for College Campus, Heartfulness Meditation Centre), focused on resilience, meditation, and mental control. Through interactive visual presentations, students explored the importance of time management, diet, and sleep in reducing stress. Mrs. Mishra guided participants through physical drills and meditation exercises, helping them connect with inner peace and enhance focus.

The second session, “The Art of Saying No,” conducted by **Ms. Shubhra Chaturvedi** (Entrepreneur), emphasized assertiveness and boundary-setting. Using engaging storytelling and real-life scenarios, students learned how declining unnecessary commitments can foster self-respect, productivity, and better decision-making.

The workshop went beyond theoretical discussions, encouraging self-reflection and practical implementation of stress management techniques. By integrating these skills into daily life, students can maintain mental resilience, balance academic demands, and cultivate emotional well-being. The university remains dedicated to producing well-rounded legal professionals who excel both intellectually and personally.



COMMEMORATION OF THE CONSTITUTION DAY



Unveiling the Copy of the Original Constitution of India at Library, RPNLUP

The University (RPNLUP), commemorated Constitution Day on November 26th, 2024 with academic excellence and ceremonial grandeur, celebrating 75 years of the Indian Constitution. A significant highlight was the unveiling of a copy of the original Constitution of India, a historic document generously provided by the Honourable Allahabad High Court, symbolizing the nation's legal and democratic foundation.

The occasion was graced by **Hon'ble Mr. Justice Manoj Kumar Gupta**, Senior Judge of Allahabad High Court, as the Chief Guest, alongside esteemed academicians **Prof. (Dr.) R. Venkata Rao** (Vice Chancellor, IIULER, Goa), **Prof. (Dr.) Dilip Ukey** (Vice Chancellor, MNLU, Mumbai), and **Prof. Ashutosh Mishra** (Dean, DBRANLU, Sonipat).

In his keynote address, **HMJ Manoj Kumar Gupta** described the Constitution as a living testament, adapting to the nation's evolving aspirations. He emphasized the interdependence of rights and duties, urging students to uphold constitutional principles. He also commended RPNLUP's para-legal initiatives and success in moot court competitions.

Prof. Rao referred to the Constitution as the "New Dharmashastra", citing its role in bridging societal inequities and fostering inclusion.

Prof. Ukey explored its philosophical foundations, emphasizing the Preamble as a guiding force. **Sr. Prof. (Dr.) Usha Tandon**, the Hon'ble Vice Chancellor, honoured the legacy of Dr. B.R. Ambedkar and Dr. Rajendra Prasad, expressing gratitude to HMJ Gupta for entrusting RPNLUP with an invaluable copy of the Constitution.

The celebration also witnessed the release of the Para Legal Volunteer (PLV) report, highlighting the university's commitment to social justice. RPNLUP further expanded academic collaboration by signing MoUs with MNLU, Mumbai and IIULER, Goa, fostering research, student exchange, and interdisciplinary learning.

The event concluded with a reaffirmation of constitutional values, as students and faculty pledged to uphold justice, equality, and democracy, underscoring the Constitution's relevance in shaping India's future.



(from left to right) Prof. (Dr.) Dilip Ukey, Prof. (Dr.) R. Venkata Rao, HMJ Manoj Kumar Gupta, Senior Judge, High Court of Allahabad, Hon'ble Vice Chancellor, Sr. Prof. (Dr.) Usha Tandon – Release of Para Legal Volunteer (PLV) Report



(from left to right) Prof. (Dr.) Dilip Ukey, Prof. (Dr.) R. Venkata Rao, HMJ Manoj Kumar Gupta, Senior Judge, High Court of Allahabad, Hon'ble Vice Chancellor, Sr. Prof. (Dr.) Usha Tandon – Signing of MoUs

DEBATE & DISCUSSION CLUB >>

The Debate and Discussion Club of Dr. Rajendra Prasad National Law University, Prayagraj, launched a weekly round-table Debate & Discussion Series on 26th October 2024 as an open and inclusive platform for students to engage in meaningful debates on past and present legal developments and their societal implications. Held every Thursday, these sessions promote critical thinking and active student participation. Topics are carefully selected through a defined process and receive final approval from the **Hon'ble Vice-Chancellor, Sr. Prof. (Dr.) Usha Tandon**, whose vision continues to guide the initiative. While rooted in legal study, the discussions embrace an interdisciplinary approach—welcoming insights from sociology, technology, politics, and international affairs—highlighting law's dynamic interplay with society. This initiative encourages students to move beyond theoretical learning, fostering analytical thinking, public speaking, and collaborative dialogue—skills essential for future legal professionals



Mr. Devansh Upadhyay
(Sem. I, B.A.LL.B. Hons.)



Mr. Aditya Dixit
(Sem. I, B.A.LL.B. Hons.)

On the 24th October 2024, the inaugural session was held on the topic of "Supreme Court's recent judgment of the validity of section 6(a) of the citizenship act, 1955 - Assam Accord the Citizenship Act, 1955" presented by Mr. Devansh Upadhyay and Mr. Aditya Dixit wherein the debate & discussion focused on the challenges faced and benefits incurred by Indian Citizens due to the judgment made by the Supreme Court upholding the Section 6A of the Citizenship Act, 1955.

On the 7th of November 2024, the series had its second instalment on the subject of "New 'Lady Justice' statue unveiled by Supreme Court: A modern representation of Indian Justice" presented by Mr. Suryansh Singh and Ms. Janhavi Singh. Further, the debate & discussion focussed on possible threats to the historical integrity of the Indian Justice System. The legal and social implications this would have in the future, were also pondered upon.



Mr. Suryansh Mishra
(Sem. I, B.A.LL.B. Hons.)



Ms. Janhavi Singh
(Sem. I, B.A.LL.B. Hons.)

THE FOUNDATION DAY CELEBRATION >>



Students along with Registrar Sh. Satya Prakash and Faculty Members at Academic Block, RPNLUP

Dr. Rajendra Prasad National Law University, Prayagraj, celebrated its Foundation Day on 3rd December 2024, commemorating the birth anniversary of Dr. Rajendra Prasad with great enthusiasm. The day commenced with a solemn garlanding ceremony, led by **Registrar Mr. Satya Prakash**, to pay homage to the revered leader, followed by a series of engaging events.

The celebration was enriched by the presence of **Dr. Suantak Kamsonlian** (Associate Professor, MNNIT) and **Mr. Vishal Vijay** (Assistant Professor, University of Allahabad) as esteemed judges for various competitions fostering academic and cultural excellence.



The Poster Making Competition, themed "Lady of Justice," invited students to depict the transformation of the symbolic figure of justice, won by Ms. Samraddhi Jain. She also triumphed in the **Slogan Writing Competition**, addressing the pressing issue of cyberbullying.



Creative expression continued with the **Poem Recitation Competition**, themed "Betiya Bhi Naam Karti Hai," won by Ms. Srijal Mishra for her powerful composition, "Who Am I." The **Nukkad Natak Competition** shed light on menstrual rights, with a compelling performance advocating inclusivity, written and directed by team leaders - Mr. Yasharth Mishra and Mr. Abhyuday Sharan.





The event concluded with a vibrant **Dance Competition**, celebrating India's rich cultural heritage, where Ms. Yashoda Sharma's graceful Bharatnatyam secured the winning title. The various competitions wrapped up with reflections from faculty and dignitaries, reinforcing the university's commitment to holistic education. Students eagerly awaited the most significant event of the day - The Online International Conclave.

The Online International Conclave on "Artificial Intelligence & Legal Education" was a significant academic discourse following the day's competitions. The session featured distinguished panelists from various countries, offering valuable perspectives on AI's evolving role in the legal landscape.

Moderated by **Hon'ble Vice-Chancellor Sr. Prof. (Dr.) Usha Tandon**, the esteemed panel included **Prof. Uday Shankar** (Rajiv Gandhi School of Intellectual Property Law, IIT Kharagpur), **Prof. (Dr.) Atul Kumar Pandey** (Chairperson, Rajiv Gandhi National Cyber Law Centre, NLIU Bhopal), and **Prof. Kiran B. Raja** (Department of Computer Science, Norwegian University of Science and Technology, Norway).

The session commenced with an insightful address by HVC Sr. Prof. (Dr.) Usha Tandon, outlining the transformative potential of AI in legal research, education and accessibility. The panelists deliberated on AI's ethical implications, its role in streamlining legal processes, and the need for adaptive legal frameworks to address emerging challenges.

The session concluded on a productive and intellectually enriching note, providing a platform for cross-cultural discourse and academic exchange, reinforcing AI's significance in shaping the future of legal education.



Distinguished speakers at the Online International Conclave



Students along with Registrar Sir and Faculty Members at Seminar Hall, RPNLUP

BEYOND JUDGMENTS:

Speaking with Hon'ble Chief Justice Arun Bhansali
(ALLAHABAD HIGH COURT)



Q1. Your Lordship, was your entry into the legal field driven by a lifelong passion or a different calling? Furthermore, what has sustained your dedication to this esteemed profession throughout your remarkable journey?

Ans. In fact, as far as I am concerned, I did not come into this profession by accident, I came by training. I'm a third-generation lawyer—my grandfather was a lawyer, my father was a lawyer, and so it came very naturally to me that I should join the profession. My elder brother chose to pursue CA. He is a Chartered Accountant working in a multinational company in Bombay, while I chose to enter the legal profession. As for sustaining in the profession, I joined a chamber other than that of my father, and I feel fortunate to have joined a chamber where work was the only passion. My two seniors were either always working on law or talking about law.

I joined the profession in 1989, and at that time, there were no competitors, no digital libraries—everything was physical. However, there was a fantastic library, and we used to spend a lot of time there working, searching, and then arguing cases the next day.

Q2. Many junior lawyers still face issues like inadequate stipends and mentorship despite the Madras High Court's recent guidelines. May we know how you faced similar challenges in your early advocacy years, and how you overcame them?

Ans. In fact, this particular aspect of the matter is very genuine and is happening across the country, where juniors are either not paid, or if they are paid, they are not compensated adequately. Even where payments are made, they are often made to work like horses. These are the conditions. As far as I am concerned, I also went

through the same thing for two and a half years. I was not paid any stipend, but at the end of the day, not being paid for two and a half years is nothing compared to what I learned from the office where I worked. At the end of those two and a half years, when they started paying, the payments were handsome. Ultimately, what I am today is because of the work I did and the lessons I learned in that office. This is true, and I sustained myself only because of the help I received from my parents, who supported me throughout this period.

Those were different times. For me, all I required for my daily needs, like clothes and food, was a little money to refill my scooter. I had a scooter at that time, which was only for the purpose of going to the court and the chamber. These days, things have changed. Young lawyers require significantly more money. Distances have increased, and so many other things are now essential. There were no mobiles back then, but now having a good mobile is a necessity. Maintaining these things requires a lot of money. Therefore, if a young lawyer is not paid anything, they cannot survive unless they come from a good family background or their parents are in a position to help them.



*HMJ Arun Bhansali at the
Threshold of the Legal Profession*

Q3. Drawing on your experience as a judge in the Rajasthan High Court and later as Chief Justice in the Allahabad High Court, wherein you have seen two judicial cultures, could you tell us something about their working styles and suggest any practices from one that might benefit the other?

Ans. Actually, being a judge of a Court and being the Chief Justice of the largest Court in the country are totally two different ball games. As a judge, we are required to follow the dictates of the Chief Justice, and the only tension for me was to give my best. However, as the Chief Justice, besides handling judicial work, you are also the administrative head of the entire judiciary, including the High Court and the District Judiciary. So, it is a totally different ball game.

Talking about the cultures of the two High Courts, there are not actually many differences between the Rajasthan High Court and the Allahabad High Court. The reason, as I perceive it, is the fact that our three initial Chief Justices, from 1948 onwards, were all from Allahabad. They laid down the practices at that time, and since the Rajasthan High Court was a new High Court, those practices continued. I don't find many differences between the Rajasthan High Court and the Allahabad High Court as far as working is concerned.

Q4. How do you balance public opinion with a strict adherence to legal principles? As we have seen in *Navtej Singh Johar & Ors. v. Union of India* case, where the Court decriminalized consensual sexual acts between two adults despite having mixed public reaction?

Ans. The dilemma is always present when dealing with a matter where public opinion leans in one direction, but the legal aspects of the matter or Constitutional Jurisprudence dictate otherwise. Once you are dictating or deciding on something, you must set aside public opinion because a judge cannot be seen as playing to the galleries. He is required to decide what, in his perception, is legally correct and not what the public perceives to be correct. There are numerous examples where minority opinions of the past have ultimately become the Law of the Land. A person must decide based on legal principles. While public opinion must be taken into account, it cannot guide the ultimate decision.

Q5. Your Lordship, legal figures such as K. Parasaran, the former Attorney General of India—who was prepared to resign when faced with the issue of the probable demolition of Ram Setu—exemplify the tension between personal belief and the law. In your judicial career, have you ever experienced a similar conflict between your personal beliefs and the law? If so, could you share with us how you navigate such situations while upholding your judicial responsibilities?

Ans. Fortunately, no such issue has arisen in my thinking. However, there are circumstances where you feel, in a given case, whether you will be able to do justice, maybe for any reason. In such circumstances, for the judge, the only option is to recuse from that matter. As soon as he feels, or any thought passes his mind, such as “Should I hear this matter?” or “Should I not hear this matter?”, the only answer should be, “I will not hear this matter”.

Q6. Can you share a case or situation from your judicial career that was particularly complex or challenging - political or otherwise - and how it influenced your perspective as a judge?

Ans. It is difficult to pinpoint any one such case, but there was an interesting situation wherein a candidate who was physically challenged had her candidature rejected. When the petition came before the court, the lawyer was arguing half-heartedly and said, “There is some issue.” The counsel on the other side naturally supported the decision to reject the candidature. I said I would dictate the order in the chambers, stating that we had to dismiss the petition. However, while dictating the order in the chambers, I felt that we should check the requirements of the law.

When I looked at the provisions, it stated that physical ability was to be examined to determine whether the person could perform the duties. Upon reviewing the testimonials of the student, I found that she had performed very well in the practicals despite her disability. Since she could perform so well in the practicals, she could definitely perform her duties. Therefore, I constituted a Medical Board solely to examine whether the candidate could perform the duties for which she had applied but was rejected due to her disability.

The Medical Board examined her and was so surprised by her efficiency that they took a video recording of her performance, perhaps thinking the court might not believe their report. This video was presented to the court, which resulted in the petition being allowed. Within a few days, she was granted an appointment because of that.

This shows that, at times, the facts presented to you may appear insufficient. However, if you look at the law and consider another perspective, you may find something that favours someone or provides relief, which is far more important.

Q7. Reflecting on your extensive experience from both legal practice and judicial arenas, what long term changes do you foresee as necessary in our court system.

Ans. What is necessary for the quick dispensation of justice is, first, to fill up vacancies in time. That is the most important thing that needs to be done. If there are enough judges at any given time, disposal takes place efficiently. However, if judges are not available, the disposal naturally reduces to the extent of the vacancies. Another important aspect is to cut down on the arguing time before the court—not in all cases, but in certain instances involving a large number of lawyers.

Often, a large number of lawyers appear in a matter, and everybody repeats the same arguments, which takes up a lot of time. Another difficulty arises when lawyers are not as prepared as they should be. If lawyers prepare adequately and can summarize their arguments, proceedings can move faster. Additionally, difficulties occur during the search for relevant provisions, which is also part of the proceedings. This leads to unnecessary wastage of court time.

Q8. Many legal icons have found ways to unwind from the pressure of the courtroom—like Ram Jethmalani used to play badminton to relieve stress. What hobbies or activities help you relax and recharge amidst the demands of the legal profession?

Ans. In my childhood, I was interested in stamp collecting. I was a philatelist, and I have a unique collection of all Indian stamps issued since 1947. Whenever stamps are issued, the first-day cover is also released, and I have a collection that includes autographs of the people connected with the stamps. For instance, in 1982, a stamp was issued for Mother Teresa, and I have an autograph of Mother Teresa on a first-day cover. That's why I have a remarkable collection of those covers, which are very unique.

In my day-to-day unwinding, I love gardening. Even at my residence in Rajasthan, I have a beautiful garden. At my official residence, there is also a lovely garden. Whenever I get time, I move around the garden, selecting plants or getting them replanted or replenished. Whatever can be done, I do it.



Q9. In light of the growing number of public protests demanding speedy justice and transparency, do you see these movements challenging the judiciary to not only maintain the integrity of legal processes, but also to implement measures that strengthen public trust and ensure accountability in its proceedings?

Ans. Transparency in any field must be the buzzword. There should not be anything that people are not entitled to know; everybody is entitled to know about everything. However, there is a limitation on that aspect because, in the name of transparency, you cannot disregard the oath of secrecy. On several other fronts, such as for state ministers or union ministers who also take the oath of secrecy, unless there is a particular aspect that must not be disclosed, there should be transparency.

As far as challenges are concerned, there is absolutely no challenge because Courts are open, and it is clear what is happening and what is being argued. Online Courts and live transmissions further ensure visibility of Court proceedings, so there should not be any issue in that regard.

Talking about transparency, unfortunately, what is happening is that, in the name of transparency, people are seeking to exert pressure. For example, if someone asks an XYZ question, they demand an answer and claim that if it is not answered, something is being hidden. That is not the case in all instances. Certain aspects of matters cannot be discussed publicly. All those connected with the particular aspect of the matter can always discuss it, but if not, it should not be disclosed to everyone.

Q10. Your Lordship, you have authored a good number of judgments, including the notable ruling in *Priyanka Shrimali v. State of Rajasthan* (2022), where you stated, "A son continues to be a son both before and after marriage; a daughter continues to be a daughter. This relationship is not affected either in fact or in law upon marriage." Could you please share your general judicial perspective on this ruling, highlighting both its legal foundation and other relevant considerations?

Ans. Priyanka Shrimali was a case concerning a provision for granting a compassionate appointment after the death of a government servant. The provision stated that it was available to an unmarried daughter. In this particular case, which was before the court, a married daughter who was dependent on her parents—because that was also one of the requirements—filed an application stating that her mother had died and she had to look after her father. Therefore, she argued that she should be granted a compassionate appointment. However, as the provision specified that it should only be given to an unmarried daughter, the validity of this particular provision was challenged, questioning why it should be confined to an unmarried daughter.

In that particular judgment, a three-judge bench was involved. Our senior-most judge is now a judge of the Supreme Court, the next judge, Justice Vijay Bishnoi, is a judge of the Guwahati High Court, and I was the third judge. The basic issue was the distinction mentioned in the provision: there is no restriction on a son—if a son is married, he still qualifies for the compassionate appointment. But if a daughter is married, she is disqualified from receiving a compassionate appointment. Regarding this matter, we stated, "A son continues to be a son both before and after marriage; a daughter continues to be a daughter irrespective of being married or unmarried." However, we also emphasized that the fundamental requirement for compensation is that the son or daughter must be dependent on their parents.

In an earlier view, a division bench had conflicting opinions. The earlier perspective held that once a daughter gets married, she goes to another family and is presumed to have to look after that family. Therefore, in all cases, she was presumed not to be dependent. This case demonstrated that the married daughter was, in fact, dependent. However, because the provision specified 'unmarried,' she was denied the compassionate appointment.

Q11. We have read somewhere that the present Chief Justice of Rajasthan High Court, Hon'ble Justice M.M. Srivastava, has commended you for possessing a rare blend of legal acumen and strong moral principles that reflects your dedication to justice. How do you sustain this balance between legal expertise and moral strength?

Ans. This is something that comes naturally; you can't think it through and then do it. This is what I have been discussing—that morals provide the baseline for examining what is right and wrong. If anybody tells you that something happened, you start thinking about whether it could happen or not, and you evaluate it based on your moral values. There are so many things that happen in society, and when you are told about them, you feel shocked because they go against your morals.

This is something you grow up with in your environment. My mother, for example, is well-educated. She completed her MA way back in 1962 and sacrificed everything to bring up her children. My father was also a postgraduate and studied law, as did my grandfather. So, you grow up in an environment where you are taught what is right and what is wrong. That forms the baseline for you to evaluate what is correct and what is incorrect.

Q12. The Allahabad High Court holds a prestigious legacy, where Cornelia Sorabji, the first Indian woman advocate could begin her practice and inspired generations of women to pursue law. Despite this, today women make up only around 2% of the representation in this - the largest High Court in India. Sir, in your opinion, what maybe the reasons for it and what steps can be taken to reduce this gender gap and encourage more women to join the legal profession, especially in the judiciary?

Ans. The biggest hurdle or difficulty I find is that when a woman joins the profession, it is fine during her younger years. However, when she gets married and starts a family, society assigns certain roles to women to take care of their families after marriage. This profession requires time, and unless she has time and support from her family, it becomes difficult for her to manage. As far as Courts are concerned, they do not account for such circumstances. For instance, when a woman lawyer is starting a family, what happens to the cases in which she is appearing? That is one of the significant challenges for women lawyers.

One possible solution is that they can enter into good partnerships as soon as they are in a position to sustain themselves. These days, at the age of 23 or 24, they may start practicing, and after two or three years in the profession, they are already doing well. At this point, they should consider forming groups or partnerships, which can help manage such phases in life. Once they get through that particular stage, there should not be any problem sustaining and growing.

I have observed this over the last 35 years in the profession. There are many talented women lawyers I have seen arguing in Court and doing very well. Then, suddenly, they are no longer seen because they got married and started family. That seems to be the main reason. This profession has a very long gestation period. Unless a person can sustain five to seven years, they cannot start reaping returns. Unless they join a corporate law firm, those in active practice must invest a lot of time and effort.

Q13. If you could change one thing about the legal profession as it stands today, what would it be and why?

Ans. That's a difficult question because, over the last 35 years, since I started understanding things, we have seen everything happening in a particular manner, and we always found that all is well—whether it was what we were doing, what my grandfather was doing, what my father was doing, or what I was doing. However, one good thing that I think can be done relates to the question she asked in the beginning about preparing young lawyers, preparing them well, and paying them well. I believe that if this can be achieved, and if they don't face difficulties in sustaining themselves at that point in time, the quality of the profession can grow by leaps and bounds.

It's a very practical situation: when a young lawyer with two years of experience in the profession does not earn sufficiently, his family requires him to earn, and he needs financial support to sustain himself as a young man. The biggest casualty in such situations is ethics. If a person moves away from ethics, the profession suffers as a result. This is one aspect that can be changed or provided for statutorily. For instance, under the Chartered Accountant Act, anyone who goes for an internship is required to be paid—not just now, but since the beginning. If the Bar Council could introduce something similar, it would greatly improve the quality of young lawyers and truly help.

Q14. As the Hon'ble Chancellor of Dr. Rajendra Prasad National Law University, what message would you like to share with its students and the legal community?

Ans. As far as my sharing is concerned, I can tell you, based on my long experience, that succeeding in life requires hard work and patience. Maintaining patience is very important because, over time, we have seen brilliant people lose their patience and try to do things beyond the normal course, which often leads to accidents or mishaps. You must work hard and remain patient; success is bound to come.

I can vouch for this—patience is crucial not just for success but also for maintaining interpersonal relationships. Whether it's between two friends, colleagues, or even a husband and wife, if a person lacks patience regarding their own work or someone else's work, conflicts are inevitable. There is simply no substitute for hard work and patience in any situation.



Interviewed by-

- Ms. Khushi Shandilya, Sem. I, B.A.LL.B.(Hons.)
- Ms. Stuti Mishra, Sem. I, B.A.LL.B.(Hons.)

Photographed by-

Mr. Sujal Sonkar, Sem. I, B.A.LL.B.(Hons.)

FACULTY FOOTPRINTS »



(Dr.) Usha Tandon Senior Professor of Law

International Research Projects

- As a Research Consultant worked on the Research Project on Environmental Protection “Advocating for a Regional Agreement on Environmental Protection-Climate Change, Marine Protection and Biodiversity” being conducted by the Centre for Environmental Law and Policy of the University of Colombo and a part of the European Union funded Support to Justice Sector Project (JURE), jointly implemented by UNICEF Sri Lanka and UNDP (Oct., 2024).
- As the International Expert Group Member, contributed for a Project “Global Perspectives on Corporate Climate Legal Tactics” in producing the “Global Toolbox on Corporate Climate Litigation” conducted by British Institute of International and Comparative Law, London, (Nov, 2024).

Publications:

Book

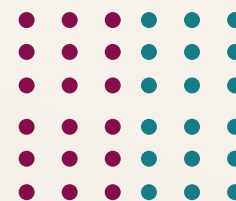
- Mediation: An Effective Mechanism for Peaceful Settlement of Disputes with Ashutosh Mishra (ed), Bloomsbury, (2024)

Research Paper

- “Proposing Two-Tier Human Rights Framework for Asia”, Journal of Constitutional Justice (South Korea), Vol 10 No. 2, pp 115-254 (2024)

Address/Speech/Public Lecture

- As a resource person participated in the Round Table Discussion in the International Conference on “Climate Change Litigation: Emerging Issues and Concerns”, by School of Law, Nirma University, July 1st, 2024.
- As a Chief Guest delivered Ajit Singh Sarhadi Memorial Lecture organised by Department of Law, Punjab University, July 13, 2024.
- As Guest of Honour spoke in the Orientation Programme for B.A.LL. B and LL.M. students of NLU, Jabalpur, August 01, 2024.
- As Guest of Honour spoke in the Orientation Programme for B.A.LL. B students of DBRA NLU, Sonapat, August 6, 2024.
- As a Chief Guest delivered Commencement Lecture for the newly admitted LL.M. students at National Law Institute University, Bhopal, August 10, 2024.
- Delivered Special Lecture on “The Concept of Marriage and Divorce under Hindu Law: Some Neoteric Confrontations” at Dr RML National Law University, Lucknow, August 13, 2024.
- On the invitation of Ld. Attorney General of India, Dr. R Venkataramani, spoke in the International Conference, as a panelist on “Law and Technology: Sustainable Transport, Tourism and Technical Innovations”, organized by Commonwealth Legal Education Association CLEA at Kumarakom, Kerala, August 17, 2024.



- Chaired a session on “Inclusive Climate Justice: Empowering Vulnerable Groups for a Resilient Future” in the International Conference on Environmental Justice (online), Co- organised by Centre for Environmental Law and Policy, University of Colombo, Sri Lanka; Jindal Global Law School, India; Commonwealth Legal Education Association; Department of Political and Social Sciences, University of Catania, Italy; Lewis & Clark Law School, United States, September 7, 2024.
- Delivered Plenary Lecture at Pale on “Gender Sensitive Laws Between Protection and Abuse: Probing Sexual Harassment at Workplace” at the XIII Scientific Conference on “Law Between Protection and Abuse” on the Occasion of the Day of the Faculty of Law, University of East Sarajevo, October 26, 2024.
- As the Chief Guest delivered the Address at Colombo on “Law, Democracy and Political Decision Making: Addressing Feminist Questions in South Asia in Annual International Research Symposium 2024 at Faculty of Law, University of Colombo, Sri Lanka Nov. 8, 2024.
- As the Chief Guest delivered Address on “International Conference on Multidisciplinary Approach to Achieving Sustainability in Trade, Investment and Competition Law” Organized by Centre for Trade Investment and Competition Law (CTIC), School of Law, Bennett University in collaboration with Centre for Trade and Investment Law (Ministry of Commerce and Industry, GOI), University of Birmingham, United Kingdom, University of Bradford, United Kingdom, Nov. 27, 2024.
- As Keynote speaker spoke on “Climate Change and the Evolution of Climate Jurisprudence: A Study in the Indian Context” in International Conference on Sustainable Development at University of Pretoria, South Africa, Dec, 03-04, 2024.

Meetings

- As the member of Legal Education Committee, Bar Council of India participated in the meetings on 23rd July, 2024 and 25th Aug, 2024
- As a member of Selection Committee of National University of Juridical Sciences NUJS participated in the meetings on 29th and 30th, Sep, 2024
- As a member of CLAT Consortium participated in the meeting of Governing Body on 24 Oct, 2024 and 16 Nov, 2024
- Participated (online), in North Zone Vice-Chancellors Meet 2024-25, organized by Association of Indian Universities (AIU), Nov 05, 2024.

Doctoral Thesis Evaluation

- “The Regulation And Protection Of Environment..... Sikkim”, The West Bengal National University of Juridical Sciences, Dec, 2024.
- “Cyber Crimes.....Rajasthan’, Rajrishi Chartrihari Matsya University, Alwar Dec, 2024.

Recognition

- Listed as Most Influential Women in Law by BW Legal World on the occasion of International Women's Day 2024.





Dr. Deepak Sharma, Assistant Professor of Law »

Participated/Attended

- International Workshop on "Integrated Legal Education: Transformative Approaches to Pedagogy and Research in Law", held from 3rd to 7th July 2024, organized by Dr. Rajendra Prasad National Law University.
- Nurturing Future Leadership Program, a five-day intensive faculty development initiative under the aegis of the Malaviya Mission Teacher Training Programme, hosted by the Indian Institute of Management (IIM) Jammu from 16th to 20th December 2024.



Dr. Sonika, Assistant Professor of Law »

Participated/Attended

- International Workshop on "Integrated Legal Education: Transformative Approaches to Pedagogy and Research in Law", held from 3rd to 7th July 2024, organized by Dr. Rajendra Prasad National Law University.
- Completed 11 days Capacity Building Programme on Indian Knowledge System, organized by Law Teachers India and Centre for Advanced Study in International Humanitarian Law, RGNUL, Punjab, October 14 to 25, 2024.



Dr. Prakash Tripathi, Assistant Professor of Sociology »

Paper Presentation

- Presented a paper in the WTO Chair Programme International Conference on 'Gender Dimensions of Trade: Issues, Prospects and Challenges' from 24-25 August, 2024, organized by NLU, Jabalpur. He, along with the two students (Mr. Devansh Upadhyay and Mr. Adarsh Prajapati) presented a paper on the topic 'Integrating Tribal Women's Ecological Knowledge with Modern Business Practices for Sustainable Development'.

Resource Person

- Delivered a lecture on the topic "Role of Tribes in India's Freedom Struggle" as a Resource Person on the 150th Birth Anniversary of Birsa Munda organized by the Capacity Building Cell, NIOS, Ministry of Education. This virtual lecture held on 23rd December 2024.

Participated/Attended

- International Workshop on "Integrated Legal Education: Transformative Approaches to Pedagogy and Research in Law", held from 3rd to 7th July 2024, organized by Dr. Rajendra Prasad National Law University.





Dr. Neha Dubey, Asst. Prof. of English »

Paper Presentation

- Presented a paper in the WTO Chair Programme International Conference on 'Gender Dimensions of Trade: Issues, Prospects and Challenges' from 24-25 August, 2024, organized by NLU, Jabalpur. She, along with the two students (Ms. Pratibha Gaur and Mr. Nihar Duggal) presented a paper on the topic 'Re-centering Economic Policies to Honour Unpaid Care Work: A Feminist Approach'.

Resource Person

- Delivered a lecture on the topic "Formal and Informal Letter Writing" as a Resource Person in the 15 days programme titled, 'Functional Writing in English' conducted by Language Centre, Ishwar Saran Degree College, Prayagraj from November 18th, 2024 to December 4th, 2024.

Participated/Attended

- International Workshop on "Integrated Legal Education: Transformative Approaches to Pedagogy and Research in Law", held from 3rd to 7th July 2024, organized by Dr. Rajendra Prasad National Law University.

Adjudged

- Member of the evaluation panel as judge for a Speech Competition organized by the Department of English and Modern European Languages, University of Allahabad on September 20th, 2024.



Dr. Suchit Kumar Yadav, Asst. Prof. of Political Science »

Participated/Attended

- International Workshop on "Integrated Legal Education: Transformative Approaches to Pedagogy and Research in Law", held from 3rd to 7th July 2024, organized by Dr. Rajendra Prasad National Law University.
- Participated in a Short-Term Training Program on Revolutionizing Education through ICT: Exploring Innovative Applications, organized by the Malaviya Mission Teacher Training Centre, Ishwar Saran P.G. College, University of Allahabad, Prayagraj, from October 21-30, 2024.
- Participated in the Faculty Induction Program (Guru Dakshata) organized by the Malaviya Mission Teacher Training Centre, Indira Gandhi National Tribal University, Amarkantak, Madhya Pradesh, from December 02-31, 2024.

STUDENTS SPOTLIGHT »



Mr. Nihar Duggal

(Sem. I, B.A.LL.B. Hons.)

Mangalyatan University National Moot Court Competition, Jabalpur (16th -17th November 2024)

(Speaker)

Won the Best Memorial Award out of 38 teams.

2nd MMY National Moot Court Competition Maharishi University of Information Technology, Noida (7th-9th October 2024)

(Researcher)

Semi- Finalist, 3rd Best Team Position amongst 32 teams.

Research Paper Presentation (August 2024).

Topic: *Re-centering Economic Policies to Honour Unpaid Care Work: A Feminist Approach* – Presented at WTO Chairs Programme International Conference, organized by DNLU Jabalpur & CTIL, IIFT New Delhi in collaboration with WTO.



Mr. Devansh Upadhyay

(Sem. I, B.A.LL.B. Hons.)

2nd MMY National Moot Court Competition Maharishi University of Information Technology, Noida (7th-9th October 2024)

(Speaker)

Semi- Finalist, 3rd Best Team position amongst 32 teams.

Research Paper Presentation (August 2024)

Topic: Integrating Tribal Women's Ecological Knowledge with Modern Business Practices for Sustainable Development- Presented at WTO Chairs Programme International Conference, organized by DNLU Jabalpur & CTIL, IIFT New Delhi in collaboration with WTO



Ms. Tejaswi Sharma

(Sem. I, B.A.LL.B. Hons.)

2nd Justice Gopalji Mehrotra National Moot Court Competition, S. S. Khanna Girls Degree College, Prayagraj (16th-17th November 2024)

(Speaker)

Quarter- Finalist out of 40 teams.

Member of IDIA (Increasing Diversity by Increasing Access)

Campus Ambassador for LiveLaw

Campus Ambassador for Manupatra



Mr. Abhyuday Sharan

(Sem. I, B.A.LL.B. Hons.)

Mangalyatan University National Moot Court Competition, Jabalpur (16th - 17th November 2024)

(Speaker)

Won the Best Memorial Award out of 38 teams.



Ms. Saumya Sachan

(Sem. I, B.A.LL.B. Hons.)

Mangalyatan University National Moot Court Competition, Jabalpur (16th - 17th November 2024)

(Researcher)

Won the Best Memorial Award out of 38 teams.



Mr. Aditya Dixit

(Sem. I, B.A.LL.B. Hons.)

2nd MMY National Moot Court Competition Maharishi University of Information Technology, Noida (7th-9th October 2024)

(Speaker)

Semi- Finalist, 3rd Best Team position amongst 32 teams.



Mr. Suryansh Mishra

(Sem. I, B.A.LL.B. Hons.)

2nd Justice Gopalji Mehrotra National Moot Court Competition, S.S. Khanna Girls Degree College, Prayagraj (16th-17th November 2024)

(Speaker)

Quarter- Finalist out of 40 teams.



Ms. Nandini

(Sem. I, B.A.LL.B. Hons.)

2nd Justice Gopalji Mehrotra National Moot Court Competition, S. S. Khanna Girls Degree College, Prayagraj (16th-17th November 2024)

(Researcher)

Quarter- Finalist out of 40 teams.



Ms. Pratibha Gaur

(Sem. I, B.A.LL.B. Hons.)

Research Paper Presentation (August 2024)

Topic: Re-centering Economic Policies to Honour Unpaid Care Work: A Feminist Approach – Presented at WTO Chairs Programme International Conference, organized by DNLU Jabalpur & CTIL, IIFT New Delhi in collaboration with WTO



Mr. Adarsh Prajapati

(Sem. I, B.A.LL.B. Hons.)

Research Paper Presentation (August 2024)

Topic: Integrating Tribal Women's Ecological Knowledge with Modern Business Practices for Sustainable Development- Presented at WTO Chairs Programme International Conference, organized by DNLU Jabalpur & CTIL, IIFT New Delhi in collaboration with WTO



Mr. Ayush Pandey

(Sem. I, B.A.LL.B. Hons.)

PARAKASHTHA Annual Debate Competition, IILM University, Greater Noida (23rd Oct. 2024)

Overall 6th Position out of 36 teams.



Mr. Rahul Pandey

(Sem. I, B.A.LL.B. Hons.)

PARAKASHTHA Annual Debate Competition, IILM University, Greater Noida (23rd Oct. 2024)

Overall 6th Position out of 36 teams.



Mr. Anmol Patel

(Sem. I, B.A.LL.B. Hons.)

Won Gold Medal in the Kumite category (-67 kg weight group) at the All-India SSKDA Karate Championship 2024, organized by the Shotokan School Karate Do Association of India. The championship was held on 26th December 2024 and witnessed participation from top karatekas across the country.



Wall of Fame

Best Memorial Award

At Mangalyatan University
National Moot Court
Competition, Jabalpur

(16th -17th November 2024)

(From left to right) Mr. Abhyuday Sharan, Ms. Saumya Sachan, Hon'ble Vice Chancellor Sr. Prof. (Dr.) Usha Tandon, Mr. Nihar Duggal)

JUDICIAL TRENDS »

I. **Constitutional Reaffirmation of State Taxing Powers on Mineral Rights within the Federal Framework**

A nine-judge Constitution Bench of the Supreme Court of India, comprising Chief Justice D.Y. Chandrachud and Justices Hrishikesh Roy, Abhay S. Oka, J.B. Pardiwala, Manoj Misra, Ujjal Bhuyan, S.C. Sharma, A.G. Masih, and B.V. Nagarathna, by 8:1, held that royalty charged by the Union Government under the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act) is not tax and State Governments to levy taxes on mineral rights under Entry 50 of List II of the Seventh Schedule of the Indian Constitution, despite the regulatory framework provided by the MMDR Act, 1957.

The central issue was whether the MMDR Act, a central legislation under Entry 54 of List I, relating to mineral development, restricts or limits the power of State Legislatures to impose taxes on mineral rights, an area otherwise reserved to the States under Entry 50 of List II. The Court clarified that while the MMDR Act governs the regulation and development of minerals, it does not expressly or impliedly limit the States' power to impose taxes on mineral rights. In the majority opinion authored by Chief Justice Chandrachud, the Court observed, "There is nothing in the MMDR Act that expressly curtails the States' legislative power under Entry 50 to impose the tax on land and minerals. The constitutional scheme of distribution of powers must be interpreted in a manner that upholds the federal balance." The Court further emphasized that the phrase "subject to any limitations imposed by Parliament by law" in Entry 50 should be interpreted narrowly and does not automatically preclude State taxation merely because Parliament has enacted a law on the subject.

Justice Abhay S. Oka, concurring with the majority, clarified that taxation under Entry 50 is distinct and remains valid unless specifically curtailed,

with no repugnancy between the two Entries. The Court rejected the argument equating royalty with taxation, emphasizing that royalty under Section 9 of the MMDR Act is a statutory charge for utilizing mineral resources, whereas taxes under Entry 50 serve as an independent fiscal measure imposed by the State.

Furthermore, the Court affirmed that royalty does not constitute a tax, as it is a contractual consideration paid by the lessee to the lessor under a mining lease. Both royalty and dead rent lack the essential characteristics of taxation. Accordingly, the judgment in *India Cement Ltd. v. State of Tamil Nadu* (1990) 1 SCC 12, which had deemed royalty to be a tax, stands overruled. The mere fact that a statute provides for the recovery of arrears does not transform such payments to the Government into a tax.

In a dissenting opinion, Justice B.V. Nagarathna argued that royalty, being a fiscal charge, is essentially a tax. She contended that permitting additional taxation by States would lead to double taxation, undermining the objectives of the MMDR Act. She stated, "Royalty under Section 9 is not merely a payment for use, but a fiscal exaction with all the characteristics of a tax. Any additional impost by States would be unconstitutional unless explicitly permitted." Justice Nagarathna cautioned against the potential economic disarray and inter-state disparities that could arise from allowing States to levy taxes on minerals freely.

This judgment has profound implications for the mining and extractive industries. It reaffirms the constitutional competence of States to legislate and impose taxes within their allocated domains, unless specifically prohibited by Parliament. The ruling reinforces the foundational principles of federalism and the legislative autonomy of States within the Indian constitutional framework. (*Mineral Area Development Authority & Anr. v. M/S Steel Authority of India & Anr.*, (2024) 10 SCC 1).

II. Breaking Barriers within the Margins: Supreme Court Empowers States to Ensure Equitable Reservation Among Scheduled Castes

A seven-judge Constitution Bench of the Supreme Court, comprising Chief Justice Dr. D.Y. Chandrachud, Justices B.R. Gavai, Vikram Nath, Pankaj Mithal, Manoj Misra, Satish Chandra Sharma, and Bela M. Trivedi, held by 6:1 that sub-classification of Scheduled Castes (SCs) is permissible to grant separate quotas for the most backward within SC categories, overturning the 2005 E.V. Chinnaiah v. State of Andhra Pradesh precedent that treated SCs as a homogeneous group and prohibited internal sub-classification. The Court recognized the heterogeneity among SCs and emphasized that sub-classification is essential to ensure reservation benefits reach the most marginalized, uplifting the most disadvantaged sections within the SC community.

In the majority opinion, Chief Justice Chandrachud stated, "The State, in exercise of its power under Articles 15 and 16, is free to identify the different degrees of social backwardness and provide special provisions (such as reservation) to achieve the specific degree of harm identified." The judgment overruled the decision in E.V. Chinnaiah, aligning with the principles set out in Indra Sawhney v. Union of India (1992), which allowed for sub-classification among Other Backward Classes (OBCs). The Court held that similar principles should apply to SCs, enabling states to create sub-classifications to promote substantive equality, provided such measures are supported by empirical data demonstrating the necessity for equitable distribution of reservation benefits.

In his concurring judgment, Justice B.R. Gavai emphasized the state's duty to provide preferential treatment to the most backward communities within Scheduled Castes (SCs) and Scheduled Tribes (STs), noting that only a few within these categories benefit from reservations due to persistent ground realities of greater oppression faced by certain groups for centuries. He stressed the importance of identifying and excluding the 'creamy layer' among SCs and STs to

ensure reservation benefits reach the truly disadvantaged, urging the state to evolve a policy for such exclusion from affirmative action.

Justice Bela M. Trivedi, in her dissent, emphasized that sub-classification of Scheduled Castes (SCs) by States amounts to an unauthorized alteration of the Presidential list notified under Article 341 of the Constitution—a power solely vested in Parliament. She asserted that such sub-classification, lacking legislative or executive competence at the State level, would amount to a colourable exercise of power and risk undermining the unity of the SC community by creating internal divisions. Justice Trivedi highlighted the importance of a plain and literal interpretation of Article 341, arguing that any preferential treatment for sub-groups within the Presidential list would deprive other SCs of their entitled benefits and reintroduce political influence into a process meant to be shielded from it. In contrast, the majority judgment upheld the constitutional validity of targeted reservations under Articles 14, 15(4), and 16(4), recognizing the legitimacy of intra-group distinctions to ensure substantive equality and address varying degrees of backwardness among SCs. The State of Punjab v. Davinder Singh, (2025) 1 SCC 1.

III. Before Fiancés: SC Slams Child Engagements as Unconstitutional

A three-judge bench of the Supreme Court—comprising Chief Justice D.Y. Chandrachud, Justice J.B. Pardiwala, and Justice Manoj Misra—held that the practice of child betrothal must be explicitly outlawed to safeguard the rights and futures of India's children. The case was initiated through a Public Interest Litigation (PIL) by an NGO working in the field of child rights and education. The petitioner highlighted that although child betrothals are not legally recognized as marriages, they often lead to early forced marriages, particularly affecting girls, and result in lifelong consequences such as school dropouts, restricted autonomy, and reinforcement of gendered roles. It was argued that such practices violate Articles 14 (equality before law), 15 (non-discrimination), and 21 (right to life and dignity) of the Constitution.



The Supreme Court agreed with these concerns and affirmed that the freedom to choose a life partner is a constitutional right that cannot be overridden by social customs or traditions. While the government contended that the Prohibition of Child Marriage Act, 2006 (PCMA) already addressed the issue, the Court found a significant legal gap in the Act's failure to deal with informal pre-marriage arrangements like betrothals. It observed that child betrothals often serve as a precursor to child marriages and defeat the very purpose of the PCMA. The Court, therefore, recommended that Parliament consider amending the law to explicitly prohibit and penalize such practices, noting that failure to act would amount to neglecting the constitutional duty to protect minors.

Additionally, the Court issued a series of directives aimed at preventing child marriages and supporting affected children. These included strengthening enforcement mechanisms, launching awareness programs, appointing Child Marriage Prohibition Officers, and providing comprehensive support services such as education, healthcare, and compensation. It emphasized the need for regular monitoring of the Act's implementation, identifying and addressing gaps, and establishing feedback systems to continually improve policy responses. The Court also directed that its guidelines be circulated to the Chief Secretaries and Administrators of all States and Union Territories, as well as to institutions like NALSA and NCPCR, for strict compliance.

This ruling reinforces that tradition cannot justify practices that infringe upon the rights, dignity, and autonomy of children. Legal reform, along with strong institutional support, must ensure that every child is free to pursue their education, make informed life choices, and shape their own future. *Society for Enlightenment and Voluntary Action v. Union of India*, 2024 INSC 790.

IV. Caste-Based Segregation in Prisons Violative of Dignity and Equality

A three-judge bench of the Supreme Court of

India, comprising Chief Justice DY Chandrachud, Justice JB Pardiwala, and Justice Manoj Misra, has issued directions on a Public Interest Litigation (PIL) filed by journalist Sukanya Shanta, following the publication of her article in *The Wire* on December 10, 2020. The article, titled "From Segregation to Labour, Manu's Caste Law Governs the Indian Prison System," highlighted systemic caste-based discrimination in Indian prisons, addressing issues such as the division of labor, segregation of barracks, and discriminatory practices in prison kitchens, including those affecting prisoners from notified tribes and individuals labeled as "habitual offenders."

In its judgment, the Court issued several directives for reform. It instructed all states and Union Territories to revise their prison manuals within three months to eliminate caste-based labor assignments and mandated the Union Government to amend its Model Prison Rules to address caste-based segregation. Additionally, the Court ordered that references to habitual offenders in the manuals align with legislative definitions and directed the removal of caste columns in prison registers. The Court noted that while caste can serve as a legitimate classification for protective policies benefiting marginalized groups, the existing practices in prisons disproportionately affected lower-caste individuals, violating fundamental rights. Specifically, it found that assigning cleaning and sweeping tasks to marginalized castes while reserving cooking for higher castes amounted to discrimination, contravening several constitutional provisions, including Article 14, 15(1), 17, 21 and 23.

Furthermore, the Court initiated a *Suo Motu* case titled *In Re: Discrimination inside Prisons in India*, taking cognizance of the matter and ordering the listing of the case in three weeks to review compliance from the Union and States. *Sukanya Shantha v. Union of India*, [2024] 10 S.C.R. 493: 2024 INSC 753.

V. “AMU Is Ours”: SC Overturns 50-Year-Old Verdict to Protect Minority Institutions

A Seven-Judge Bench of the Supreme Court of India, comprising Chief Justice D.Y. Chandrachud, Justice Sanjiv Khanna, Justice Surya Kant, Justice JB Pardiwala, Justice Dipankar Datta, Justice Manoj Misra, and Justice Satish Chandra Sharma, held by a 4:3 majority that the mere formalization of Aligarh Muslim University (AMU) through a statute does not negate its foundational identity. This decision overturned the precedent set more than five decades ago in the Azeez Basha case, marking a significant victory for the constitutional protection of minority rights. The majority emphasized that the terms “incorporation” and “establishment” are not interchangeable, stating that AMU’s incorporation through imperial legislation does not negate its establishment by a minority community. It rejected the argument that Parliament established the university simply because the statute states so, holding that such a formalistic interpretation would undermine the objectives of Article 30 of the Constitution.

The majority view held that institutions originally established by minority communities retain their status as minority institutions, even if subsequently recognized by legislation. The petitioner, a former Member of Parliament, had challenged AMU’s minority status, arguing that the university, as a central institution funded and administered by the Union Government, should not retain such a status. AMU, supported by legal historians and constitutional experts, contended that it was originally founded in 1875 as the Muhammadan Anglo-Oriental College and later evolved into a university to cater to the educational needs of Muslims in India.

In its judgment, the Court asserted that denying AMU its minority status would violate Article 30(1) of the Indian Constitution, which guarantees religious and linguistic minorities the right to establish and administer educational institutions of their choice. The ruling emphasized that state funding or legal recognition does not invalidate a community’s right to manage its educational affairs.

In their dissenting view, Justice Dipankar Datta and Justice Satish Chandra Sharma expressed reservations about recognizing Aligarh Muslim University (AMU) as a minority institution. Justice Datta unequivocally declared that AMU does not qualify as a minority institution and asserted that the references made in 1981 and 2019 were unnecessary. Justice Satish Chandra Sharma, in his dissenting view, asserted that a minority institution must have complete administrative control without external interference and should offer the option of secular education. He emphasized that the terms “established” and “administered” must be interpreted together, arguing that mere involvement in the institution’s genesis does not equate to its establishment. To qualify as a minority institution, the community must have played an exclusive role in its creation, including full control over hiring and firing staff. He further contended that Article 30 aims to ensure equal treatment rather than grant preferential rights to minorities, stressing that minorities are now integrated into mainstream society and actively participate in equal opportunities.

This judgment is a strong reaffirmation of the rights of minority communities to establish and administer their own educational institutions. It restores AMU’s autonomy and secures minority rights, with potential wide-ranging implications for other minority institutions across the country. *Aligarh Muslim University v. Naresh Agarwal* 2024 INSC 856.

VI. Guidelines to Curb ‘Bulldozer Justice’

A two-judge Bench of the Supreme Court of India, comprising Justice B.R. Gavai and Justice K.V. Viswanathan, addressed growing concerns over “bulldozer justice.” In a judgment delivered by Justice B.R. Gavai, the Court condemned the practice of demolishing properties without legal sanction as a punitive measure. Exercising its powers under Article 142 of the Constitution, the Court established comprehensive guidelines to regulate the demolition of properties belonging to individuals accused of crimes, ensuring strict adherence to due process.



This decision was rendered in response to petitions challenging illegal demolitions in states such as Uttar Pradesh, Madhya Pradesh, and Rajasthan, where properties were allegedly razed as a form of retribution in cases linked to communal or criminal incidents—often in the absence of any judicial finding of guilt.

The Supreme Court laid down specific procedural safeguards to prevent arbitrary demolitions, including a mandatory 15-day notice to the property owner, outlining the reasons for demolition and allowing an opportunity for a personal hearing. Authorities must document all proceedings, and in cases of demolition, a further 15-day period must be given for the owner to challenge the decision or remove the structure. Additionally, demolitions must be recorded on video, and authorities must prepare inspection and demolition reports to ensure transparency.

The Court emphasized that only the judiciary has the authority to determine criminal liability and that the executive cannot impose punishment through demolitions without a fair trial. Such actions violate fundamental rights under Articles 21 and 300A of the Constitution, particularly the right to shelter and property. The judgment also highlighted the need for judicial oversight and rehabilitation plans for those affected by unlawful demolitions.

While the Court's intervention is seen as a significant step in safeguarding constitutional rights, the challenge lies in effective implementation. Until proper restitution is provided to those affected by unlawful demolitions, the impact of "bulldozer justice" may remain. In *Re: Directions in the matter of Demolition of Structures*, Writ Petition (Civil) No. 295 of 2022.

- Dr. Deepak Sharma, Asst. Prof. and HoD of Law, &

- Ms. Nandani,

- Mr. Aditya Dixit

(Students of Sem. I, B.A. LL.B.Hons.)

LEGISLATIVE UPDATES

I. **The Constitution (Scheduled Tribes) Order (Amendment) Act, 2024**

The Parliament of India passed the Constitution (Scheduled Tribes) Order (Amendment) Act 2024 and it seeks to amend the Constitution (Scheduled Tribes) Order, 1950. Under this Amendment Act, a modification has been made to the list of Scheduled Tribes belonging to the State of Andhra Pradesh. The Particularly Vulnerable Tribal Groups (PVTGs) namely 'Bondo Porja' and 'Khond Porja' of the Andhra Pradesh have been added at entry 25 in the ST list of the State. Further, the Particularly Vulnerable Tribal Group (PVTGs) 'Konda Savaras' of Andhra Pradesh has been added at entry 28 in the ST list of the State. The aforesaid communities are entitled to National Social Welfare Schemes under the aegis of the Ministry of Tribal Affairs. Further, the communities are entitled to reservations in services and educational institutions. Conclusively, the Act intends to ensure justice for the vulnerable tribal groups in the State of Andhra Pradesh.

II. **The Constitution (Scheduled Castes and Scheduled Tribes) Order (Amendment) Act, 2024**

Considering the welfare of the vulnerable Scheduled and Scheduled Tribes, the Parliament of India has passed the Constitution (Scheduled Castes and Scheduled Tribes) Order (Amendment) Act, 2024. The Act of 2024 amended the Constitution (Scheduled Castes) Order 1950 and the Constitution (Scheduled Tribes) Order 1950 regarding the Scheduled Caste and Scheduled Tribes in the State of Odisha. Under the Amendment, the two scheduled Castes namely Tamadia (S. No. 87) and Tamudia (S. No. 88) have been omitted. Further, the four Particularly Vulnerable Tribal Groups (PVTG) namely Pauri Bhuyan, Paudi Bhuyan as synonyms of Bhuiya, Bhuyan (S. No. 6), ChuktiaBhunja as synonym of Bhunjia (S. No. 9), Bondo as sub-entry under STs

'Bondo Poraja, Bonda Paroja. Banda Paroja' (S. No.13) and, Mankidia as synonym of ST 'Mankirdia' (S.No. 47) were included. Also, the Nine Scheduled Tribes have phonetic variations or synonyms of pre-existing entries of the State. To ensure the expansion of welfare ideas and welfare Schemes among other communities, an Entry has been incorporated wherein Muka Dora, Mooka Dora, Nuka Dora, Nooka Dora with area restriction (in undivided Koraput District i.e., Koraput, Nowrangapur, Rayagada & Malkangiri districts) (S. No. 63) and Konda Reddy, Konda Reddi (S. No. 64) has been included. It is significant to note that the communities are entitled to welfare schemes run by the Ministry of Tribal Affairs and the reservation benefits in the service and educational institution as the policy of the Government.

III. **The Water (Prevention and Control of Pollution) Amendment Act, 2024**

The Water (Prevention and Control of Pollution) Amendment Act, 2024 was passed by the Parliament to amend certain provisions of the Central legislation the Water (Prevention and Control of Pollution) Act, 1974. To enhance trust-based governance and ease living and doing business, the Act decriminalizes certain penal provisions of the principal Statute. As far as the territorial application is concerned, the legislation would be made applicable to Rajasthan, Himachal Pradesh, and the Union Territories as provided under Section-1 of the Amendment Act. The other States have been given the liberty to pass resolutions to ensure its applications in their respective territories. Section-27A has been added in Act of 1974, it is now mandatory to obtain consent from the State Pollution Control Board before establishing and operating an industry.



Non-compliance with this provision leads to imprisonment of up to six years and a fine. Further, the tampering of monitoring devices used in determining whether any industrial unit or treatment plant can be set up attracts a pecuniary penalty of minimum ₹10 Thousand and maximum ₹15 Lakh under Section-44 of the Act of 1974. Under the Act, prior consent of the SPCB is mandatory for establishing industries or treatment plants however, the Amendment Act allows the Central Government to exempt certain categories of industries from obtaining such consent under Section-25 of the Act. Such exemptions would be given by the Central Government in consultation with the Central Pollution Control Board (CPCB). Further, the Central Government is empowered to issue guidelines regarding refusal, grant, and cancellation of consent obtained by the SPCB under Section-27A of the Act. Further, the Central Government shall prescribe the manner of nomination and terms and conditions of the Chairman. Further, the provision of punishment has been removed for discharging polluting or noxious matter in water bodies or on land under Section-32 of the Act. Now, it provides for the imposition of a pecuniary penalty between ₹10 Thousand and ₹15 Lakh. To ensure the expeditious disposal of grievances and determination of penalties, the Act empowers the Central Government to appoint adjudication officers equivalent to the level of Joint Secretary to the Central Government or the Secretary of the State Government. The appeal against the orders passed by such Officer shall lie before the National Green Tribunal. Further, the appeal can only be filed after depositing 10 percent of the penalty imposed and the same shall be credited to the Environment Protection Fund established under the Central Legislation i.e. the Environment (Protection) Act, 1986. It is pertinent to mention that a court can take cognizance of the complaint made by the adjudicating officer or complaint made by CPCB or SPCB or a notice given by a person to the Boards. To ensure transparency and accountability, the Act provides for the imposition of penalties on government departments in case of non-compliance with the statutory provisions. Upon the proof of due diligence, the Head of Department shall be liable to pay a penalty equal

to one month of their basic salary. The Act aims to achieve the objective of economic growth and environmental sustainability through ease of doing business and living.

IV. The Jammu and Kashmir Local Bodies Laws (Amendment) Act, 2024

The Parliament has passed the Jammu and Kashmir Local Bodies Laws (Amendment) Act, 2024 to expand affirmative action i.e. to ensure the application of reservation norms to other Backward Classes (OBCs) in Local Bodies namely, municipal Corporations, Block Development Councils, District Development Councils, Panchayats and municipalities in the Union Territory of Jammu and Kashmir. The distribution of seats shall be proportional to the population of these groups in the territorial jurisdiction of the respective local institution. To ensure the equal representation of women in the local governance, one-third of seats are reserved for them. Further, a few provisions of other local legislations namely, the J&K Panchayati Raj Act 1989, the J&K Municipal Act 2000, and the J&K Municipal Corporation Act, 2000 are amended to ensure reservation to OBCs.

It is significant to note that the Act ensures transparency and accountability in the electoral process. To combat anomalies in the superintendence, control, and preparation of electoral rolls and inconsistencies in the conduct of election of local bodies, the provisions about the functions, powers, and duties are in line with Articles 243K and 243Z of the Constitution of India. The J&K Panchayati Raj Act, 1989 provides for the removal of a person from the electoral list on two grounds namely, unsound mind or below 18 years. The Act empowers the State Electoral Commission to determine additional grounds for the removal of a person's name from the electoral roll. The removal process of the State Election Commissioner shall be in line with the Constitutional provisions.

Further, the removal of the State Election Commissioner shall be done on similar grounds namely, incapacity or misbehaviour as a judge of a High Court. Under the J&K Panchayati Raj Act, 1989, the State Election Commissioner was ineligible for appointment or re-appointment of

any State or Central Government office in India however; the Act removes the aforesaid provision. Further, the Lieutenant Governor of J&K shall determine the salary and other service conditions and grant leave to the State Election Commissioner.

V. The Constitution (Jammu and Kashmir) Scheduled Tribes Order (Amendment) Act, 2024

To enforce the idea of inclusive development, the Parliament passed the Constitution (Jammu and Kashmir) Scheduled Tribes Order (Amendment) Act, 2024. The objective of the Act is to empower and give Scheduled Tribe status to four ethnic groups namely, Pahari Ethnic Group, Padari Tribes, Koli, and Gadda Brahmin. It is significant to note that the Amendment will not adversely affect the reservations available to the current Scheduled Tribe communities namely, Gujjars and Bakarawals. The primordial objective of the Act is to empower these ethnic groups socially, economically, and politically. Way back in 2019, Justice (Retd.) G.D. Sharma Commission identified the aforesaid ethnic group as socially, educationally, economically, and politically backward and recommended the inclusion of them in the list of Scheduled Tribes for inclusive development.

VI. The Public Examinations (Prevention of Unfair Means) Act, 2024

The Parliament of India passed the Public Examinations (Prevention of Unfair Means) Act, 2024 to ensure transparency, fairness, and credibility of the Public Examinations Systems. The core objective of the Act is to prevent instances of 'Unfair Means' and 'question paper leaks' in the recruitment process of government jobs. Section-2(k) of the Act defines 'Public Examination' as the examination conducted by a listed Public Examination Authority or any other authority as notified by the Central Government. The Schedule contains the list of five Public Examination Authorities namely, the Union Public Service Commission, the Railway Recruitment Boards (RRBs), the Staff Selection Commission (SSC), the Institute of Banking Personnel Selection (IBPS), the National Testing Agency (NTA) including the Ministries or department of the Centre

Government and their attached and subordinate offices. To ensure strict compliance with the statutory provisions, Section 9 of the Act determines that the nature of all offenses shall be non-bailable, cognizable, and non-compoundable. Further, the punishment for resorting to unfair means and offences shall be three to five years imprisonment and a fine of up to ₹10 lakhs. In case of non-payment of the aforesaid fine then, additional punishment shall be imposed under the provisions of Bhartiya Nyay Sanhita, 2023. If a service provider that is engaged by the Public examination authority to conduct the examination breaches its duties or indulges in illegal practices then, a pecuniary penalty of up to ₹1 Crore proportionate to the cost of the examination shall be imposed. Section-3 of the Act describes certain activities as unfair means which include leakage of question paper or answer key, taking possession of question paper or an Optical Mark Recognition (OMR) response sheet without authority, providing solutions to questions by any unauthorized person during a public examination, tampering of any necessary documents related to result preparation or to finalize the rank or merit of a candidate, tampering of computer, creation of fake website, issuance of fake admit cards or offer letters for monetary gains or cheating, conducting fake examination, disclosure of exam-related confidential information, unauthorized entry at exam centers, etc. Further, the investigation of such matters shall be done by an officer not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police.

VII. The Bharatiya Vayuyan Adhiniyam, 2024

A major reform has been brought in the Indian aviation sector. The Aircraft Act of 1934 has been repealed. The Parliament has passed the Bhartiya Vayuyan Adhiniyam 2024. To ensure transparency and effective compliance with the statutory provisions, the Act provides for Single Window Clearance. To curb corruption in RTR exams and to streamline the licensing process, the Radio Telephone Operator Restricted (RTR) Certifications shall be managed by the Director General of Civil Aviation (DGCA). Further, the DGCA shall regulate the manufacturing, repairing, maintenance, and designing of aircraft along with their locations.



It is significant to mention that the compensation disputes related to land acquisition near airports shall be resolved through an arbitrator which shall be appointed by the Central Government. The qualifications of an arbitrator shall be equivalent to the judge of the High Court. As far as Offences and penalties are concerned, the Central Government shall specify the civil or criminal penalties of certain rules namely, implementation of international instruments, protection of public health, etc. It is apt to mention that the list of offences includes carrying arms or explosives in an aircraft, flying an aircraft dangerously, depositing rubbish, or slaughtering animals near airports for which imprisonment up to three and a fine up to ₹1 Crore or both shall be imposed. The primary objectives of the Statute are to raise safety and security standards, stimulate aviation industry development, and ensure India's aviation framework complies with international norms like the Chicago Convention, 1944. This reform marks a critical shift towards a robust legal foundation for India's rapidly expanding aviation landscape and reflects the government's commitment to aligning domestic laws with evolving global aviation practices.

VIII. The Disaster Management (Amendment) Act, 2024

The Disaster Management (Amendment) Act, 2024 was introduced in Lok Sabha on August 1, 2024, and it seeks to amend the Disaster Management Act of 2005. The Act aims to strengthen the institutional framework for disaster preparedness, response, and mitigation in India was passed by the Rajya Sabha on March 25, 2025, and Lok Sabha on March 27, 2025. The Act establishes the National Disaster Management Authority (NDMA), State Disaster Management Authority (SDMA), and District Disaster Management Authority to be responsible for disaster management at the National, State, and District levels, respectively. One of the major changes involves the shift in responsibility for preparing National and State disaster management plans from the Executive Committees to the National Disaster Management Authority (NDMA) and State Disaster Management Authorities (SDMAs),

thereby centralizing planning functions for better coherence and accountability.

Further, the Act expands the functions of the NDMA and SDMAs to include periodic assessments of disaster risks, especially from climate-related events, providing technical assistance to subordinate authorities, recommending standards for relief measures, and preparing National and State databases. These databases will contain detailed data on risk severity, financial allocations, and mitigation strategies. The functions of NDMA also include assessing the disaster preparedness of States and conducting post-disaster audits of preparedness and response. Further, it empowers NDMA to frame regulations under the Act, with the prior approval of the Central Government, enhancing its regulatory authority. At the urban level, the Act enables States to establish Urban Disaster Management Authorities for major cities, led by the Municipal Commissioner, to tailor disaster response to urban vulnerabilities. It also authorizes States to form their own State Disaster Response Forces (SDRFs). The Act provides statutory status to existing bodies such as the National Crisis Management Committee (NCMC) as the nodal body for dealing with major disasters to be headed by the Cabinet Secretary as the chairperson and the High-level Committee (HLC) to provide financial assistance to State Governments during disasters with Minister of the department with administrative control over disaster management to serve as the chairperson. Finally, the Act empowers NDMA to specify the number and category of officers and employees, with the previous approval of the Central Government. NDMA may also appoint experts and consultants as necessary.

IX. The Oilfields (Regulation and Development) Amendment Act, 2024

The Oilfields (Regulation and Development) Amendment Act, 2024 was introduced in Rajya Sabha on August 5, 2024, and it seeks to amend the Oilfields (Regulation and Development) Act of 1948. The Act regulates the exploration and extraction of natural gas and petroleum as well as delinks petroleum an operation from mining

operations was passed by the Lok Sabha on March 12, 2025, and Rajya Sabha on March 24, 2025. The Amendment aims to modernize the legal framework and simplify & strengthen the regulatory process with the evolving nature of the energy sector. A key change brought by the Act is the expansion of the definition of 'mineral oils' to include any naturally occurring hydrocarbon, coal bed methane (CBM), and shale gas or oil and clarifies that coal, lignite, and helium are excluded from this definition. The previous Act provides for a mining lease which provides for various activities such as exploration, prospecting, production, making merchantable, and disposal of mineral oils. The Act replaces the 'mining lease' with a 'petroleum lease' covering a similar set of activities. Importantly, existing mining leases granted under the Act will continue to be valid to ensure legal certainty and to promote investor confidence.

Additionally, the Act enhances the Central Government's rule-making powers. It retains the Central Government's power to make rules on various aspects, including regulating the grant of leases, setting terms and conditions (such as area and duration of leases), conservation and development of mineral oils, methods for producing oil as well as the manner of collection of royalties, fees, and taxes. It expands the Central Government's authority to include the merger of petroleum leases, sharing of facilities, the obligation of lessees towards the protection of the environment and reduction of emissions, and alternative dispute resolution mechanisms for petroleum lease grants. A major shift introduced by the Act is the decriminalization of offences. Previously, violations could result in imprisonment of up to six months or a fine of 1,000 which is replaced with the penalty of ₹25 lakhs for offences such as undertaking activities related to mineral oils such as exploring, prospecting, and production without a valid lease or non-payment of royalty, and up to ₹10 lakhs per day for continued violations. The Statute also establishes a mechanism for adjudicating penalties by appointing a senior officer of the rank of Joint Secretary or above, with appeals to lie before the Appellate Tribunal specified in the

Petroleum and Natural Gas Board Regulatory Board Act, 2006. According to this Act, appeals against the decisions are to be made before the Appellate Tribunal for Electricity, which is constituted under the Electricity Act, 2003.

X. **The Boilers Act, 2024**

The Boilers Act of 2024 was introduced in the Lok Sabha to replace the outdated Boilers Act of 1923. The Act aims to ensure the safe operation of steam boilers by regulating their design, manufacture, installation, operation, alteration, and repair. It mandates the certification of boiler designs and components, subjecting manufacturing and erection to inspection and approval by State-appointed Inspectors or authorized third-party agencies. Any structural alterations or repairs require prior approval, and all accidents must be reported within 24 hours.

The 2024 Act retains most of the provisions of the 1923 Act. It retains existing penalties, including imprisonment of up to two years or fines of up to one lakh rupees for serious offences like unauthorized modifications and tampering with safety mechanisms while lesser violations, such as failing to report accidents or produce certificates, attract fines up to five thousand rupees. The Central Boilers Board, constituted by the Central Government, will frame technical regulations, while State Governments are empowered to appoint Inspectors and grant exemptions under specified circumstances. The Statute also allows blanket exemptions for specific areas or categories, which may undermine safety objectives. It provides a mechanism for appeals against the decisions of Inspectors to be filed before the Chief Inspector and further provides that a person aggrieved by the decision of the Chief Inspector can file a second appeal before the Central Government. It does not incorporate self-certification as a feature under the law. Further, the timeline has been specified for some activities such as registration, renewal of registration, and appeals but no timelines have been specified for completing inspections for manufacturing and approvals. It provides that regulations made by the Central Boilers Board and rules made by State Governments will be finalized after publication for public consultation.



It marks a progressive step toward aligning India's boiler safety regulations with contemporary industrial standards while fostering a business-friendly environment.

XI. The Waqf (Amendment) Act, 2024

The Waqf (Amendment) Act, 2024, introduced in the Lok Sabha on August 8, 2024, seeks to amend the Waqf Act, 1955, which governs waqf properties in India. The Act defines 'Waqf' as the dedication of movable or immovable property for religious or charitable purposes by Muslim law, including properties like mosques, graveyards, and dargahs. It specifies that only an individual practicing Islam for five years or more and owning the property can declare a waqf. The Act also outlines that waqfs can be formed through declaration, long-term use, or inheritance, with the provision that waqf-alal-aulad (family waqfs) will not deny inheritance rights to the donor's descendants, including women. In case of uncertainty about waqf ownership, the local collector will determine the rightful owner and report to the State Government, eliminating the power of the Waqf Board to identify waqf properties. The Act shifts the responsibility for conducting waqf surveys from the Survey Commissioner to the district collectors, who will follow State revenue laws. Further, it also changes the composition of the Central Waqf Council, providing that two members must be non-Muslims. MPs, former judges, and eminent persons appointed to the Council as per the Act need not be Muslims. The following members must be Muslims: (i) representatives of Muslim organizations, (ii) scholars in Islamic law, and (iii) chairpersons of Waqf Boards. Of the Muslim members, two must be women ensuring more diversity in representation. The State empowers State Governments to nominate members to Waqf Boards, replacing elections, which would comprise of an MP, MLA, Bar Council members from the State and two non-Muslim members and at least one member each from Shias, Sunnis, and Backward classes of Muslims. Additionally, the Act modifies the structure of the Waqf Tribunals, now requiring the chairman to be a current or former District Court judge and eliminating the need for a Muslim Law expert. Appeals from tribunal orders

can now be made to the High Court within 90 days. The Central Government is also given the authority to audit waqf accounts through the CAG or a designated officer. Lastly, the Act allows for separate waqf boards for the Aghakhani and Bohra sects, if their waqf properties are substantial in a State. Conclusively, the Act introduces significant changes to the regulation of waqf properties in India, aiming to improve transparency, accountability, and representation. The introduction of more inclusive policies, such as non-Muslim representation and provisions for separate boards for specific Muslim sects, highlights a focus on broader participation. Overall, the Amendments are designed to modernize the management of waqf assets while ensuring fairness and better governance.

XII. The Railways (Amendment) Act, 2024

The Railways (Amendment) Act, 2024 was introduced in the Parliament with the objective of streamlining the legislative framework governing Indian Railways. It proposes to repeal the Indian Railway Board Act, 1905 and incorporate its provisions into the Railways Act, 1989, thereby simplifying the legal framework and eliminating the need to refer to two separate legislations.

The Act formalises the Railway Board by empowering the Central Government to prescribe the (i) number of its members, (ii) the qualifications, service condition, service conditions, and manner of their appointment for the chairman member of the board. While the Amendment Act simplifies governance and improving functioning of railways, includes the changing the organisational structure, it retains the existing centralised organisational structure of Indian Railways, significant structural reforms, including corporatisation of the Railways, reorganising the Railway Board to function primarily as a policymaking body, as an independent regulator to oversee tariffs and standards, and devolving greater financial and operational autonomy to zonal units. The Act aims to decentralize decision-making by granting greater autonomy to Railway Zones. Zones are empowered with more control over financial and operational decisions, including budget

management, infrastructure development, and recruitment. The Act provides solutions to long-standing problems faced by Indian Railways (i) high operating costs due to large salary and pension expenditures; (ii) ongoing passenger business losses as a result of under-pricing; (iii) underinvestment in capacity augmentation (infrastructure development) due to inadequate surplus generation and little private participation; and (iv) network congestion and cross-subsidy for passenger services. The railway (amendment) Act 2024 marks a pivotal step towards reforming Indian Railways governance structure and giving autonomy to the railway department in some areas as it is crucial in addressing existing challenges.

XIII. The Banking Laws (Amendment) Act, 2024

The Banking Laws (Amendment) Act, 2024, introduced in the Lok Sabha on August 9, 2024, seeks to amend five key legislations governing the banking sector: the RBI Act, 1934; Banking Regulation Act, 1949; State Bank of India Act, 1955; and the Banking Companies (Acquisition and Transfer of Undertakings) Acts of 1970. A key change is the definition of a 'fortnight' for

maintaining cash reserves, now set as either the 1st to 15th or 16th to the end of each month, instead of Saturday to the second Friday. The Act has increased the maximum tenure of directors in co-operative banks from 8 to 10 years and allows directors of central co-operative banks to serve on the board of a state co-operative bank, extending a previous exemption. It amends the 'substantial interest' in a company that has been raised from ₹5 lakhs to ₹2 crores and may be held by an individual, his spouse, or minor child, either individually or collectively. In terms of nominations, the Act permits up to four nominees either successively or simultaneously, in case of simultaneous nominees, will be in proportion, or for successive nominations will be in proportion-for deposits, lockers, or articles in custody, with clear rules on priority and proportionality. It has also broadened the category of unclaimed or unpaid funds to be transferred to the Investor Education and Protection Fund (IEPF), including unclaimed or unpaid shares and interest bond-related amounts dormant for seven consecutive years. Lastly, the Act shifts the power to decide the auditor's remuneration from the RBI (in consultation with the central government) to the banks themselves.

-Dr. Sonika, Asst. Prof. of Law, &

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EXPRESSIONS

The Intersection of Technology and IPR in India- Navigating AI, ML, and Blockchain in Intellectual Property Management

India's Intellectual Property Rights (IPR) are experiencing revolutionary changes, one such change would be the incorporation of progressive technologies such as Artificial Intelligence, Machine Learning, and Blockchain. Such innovations are easing the management of IPR, but they also create new legal and regulatory challenges that require flexible frameworks and policies. AI and ML technologies are reshaping IPR management by automating complex tasks/processes, thus making them more efficient and accurate. Patent searches is a critical application of AI and ML in this field. Traditionally, patent searches have been cumbersome and laborious, hence time-consuming and require extensive examination to find prior use. AI-powered tools can be used to analyse large chunks of data, recognise patterns, and provide results with a remarkable speed and precision, thus expediting the process.



Another crucial area where AI and ML have a significant impact is in drafting of patent applications. AI-powered drafting tools leverage advanced algorithms to generate high-quality patent documents, thereby saving time and various costs associated with manual drafting. Trademark monitoring has become more efficient with the use of AI, because AI can scan global databases and digital platforms at a rapid pace to detect potential trademark infringements, enabling a quick and efficient response.

Albeit, such increased engagement of AI raises legal issues mainly on authorship and ownership rights over the outputs of AI. Currently, the intellectual property law recognises human creators, thus making it hard to establish rights towards content produced by AI. This discrepancy calls for rethinking of the current legal frameworks in accountability, ownership, and liability for IP created through AI. RecLent legal actions underscore these challenges. For example, the Indian news agency ANI filed a lawsuit against OpenAI for allegedly using its published content without authorization to train AI models. This case highlights the pressing need for clearer regulations regarding the use of proprietary data in AI training and the protection of original content against unauthorized exploitation.

Blockchain technology in intellectual property management is another emerging technology. Blockchain is decentralized, transparent, and has tamper-proof record management ability. The application of blockchain technology means intellectual property registries maintain unalterable records of the intellectual property assets, hence increasing confidence with a minimized risk of dispute about ownership or rights. Smart contracts, furthermore are easily deployed on a blockchain network where an automated agreement is embedded for the enforcement of licensing agreements and which simplifies payments and thus eliminates middlemen. Such automation reduces administrative costs and mitigates risks associated with manual processing, ensuring that the rights holders receive a timely and fair compensation.

To facilitate the speedy adoption of technologies such as Artificial Intelligence, Machine Learning, and Blockchain into Intellectual Property Rights (IPR) in India, a number of statutory provisions need to be amended forthwith. The Copyright Act, 1957, needs to be amended to acknowledge AI-generated works by redefining authorship under Section 2(d) to include AI systems or their supervising entities. The Patents Act, 1970, must be amended to permit AI-driven inventions by modifying Section 6 and clarifying that the innovation qualifies under Section 2(1)(j). Likewise, the Trade Marks Act, 1999, needs to recognize the monitoring and enforcement role of AI by deeming infringement reports through AI as prima facie evidence.

In addition to reforming current legislation, India needs to enact fresh legal frameworks to deal with the new challenges confronting it from new technologies. A separate legislation for emerging technologies concerning IP can establish the legal status of AI-created content, determine ownership, and lay down liability. Government guidelines need to control proprietary data use in the training of AI, enshrining licensing compliance and protection of content. Legislative recognition of smart contracts for IP licensing can facilitate streamlined enforcement and payment models. Lastly, India must strive for international cooperation through treaties under international organizations such as WIPO, fostering common norms and interoperable blockchain registries to deal with cross-border IP issues effectively.

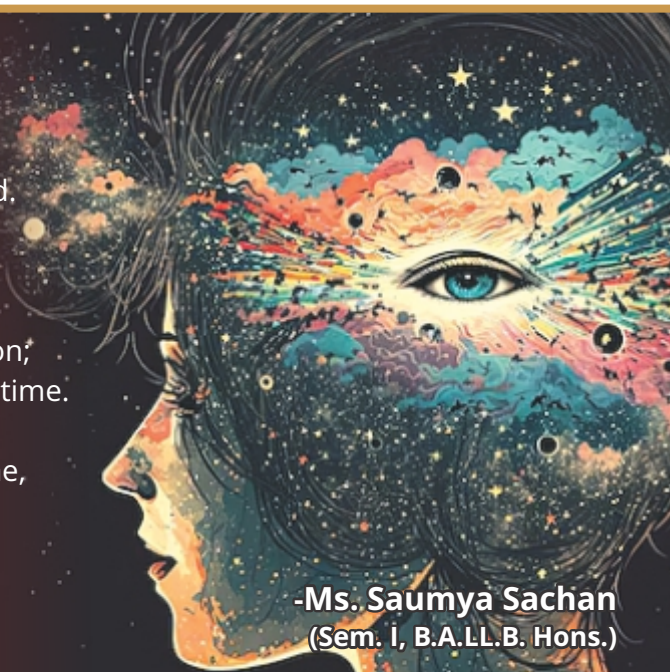
With this, AI, ML, and Blockchain are redesigning the landscape of IPR in India. Though they pose tremendous opportunities in enhancing the management of IP, they bring up challenging legal and ethical questions to resolve. Thus, these would have to be sorted out with fresh legal frameworks or through international collaborations so that maximum benefit is gained from such inventions without sacrificing the creators' or innovators' rights.

-Ms. Pratibha Gaur
(Sem. I, B.A.LL.B. Hons.)

The Noise Within

There is a hustle within;
I'm not courageous enough to say it loud.
The things are lacking therein.
Too many faces of mine.
I don't know what exactly is happening.
Moreover, feeling contempt for no reason;
Putting enough efforts to have worth of time.
Am I able to reach the worth of mine?
The answer of the question lies inside me,
Still finding, by just staring me.
If I get the answer, Will revert it back.
"Signing off" is the way I cut off!

-Ms. Saumya Sachan
(Sem. I, B.A.LL.B. Hons.)



Everything is Legal, Until Declared Illegal



Avishi's heart throbbed and her pulse rate struck sky high as the watch on her wrist displayed 10:30 pm, the longest hand still ticking. She clearly remembered that she said she would be back by 9 pm, but not just MBBS, Law also demands blood and sweat. She had been rigorously researching and drafting for a case related to rape victims.

"Bhaiya, can we go a little faster" she requested the cab driver, checking her phone continuously to check if there are any missed calls from her family.

Avishi always had a soft spot for victims of such heinous offenses be it rape or domestic violence since she was five, and witnessed her neighbour, who was burnt by her in-laws, in demand of more dowry, and got out of it by bribing police officials, who registered that case as an accident.

The clock showed 10:40 when she entered the house, which was absurdly silent, which meant her in laws must have slept by now. As she approached her bedroom, faint noise of feet tapping against the floor was audible, implying Nikhil's patience was running thin.

"Done with your Mahila Morcha for the day?", he remarked sarcastically the very moment she entered the room. Avishi Khanna was one of the fiercest lawyers in Delhi's court. With a razor-sharp mind, a similarly striking tongue and an unmatched passion for justice, she had spent years fighting for women's rights. But the moment things were about her personal life, she was just a woman, seeking comfort in her family, with expectations and adjustments.

"Do not even start Nikhil, you know the case I am working on, the poor girl was subjected to rape by her neighbour multiple times", she said, not taking offense to her husband's words.

"I don't know what is wrong with the men nowadays", he said, pouring himself a glass of water.

"The defendant claims that the first time they did that, the girl came willingly, now when she refused, apparently, he thought that he had her consent automatically". She took the glass bottle from his hand and gulped down the remaining half from it.

"Or the girl was interested until she had fun and then decided to dispose the man off", his lips curved into a sarcastic chuckle, and Avishi could not stop herself from rolling her eyes.

"It's the law that decides, not you mister", she said and went to the restroom, only to come out a few minutes later, changing herself from that black coat into a pink-coloured night suit.

She pumped out a few drops of her moisturizer as she gently massaged it over her palms. Her eyes gradually shifted to the bed, where she found Nikhil already sitting, his back resting against the headrest.

Suddenly fear prickled her veins.

But she still settled herself there and laid down, closing her eyes she felt something over her waist. Her brows curled up in frustration, and she opened her eyes, to find his arms wrapped against her waist. This was not something new for her, in two years of her marriage, that for Nikhil, consent stood only till the victim was a stranger, or a minor.

But she still tried once, the way she did day before yesterday even though it was of no use "not today please, I'm tired" she spoke, but still found him coming intimately closer to her.

"Come on, you said that last time also", his voice was groggy, but it made her feel overwhelmed.

As he traced his finger alongside her jaw, cupping her neck from behind, her eyes moistened.

Your honour, silence doesn't imply consent, nor does the victim going to the perpetrator, her own voice from the last case she argued rang through her ears, and she chuckled at her own misery.

Definitely, there were times when she wished that the husband should also be convicted for forcing himself on his wife, even without the use of physical abuse.

The next morning, when her alarm went off at six thirty, she found herself still on the bed, her eyes wide open, with no evidence of sleep from the last night.

Her eyes were burning, and her body refused to move. She tried to move herself and with great effort and with a sudden shift of weight in her lower back, she got up.

An hour later, she found herself in the kitchen, adding two spoons of coffee to a cup containing warm water, stirring it continuously as last night replayed in her mind, how all her retaliation, defiance, and struggle had gone in vain.

Her body trembled in shock, for a second as she heard a sudden sound, just to notice her perpetrator, looking at her, with no sign of guilt in his eyes. "Good Morning", he said hoarsely, pushing his hair back.

"Coffee?" she raised her brows and poured half of the liquid into another cup after noticing a nod from his side. She looked up at him, sipping his coffee and scrolling through the mobile phone in his hand. She tried to peek into his eyes, with no sort of affection, but in search of something, probably guilt, or empathy at least. Meeting at 10, a notification of a text from her secretary popped up in her phone which forced her out of her search.

"So, what's the case about?", she asked, dressed in her formals, resting her hands, with her fingers interlaced on the glass table, looking directly at the woman sitting in front of her with her eyes screaming nothing but confidence, far from the vulnerable woman last night who was pleading the man who was supposed to protect her, to not outrage her modesty, to not sexually assault her.

"It's a case of domestic violence and marital rape", her secretary informed her, and her heart clenched. She gulped saliva down her throat and took a breath, longer than usual, and looked at the victim sitting in front of her – fragile, broken, desperate as if she was asking nothing but justice.

"Ma'am all I can help you with is domestic violence, and I cannot assure you with the latter one since there is no law regarding the same", she said and got off from the chair.

"Ishika, fetch the details and prepare a draft", she ordered her secretary and left the chamber, as by then, her eyes were watery, and she was in no possible condition to display her vulnerability to anyone, especially to a client, who has endured as worse as her.

She went towards the reception area, and looked at her reflection in the glass door and did nothing, but chuckled at her own misery

The woman who had freed so many was trapped in the very institution that was considered sacred. The infamous lawyer Avishi Khanna cannot fight for a woman who is suffering something closely similar to what she is suffering herself.

Irony, indeed.

Then her gaze shifted towards the television with a news flashing -

"High Court acquits a man of marital rape charges, citing legal immunity for husbands, reigniting debates on marital consent laws in India".

-Ms. Samraddhi Jain

(Sem. I, B.A.LL.B. Hons.)



The Untold Affliction

He is thought to be a man. A man,
Who masks his cry
His ambition to wry
His dad demands him to "manup",
To rise, shine, and never stop.

A man,
Judged harshly by society's eye, facing silence,
impiety Haunted by the fear to fail
He dumps his dreams, he sets no sail.

A man,
Dreading each day a this job
Used and spent like a worn-out cog,
His hard worries try,
His soul fades with each passing year.

A man,
Whose feelings are abundant,
Scared of judgment if he speaks true,
At a point, he accepts the fall,
Creating his limits,
Leaving behind dreams once bright,
To fit the world, to do what's "right".

-Ms. Himanshi Verma
(Sem. I, B.A.LL.B. Hons.)



Legal Humour

Heard someone say "life is fair."
Pretty bold statement in a country where trials last
longer than life.

Some chase love. Some chase dreams.
We chase citations at 2 AM, wondering if SCC
Online will ever love us back.

Moot court teaches how to argue.
Actual court teaches when not to.

Law student pickup line:
"Are you a landmark judgment? Because I'll keep
quoting you forever."

Why are lawyers always so charming?
Because they have their own appeal.

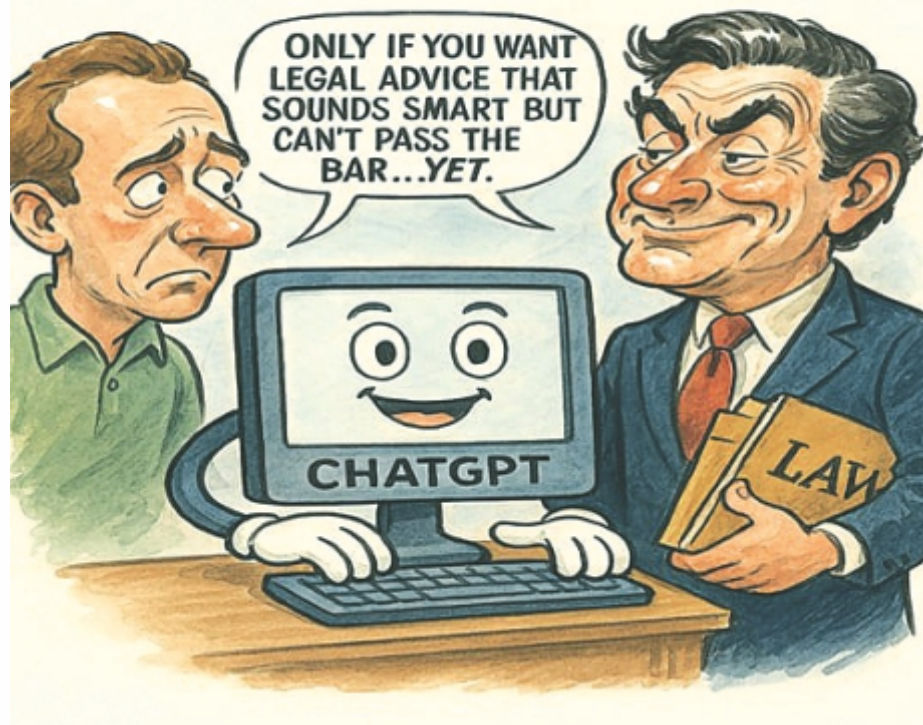
The Indian judiciary functions on three pillars:
Equity, Justice, and "Next Date Please."



TOONIFIED >>



CAN CHATGPT BE MY LAWYER?



-Collected and AI generated by
Mr. Devansh Upadhyay & Ms. Janhavi Singh
(Sem. I, B.A.LL.B. Hons.)

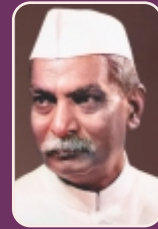




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“ In attaining our ideals, our means should be as pure as the end. ”



Dr. Rajendra Prasad



RPNLUP