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LETTER FROM THE EDITORIAL BOARD



It is our pleasure to welcome you to the February edition of Law@DME. The previous months saw an enthusiastic upswing in co-curricular activities and we are thrilled to bring to you the highlights. In addition to reporting on these events, this edition features humorous commentary on legal updates from around the world, records of students' recent achievements, and articles on the theme of the month, 'Child Rights'.

Our past editions have experienced a great support in the form of suggestions, contributions as well as reviews from experts. We are delighted to evolve our newsletter with these feedbacks and look forward to many such contributions in future. In this light we encourage our students to continue to send us submissions on the upcoming theme of the month, cyber crimes, along with their achievements or even general feedback on the newsletter. We can be reached at law.newsletter@dme.ac.in and would love to hear from you.

Editorial Board: Dr Anjali Sharma, Dr Jaya M Prosad, Ms Tulika Narbar, Ms Navjot Suri

UPCOMING EVENTS

**Commencement of Internal Examination:
6 March, 2017**

Legal Aid Camp: 17 March, 2017

**Inter College Moot Court Competition:
24 March, 2017**

College Fest "Aloha": 31 March, 2017

V.R Krishna Iyer Lecture on Child Rights

On January 19, 2017, a guest lecture on Child Rights was held in the Nelson Mandela Auditorium, for the deliverance of which, Major General Nilendra Kumar was invited as the chief guest. In addition, two child rights activists from Bachpan Bachao Andolan were also invited. The lecture commenced with the lamp-lighting ceremony along with a rendition of Saraswati Vandana. The panel members included Vice Chairman, Mr. Aman Sahni; Director General, Hon'ble Justice Bhanwar Singh; Principal Academics, Dr. Vikram Dutt; IFS & former Registrar of IIT Delhi and Advisor to the college, Dr. Rakesh Sharma; and Head of Department of Law, Dr. Bhavish Gupta.

A brief introduction of Major General Nilendra Kumar was presented which highlighted his accomplishments including the position of the Judge Advocate General of the Indian Army that he held from the year 2001 to 2008. The audience was further enlightened that he has trained with the National Defence Academy, participated in the legal seminar held by the International Committee of Red Cross at Geneva in 1998. He has authored over 10 books. He is also a renowned teacher of Legal Ethics. As a symbol of growth, the chief guest was presented with a sapling by Hon'ble Justice Bhanwar Singh; and a shawl as a token of respect by Mr. Aman Sahni. Further, the representatives of Bachpan Bachao Andolan were welcomed by Hon'ble Justice Bhanwar Singh.



Major General Nilendra Kumar addressing the gathering

Dr. Vikram Dutt was invited to the podium by the anchor. Dr. Dutt highlighted the helplessness of children, and ended his speech by laying stress on their quagmire of abuse and exploitation.

Hon'ble Justice Bhanwar Singh spoke highly of Major General Nilendra Kumar and shared his seventeen year-old association with him. Several inspiring achievements of the General were enumerated, one of which was the argument that he carried out on behalf of the army while other lawyers were on strike. For this, he was highly praised by the Hon'ble Justice who commended his ability to argue fluently. He ended his speech by partaking with the students the achievements and commendable personality of Justice V. R. Krishna Iyer, in whose honour and respect, the guest lecture was being held.

Major General Nilendra Kumar delivered his lecture and began by appreciating the opportunity to be at the college and speak before the audience of students on the topic. The chief guest described the pitiable conditions of children and the state of apathy towards them before drawing a smart comparison between the act of forgery of marks in school and corruption. Further, he informed the audience about statistics published by Child Rights and You (CRY) that over one million children in Delhi are being subjected to child labour.

Major General Nilendra Kumar further proceeded to enlist the laws relating to child abuse and child rights. He started with the Constitution, and asserted that according to the Preamble, equality of status and opportunity is to be given to children as they too come under "all citizens". He emphasized on the fundamental duty to provide education to children between the age of six and fourteen years as provided for by Article 51(k). Article 23 and 24 were spoken of which are against forced and hazardous employment, after which he discussed Articles 45 and 47 which are on the State's duty to provide childhood care, education, and to raise the nutrition level of children. His

displeasure was apparent when he brought to the attention of the audience the lack of attention given to child rights in the three Lists under Schedule 7 of the Constitution.

Apart from the laws in the Constitution in support of child rights, Major General Nilendra Kumar cited various laws from different statutes. Starting with Juvenile Justice (Care and Protection for Children) Act of 2015, he said that due to the complexity of the statute, it would require time to sink in and take full effect. He reviewed the Protection of Children from Sexual Offences Act, 2012, and praised the Legislature for its work on this Act as it has succeeded in filling the void left by previous statutes that did not cover sexual offences against children in detail. Regarding Child Labour (Prohibition and Regulation) Act, 1986, he suggested how the Act could be more efficient, for instance, by the inclusion of moral and social development of children within the scope of 'health'. Finally, he praised the Information Technology Act, 2000, for condemning offences like producing child pornography.

Before opening the floor for questions, Major General Nilendra Kumar concluded his speech by focusing on the ultimate solution, which is public initiative. He informed the students that it is the public that needs to take initiatives like setting up institutes for rehabilitations of suffered children and for providing them with the required motivation and support, so they can have a better life ahead.

The floor was opened to questions, and curious, students raised several questions which were answered and discussed at length. It was acknowledged during the discussion that government has a limited role in this area and beyond a certain point society itself has to take initiatives.

The Head of Department of Law, Dr. Bhavish Gupta delivered the vote of thanks and the lecture came to an end with a rendition of the National Anthem.

Inauguration of Cyber Cell



Mr Pavan Duggal delivering a lecture on Cyber Crime

On 27th January, 2017, inauguration of the Cyber Cell was held in the Nelson Mandela Auditorium which was benched by Vice Chairman, Mr. Aman Sahni; Director General, Hon'ble Justice Bhanwar Singh; Principal Academics, Dr. Vikram Dutt; IFS & Registrar of IIT Delhi and Advisor to the college, Dr. Rakesh Sharma; and Head of Department of Law, Dr. Bhavish Gupta.

The inauguration began with the lamp lighting ceremony to honour the goddess of knowledge; Maa Saraswati Devi, by Mr. Pavan Duggal alongside Mr. Aman Sahni, Prof. Azad Chillar

(Head of Department of Management) and Miss Trupti Panigrahi (President, Cyber Cell).

Mr. Pavan Duggal delivered his lecture on the issue 'Cyberbullying on Social Media' in the auditorium. Mr. Duggal, a specialized lawyer in the field of cyber law who throughout his career has had many achievements in the field, was welcomed by the Principal Academics, Dr. Vikram Dutt, in the college.

The Cyber Cell, a community established by the students of our college was highly praised by Mr. Duggal. He suggested that setting up of a cyber cell could be one the possible solution to deal with cyber bullying.

Before the dissolution of the ceremony, members of the Cell were given badges for their respective posts including the posts of General Secretary, Deputy Secretary, etc. Following the distribution, Trupti Panigrahi, the President of the committee, very gracefully informed the students that the cell belongs to each one of them, and is not exclusive to the members. It was further announced by her that the Cell consists of counsellors and that any struggling student can confide in them.

Students interacted with Mr. Duggal freely and were advised and cautioned by him on various matters of cyber bullying.

Before the culmination of the lecture, the Head of the Department of Law, Dr. Bhavish Gupta was invited to thank the chief guest, following which the lecture ended with a rendition of the National Anthem.



Principal Academics welcomes Mr. Pavan Duggal

A Visit to the Parliament

-- Alisha Sharma (BA. LLB)



DME Students posing in front of the Parliament

Parliament museum is a museum in the Parliament of India Library Building in New Delhi. Recently, we got a chance to visit this wonderful place and it was a golden opportunity given



DME Students posing in front of the Parliament

by our college. The trip was scheduled for 17 January, 2017. This trip was conducted to help us learn more about the working of the Parliament, an organization that is the heart of our society.

We departed around 1:30 p.m from our college for the Museum and reached around 2:05 p.m. After reaching there we had a session of approximately half an hour with the Additional Director **Mr. Naushaad Alam**. He explained to us the internal working of the parliament and the complications and difficulties faced while making any particular law. We were informed about functioning of the parliament, and how it differs from what we watch on the television. He explained the law making process.

“The main principle is that the more the opposition parties are vocal, the stronger the democracy is”.

The institution of opposition is an important ingredient, as the idea is to check the despoting tendency of the government and the opposition party should be vocal.

The crux of the parliamentary affairs is that the Government is accountable to legislature.

After, the speech given by the Additional Director Mr. Naushaad Alam, few questions were asked by the students he promptly answered.

After a short and refreshing tea break, we went to see both houses of the Parliament i.e; the Lok Sabha and the Rajya Sabha. The carpet of Lok Sabha is green in colour and in the Rajya Sabha it is of red colour. The Lok Sabha consists of 545 members and Rajya Sabha has 250 members. The Lok Sabha is presided by the Speaker and Rajya Sabha is presided by the Chair Person.

There are many galleries on the first floor of the house, above the hall where the members sit. Apart from public gallery meant for the general public, there are five other galleries. Press Gallery is meant for media personnel, Distinguished Visitor's gallery meant for legislative members, spouses of the parliament members and other distinguished public figures. Lok Sabha Member's Gallery is for the members of the lower house to witness the proceedings of the upper house. A special box is meant for governors of the states, guests of the president and visiting heads of states. The official gallery is for the government officials who need to participate in the house discussions. As an ordinary citizen, you get to sit in the public gallery. It has a seating capacity of 160, and usually, a pass is issued only for one hour.

These seating arrangements are almost the same in both the houses. Each member is allotted a seat number for that particular session. There are four buttons on the desk of the members to give their vote i.e.

- ▶ white for presence of members,
- ▶ green for favor,

- ▶ red for opposition,
- ▶ Yellow to abstain meaning neither in favor nor opposition.
- ▶ Time for casting votes in the house is 10 seconds.

After this we visited the central hall, where the first speech post independence was given by our first Prime Minister, **Pandit Jawaharlal Nehru**. Pandit Jawaharlal Nehru and Mountbatten signed the first PACT in the hall. The joint sessions are also called in central hall.

In the end we visited the museum where there were statues of renowned leaders of our country.

Child Rights – A Human Rights Perspective Under Indian Constitution

-- Navjot Suri, Assistant Professor (Law), DME

"A century that began with children having virtually no rights is ending with children having the most powerful legal instrument that not only recognizes but protects their human rights."

--Carol Bellamy

Children being the most important part of the society need special attention and care. Their rights are their human rights; they are entitled to support as right holders and the state and its government is obligated to recognize their human rights.

Children's rights are first generation human rights which are protected by UDHR and ICCPR as well as second generation rights under ICESCR protected nationally and also by the Indian constitution : the right to life under Article 21, the non-discrimination principle under Article 15. Further, Article 15(3) provides for the state to make special provision for the children, Article 21-A states that “the state shall provide free and compulsory education to all children of the age of six to fourteen years”, Article 45 provides for early childhood care and education to children below the age of six year. It is now also a fundamental duty of parents and guardians to educate such children as provided under Article 51-A(k). Article 23 provides for “prohibition of traffic of human beings and forced labour. Article 24 prohibits employment of children in factories, etc , Article 39(e) states that the health, strength and the tender age of children should not be abused due to economic necessity; Article 39 (f) calls for children to be given opportunities and facilities to develop in a healthy manner with freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Thus, we can see that the constitution acts as a protective umbrella for the human rights of children. The preamble of our constitution clearly reflects the idea of providing protection and promotion of human rights of children.

Despite the existence of rights, children suffer from poverty, homelessness, abuse, neglect, preventable diseases, unequal access to education and justice systems that do not recognize their special needs. These are problems that occur in both industrialized and developing countries. The problem can only be solved by engaging not just governments but all members of society. The standards and fundamental principles articulated in the Constitution can only become a reality when they are respected by everyone - within the family, in schools and other institutions that provide services for children, in communities and at all levels of administration.

A quality education helps reduce poverty and enables individual and collective empowerment. Access to early childhood education gives children an equal start and allows them to succeed in later stages of education. Children have the right to learn from the very beginning.

Installation Ceremony of The Leo Club Ashoka - Opening doors to a better tomorrow

On Tuesday 14th February 2017, the installation ceremony of the Leo Club Ashoka was organized by Delhi Metropolitan Education. The event was sponsored by Lions Club New Delhi Alaknanda. Renowned guests present for the installation ceremony were former District Governor Lion Rajeev Mittal, Mrs Stuti Kacker the Chairperson of National Commission on Protection of Child Rights, Mrs Janice Darbari, Lion Mr Arvind, Lion Mr. Mahesh Bansal, Lion Mr Rajesh Gupta, Lion Vijay Kukreja, Lion Sandeep Kumar, Lion Ananta Baheti, Lion N.K Bansal, Lion Vijay Gupta, Lion Ashok Aggarwal and Leo Asmita Gupta.

The ceremony commenced with a movie about the history of the Leo Club which gave an incite on how the club began and the work done by the Leo Club through the years followed by the lighting of lamp by the dignitaries.

Lion Arvind, master of the ceremony was called upon Mr Vikram Dutt to address the gathering followed by Mr. Rajesh Gupta and Mrs. Janice Darbari. After this a brief introduction of the Lions Club given by Mr. Rajeev Mittal along with the appointment of Leo Club Ashoka team members- Alekshendra Sharma as the Lion Tamer, Shubham as the Tail Twister, Moksh as the Public Relations Officer, Abhishek, Siddharth and Mudit as the Directors, Shravan as the Secretary, Trupti Panigrahi as the Treasurer, Kirti Sharma as the Vice President and Priya Gupta as the President. All the members took a pledge to perform the different duties allocated to them and were then presented with the certificate of the organisation and a gong and bell.

This was followed by an address by Ms. Priya Gupta as the President of the newly installed Leo Club Ashoka and felicitation of the dignitaries.

The club showcased its aim of providing people with humanitarian aid and other acts of kindness in the speeches of the dignitaries.

The vote of thanks was given at the end of the ceremony by Ms Kirti Sharma, Vice-President of the Leo Club Ashoka.

The installation ceremony of the new club at DME was concluded by the National Anthem.

-- Avni Sharma and Ruth Diya Chattopadhyay



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LEGAL HUMOUR



·Rock, Paper, Scissors - I Win! In a case where a hotel investment firm sued an insurance company for allegedly not paying an insurance claim fast enough after Hurricane Charley, attorneys for the parties seemed at odds with each other from the get-go. When it came down to where to depose a witness, the attorneys would do no better. Not being able to select a location between themselves, the court was asked to intervene. U.S. District Judge Gregory A. Presnell was not amused. After chastising the attorneys for not being able to agree on even the most simplest of things, Judge Presnell issued his written ruling:

"[T]he Court will fashion a new form of alternative dispute resolution, to wit: at 4:00 P.M. on Friday, June 30, 2006, counsel shall convene at a neutral site agreeable to both parties. If counsel cannot agree on a neutral site, they shall meet on the front steps of the [Courthouse]. Each lawyer shall be entitled to be accompanied by one paralegal who shall act as an attendant and witness. At that time and location, counsel shall engage in one (1) game of 'rock, paper, scissors.' The winner of this engagement shall be entitled to select the location for the 30(b)(6) deposition to be held somewhere in Hillsborough County during the period July 11-12, 2006."

ROCK



SCISSORS



PAPER

