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Dear students and faculty members,

the month of September could not have a more bombastic unlock process than what we witnessed. The socio-politico-legal temperatures soared at an ever high with the three Farmers Bills being passed by the Parliament and given an assent by the President of India followed by a nation-wide farmer unrest, the financial viability of states and their tussle with the Centre in relation with the State Goods and Services Act. The Contempt Case of Prashant Bhushan highlighted the much required debate around the questions of contempt and its position in a democratic setup. The peak perhaps was the

Hathras Case and the procedural lapses that were brought into sharp relief. As students of Law these issues are of great importance and DME Law School strived hard to create dialogues on contemporary issues.

Culture and art on the other hand, are not just a much needed respite in our otherwise pressed existence, but also a political statement to balance out the dry and dreary world of academics. Let's take a look at what transpired at DME in the month of September.

Shambhavi Mishra  
Assistant Professor, DME Law School



## Justice V.R. Krishna Iyer Memorial Lecture series

### ENHANCED ROLE OF ARBITRATION IN THE POST COVID WORLD BY JUSTICE GYAN SUDHA MISRA

DME organized an online lecture under the aegis of the Justice V.R. Krishna Iyer Memorial Lecture Series, on 'Enhanced role of Arbitration in the post COVID world' which was delivered by Justice Gyan Sudha Misra, Former Judge, Supreme Court of India. The conference was open to the students enrolled under the law department of the college and approximately 150 students were in attendance. The conference was opened by Dr. Naresh Kumar Bahl, Dean, DME Law School who introduced and welcomed Chief Guest to the participants attending the lecture.

Justice Gyan Sudha Misra, shared her views on arbitration and conciliation act where she primarily focused on the meaning of the term arbitration and explained its essence for the better understating of the students. While explaining it, she added that arbitration is used as an alternative of litigation, it is time saving and cost-efficient method which is generally used in the resolution of matters pertaining to commercial disputes. She included several pertinent examples and shared her personal experiences. She explained the importance of arbitration and speedy trials in delivering justice.

Justice Gyan Sudha Misra, then moved onto the scope of arbitration in future amid the COVID-19 pandemic.

Arbitration is not only limited in resolving the issues apropos commercial disputes but also such other disputes that might occur in between the parties. A consensus is required to approach arbitrators in case of a dispute. Furthermore, an amendment is required to be made in the arbitration and conciliation act to make it comprehensive in nature.

At the end she addressed the questions asked by the students and advised the students to first get an

experience of all the varieties of law and then to make the right choice for their career. The lecture ended with Prof. (Dr.) Bhavish Gupta, Head-Academics, DME Law School giving a vote-of-thanks to our eminent guest for gracing us all with her auspicious presence, and thanked her for sharing her insightful thoughts on the topic, for making students recognize the need and meaning of arbitration.



# Academia, Education and the Virtual World

## BEYOND BARE ACTS SEE, THINK, WONDER



On September 22nd, 2020, the Centre for Criminal Law and Justice had organised an online event “Beyond Bareacts: See, Think, Wonder” which tried to explore the new developments in the field of legal education where alternative literature of modern era can be taken as a source to understand abstract concepts such as law and justice. Visual media and the stories presented visually seem to belong to the arena of entertainment, in reality, they are rich mines of knowledge and discourses. The subtext of a movie presents a meta narrative which represents the notions of crime, criminality, law, vendetta and justice in a manner which perhaps can get lost in the black letters of case laws, legislations and other legal texts. The Panel Comprised of Mr. Abhishek Gupta (PhD scholar, former Asst. Professor, Amity Law School), Mr. Aditya Verma (Asst. Professor), Ms. Shambhavi Mishra (Asst. Professor,

DME) and Ms. Shreya Mahajan (Asst. Professor, DME). The three movies whose scenes were taken as case studies were:

**Joker:** bare understanding of crime commission-substantial criminal law

**S.375:** Rape evidencing and the construction of rape victim-procedural criminal law

**Exmachina:** Artificial intelligence and crime and the line between human and non-human subjects of criminal law- future of criminal law.

Newsletter Law brings the best responses students and scholars that were received by the Centre of Criminal Law and Justice encapsulating the spirit and purpose of the Panel Discussion:-

Law is a living subject, it evolves and adapts as the mankind progresses. Cinema, on the other hand, is a reflection of the mankind- the depths and horizons to which cerebellum can work. Connecting law with cinema brings to the surface may ethical and moral issues which need to be pondered upon, some of the issues being- - impact of cinema on youth - normalizing social maladies such as drug abuse - fantasy versus reality debate The topics which were chosen for the workshop were really relevant in present scenario. All the three clips, when analysed through the specs of legal fibre, forced the mind to think what all happened wrong and what all should be done to prevent it, as well as punish it. Visual presentation of a crime is potent enough to change the perspective of a anyone who is related to the law field. Understanding the laws and their flaws through reels makes it more interactive and thought provoking. It is a wonderful way of engaging more and more people to know about their laws and rights. A layman can be legally educated and law-man can be made to criticize the laws through this medium.

Eesha Vij  
3rd year,  
B.A.LL.B. (Hons.)  
Manipal University Jaipur

Cinema as a medium plays a pivotal role in our understanding of the societal issues. When reading a movie there several implicit and explicit visual cues which enables one to decipher the undertones and overtones of the socio-political setting. The video clips screened during the session have highlighted three different aspects of legal framework and it opened the pathway to deconstruct the conventions of legal identification and case analysis. In the first video it talks about the crime done in defence, how far

is the defence justifiable that is a question of debate. In the second video, we see the upsurge rape accusation and the medical examination which has a underlying connotation of stigmatisation. In the last clip, we talked about the functionality of AI and the problem of convicting the robot. Overall, it was an insightful experience as far the reel-legal analysis is concerned.

Arpita Chowdhury  
Lady Sriram College for Women  
English (Hons)

Research suggests that people learn abstract, new, and novel concepts more easily when they are presented in both verbal and visual form. Other empirical research shows that visual media make concepts more accessible to a person than text media and help with later recall. In Willingham's research he asks a simple question to make his point, "Why do students remember everything that's on television and forget what we lecture?" -- because visual media helps students retain concepts and ideas. The crucial role that technology plays for creating learning environments that extend the possibilities of one-way communication media, such as movies, documentaries, television shows and music into new areas that require interactive learning like visualizations and student-created content. Now if I am able to understand this concept, it is just because today I have been taught or rather imbibed with such quality videos that explained how vision could enhance learning skills.

Raj Singh  
2nd year,  
B.A.LL.B. (Hons.)  
Delhi Metropolitan Education

Joker movie is an example for how societal factors and psychological factors influence a person to indulge into criminality. When a person has a disorder, all he needs is proper care and treatment. The so called normal people are quick to jump into conclusions and they label people with certain disorders as deviants, once labelled it is difficult to shed that label and the person is neglected. The frustration aggression theory also applies here, when a person's legitimate needs are not met they get frustrated, and frustration breeds aggression and this leads a person into criminality. When all the lawful steps followed by a person is shutdown, he would obviously indulge in deviant behaviour. People with certain problems are bullied rather than comforted. Family also plays a important role in moulding the character of the children, neglected and abused children are prone to offending. When proper medical assistance and family care is provided many can be prevented from becoming incorrigible criminals.

SABARI.CH  
3rd year,  
LL.M., Criminal Law,  
The Tamilnadu Dr. Ambedkar Law  
University, Chennai

Firstly, it was a great webinar and I enjoyed it a lot and it was a treat for me to see all the professionals having a healthy discussion and now I would like to comment on the scene of the movie 'JOKER', for me I think, in the starting of the scene three men were sexually assaulting a woman and when joker started laughing as he was kind of trying to

remove the attention of those three men from the woman towards himself as he was suffering from insanity, nihilism and inspires a violent counter-cultural revolution against the wealthy in a decaying Gotham City, and when the three men comes near to him and started asking that why is he laughing and while asking him this question they started beating him and didn't gave him the chance to answer the question, during this process joker take out his unlicensed gun and shoot two men for his private defence but he did do a culpable homicide when the third person ran off he followed him and intentionally murdered him by shooting him from the back even though he didn't have any danger from the third person when he ran away. So, there is a case of sexual assault, private defence, carrying an unlicensed gun in a public place, culpable homicide and a murder. and now in the second movie scene section 375, I think this movie is inspired by the Shiney Ahuja case in which he was accused of rape by his maid, and the matter was taken to court. The sessions court sentenced him to seven years of imprisonment, but he later got bail when the case was presented in the High Court. In that particular scene the male medical practitioner was making the victim uncomfortable with his questions and there were some questions which were not so necessary/ irrelevant and that particular scene was related to Rao Harnarayan Singh Vs. State of Punjab; Tukaram Vs. State of Maharashtra- Mathura Rape Case.

Vanshika Bhalla  
Student, Legal Studies,  
Class XI  
St. Thomas, Sr. Sec. School

## DME LAW SCHOOL WEBINAR SERIES

### WEBINAR ON WHITE COLLAR CRIMES: EMERGING TRENDS SUMMARY REPORT

**DME** Delhi Metropolitan Education  
Affiliated to GGSIP University, New Delhi & Approved by Bar Council of India  
MANAGEMENT ■ LAW ■ JOURNALISM

DME Law School

**White Collar Crimes: Emerging Trends**

25 SEPTEMBER 2020  
1500 HRS

**Shri Nikhil Varshney**  
Senior Associate,  
Shardul Amarchand Mangaldas & Co.

B-12, Sector-62, Noida (U.P.) | dme.ac.in | /dmenoida

was open to the students enrolled under the law department of the college and approximately 70 students were in attendance. The webinar was opened by Ms. Bedapriya Lahiri, Assistant Professor, DME Law school, who welcomed the dignitaries and the participants to the webinar. Thereafter, Prof. (Dr.) Naresh Kumar Bahl, Dean, DME Law School introduced and welcomed Chief Guest to the participants attending the lecture.

Mr. Varshney dealt with topics such as prevention of money laundering, corruption, and laws such as FEMA and IT Act, 2000. He particularly focused on the new Fugitive Economic Offenders Act, 2018 that emerged after the PNB fraud committed by Mr. Nirav Modi, Mehul Choksi, etc. He elaborated on how money laundering is covered under the PMLA which is investigated by the Enforcement Directorate who lodges an ECIR. He took examples from the present-day case of Rhea Chakraborty, ongoing in the media. He then elaborately substantiated on what constitutes white-collar crimes and what are the changes that have been observed by the relevant parties in the last few years. In the end, he addressed the questions asked by the students and guided them upon what kind of career they can expect as an advocate for practicing matters pertaining to white-collar crimes.

The lecture ended with Ms. Bedapriya Lahiri, Assistant Professor, DME Law School giving a vote-of-thanks to the guest for gracing the event with his presence, and for sharing his insightful knowledge on the topic.

On September 26, 2020, Delhi Metropolitan Education organized an online lecture under the aegis of the DME Law School Webinar Series, on 'White Collar Crimes: Emerging Trends' which was delivered by Mr. Nikhil Varshney, Senior Associate, Shardul Amarchand Mangaldas. The webinar

# THE MONTHLY DOWNLOAD

## Student Editors:

Shubham Sharma, DME Law School, Batch: 2018-23,  
Naman Basoya, DME Law School, Batch: 2018-23.

## Faculty Coordinators:

Shambhavi Mishra,  
Komal Kapoor



## National Cyber Security Strategy 2020

With the rising digitisation in India, the demand for cyber security has drastically increased. The emergence of new technologies like Cloud Computing, Artificial Intelligence, 5G and their allied aspects such as data protection/privacy, law enforcement, cross border data sharing, misuse of social media platforms, cybercrime and cyber terrorism have necessitated the formulation of a robust strategy more than ever.

Taking into account these burgeoning cybersecurity concerns, the Indian Government, under the aid of the National Security Council Secretariat, is in the process of formulating the National Cyber Security Strategy (NCSS) 2020. At present, various stakeholders have provided their recommendations, some of which are:

- Introduction of the Public-Private Partnership (P-P-P) Model where the government should partner with the private sector to strengthen the cybersecurity posture of the state.
- Information Security Policies & Practices should be mandated at government functionaries and their service providers.
- Regular Security Audits should be conducted adhering to international standards for all government websites. Further, the Government should ensure the operation of

Information Security Policies in the state deploying cybersecurity plans in line with State Cyber Policy.

- A State cybersecurity framework should be formulated that supports strategy and implementation mechanisms preventing digital impersonation, identity theft and the security incidents that disrupt the normal operation of systems hardware/software.
- Establishment of an assurance framework to provide guidance on security certifications and qualification criteria and prescribe security audits of government projects and their applications.
- Allocation of adequate budget towards the security requirements provided under the Information Technology Act, 2000.
- Increasing cyber security awareness among citizens and small businesses.

It is clear that transformational Digital India push represents a new stage in the organization and control of the industrial value chain desperately need the support of a stable cyberspace. The strategy will be an early warning-early response cyber defence scheme which will help establish a strong foundation to tackle the ever-rising challenges of the cyber world. Therefore, the Indian Government's attempt at developing the NCSS is a laudatory step towards 'Smart Security Solutions' which is conducive to developing a healthy, protected and reliable cyberspace.

Sharmishtha Sharma



## Taking down of Paytm from Play Store: A Jolt to Legislate?

On September 18, in a shocking turn of events, the America-based tech giant, Google, temporarily removed the largest Indian e-commerce startup, Paytm, from its Android Play Store for a couple of hours after which the app returned. While the last few months have been characterized by a relentless ban on many Chinese apps from the Google play store, Paytm's removal had no such nexus. Instead, the app was removed because of the alleged violations of the Play Store's guidelines regarding online gambling.

Paytm, through its campaign launched on September 11 allowed users to receive cashback and purchase cricket-themed stickers by transacting over the app. Days before the removal, Google, expressed its firm stance in a statement against all apps that promote unregulated online gambling and sports betting, stating that it would remove such apps from its store if they don't comply with Google's guidelines.

Responding to its removal, Paytm argued that the decision was arbitrary and a strategy to acquire more

users for its app, Google Pay, a competitor to Paytm. The situation, if looked at from a larger perspective, owes much to the absence of a legal framework regarding online gambling. The Information Technology Act, 2000, the primary statute for internet governance, is silent with respect to online gambling. This allows the operating systems and platforms like the Android Play Store to frame policies and accord themselves the power to become the judge, jury and executioner.

Conclusively, while the move prima facie seems to be for the public good, the exact nature of Paytm's campaign with regard to whether it constituted gambling or not is still ponderable. Additionally, similar campaigns by Google Pay seem to indicate the wobbliness in the application of Google Play Store's guidelines. These developments clearly serve as an eye-opener for the government to go back to the drawing board and establish some legal framework for the purpose.

Nonetheless, it cannot be gainsaid that despite the restoration of Paytm, the controversy that has arisen will linger for times to come.

Vinayak Sharma

## The Curious Case of Prashant Bhushan's "Contempt of Court"



-Dr. Roopa Sharma,  
Associate Professor of Law

On June 27 and June 29, 2020, advocate and civil rights activist Prashant Bhushan published two tweets on Twitter that were critical of the top court. The June 27 tweet said, "When historians in future look back at the last 6 years to see how democracy has been destroyed in India even without a formal Emergency, they will particularly mark the role of the Supreme Court in this destruction, & more particularly the role of the last 4 CJIs."



case was taken up suo motu by the Supreme Court, that on 14th August held Prashant Bhushan guilty of contempt of court. On 20 August, it issued a brief order seeking Bhushan to apologise unconditionally before 24 August.

On 24 August, Prashant Bhushan filed a supplementary statement, where he noted: 'If I retract a statement before this court that I

The June 29 tweet included a photo of CJI S.A. Bobde riding a Harley Davidson motorcycle, and said, "CJI rides a 50 lakh motorcycle belonging to a BJP leader at Raj Bhavan, Nagpur, without wearing a mask or helmet, at a time when he keeps the SC in Lockdown mode denying citizens their fundamental right to access Justice!"



Incensed by the audacity, Mehek Maheswhari, an advocate, filed a petition before the Supreme Court on July 9 seeking initiation of contempt of court proceedings against Bhushan for the tweets alleging that it 'inspired a feeling of no-confidence' in the independence of the judiciary and amounted to 'scandalizing the court'. This

otherwise believe to be true or offer an insincere apology, that in my eyes would amount to the contempt of my conscience and of an institution that I hold in highest esteem 'Bhushan refused to apologise for his tweets, contending they are protected by the freedom of speech guaranteed under Article 19 of the Constitution. A week later, on 31 August, the Court fined Bhushan INR 1. He is required to pay this before 15 September 2020. Further, in the event of non-compliance Bhushan would be punished with 3 months imprisonment and debarred from practising law for 3 years.

## Hathras Rape: A Mirror of Gender Inequalities due to the Institution of Caste



-Ms. Shreya Mahajan  
Assistant Professor of Law

In India, caste is a powerful determinant of social hierarchy. And gender is one of the primary axes on which caste stratification rests; structurally, **caste presumes differential modes of control of access to women.**

Caste is defined as an endogamous group which derives its identity in its difference from another. Thereby it seeks to **maintain its distinctiveness.** Reproduction thus becomes central to caste and the practice of caste endogamy also ritualizes **female sexuality in a hierarchical ordering.** The link between gender and caste has been conceptualized as **Brahmanical Patriarchy** which denotes the concentration of power in the hands of elder men, who exercise control over women. This leads to formulation of a set of norms including highly **valorized notions of chastity, virginity, ideal conjugality and sacrificial abilities.** The rules of feminine behaviour are **applied both by manufacturing consent and/ or by coercive means.** The emphasis is on the sexual purity and ideal femininity of women, which is ritualized through restrictive controls over women's behaviour and mobility.

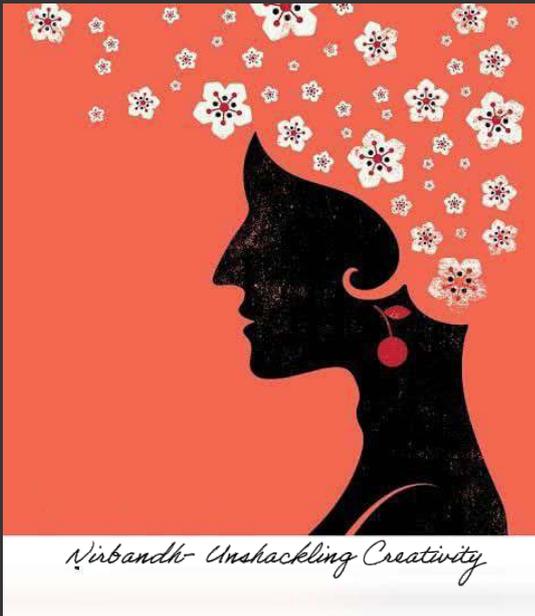
It also grants men absolute control over women's personhood.

There is a specific institutionalised control by upper caste men over lower caste women which involves denial of economic and political resources, opportunities for labour or mobility; ideological freedom and they are free to discipline them using social sanctions including physical chastisement. It is in this light the Dalit Feminism emerged.



In any offence committed in India, the victim's caste becomes inevitable, especially when rape, sexual assault or murder happens as in the recent Hathras brutality. The way in which the 19-year-old was brutally murdered or secretly cremated by the UP Police is a testimony to how cases concerning Dalits are treated as opposed to dominant caste elders. There is a pattern of impunity in the attacks on Dalit women, since the upper caste men enjoy repute and suffer no deterrence. And this is a serious cause of concern!

# 3Art, Music, Drama निर्बन्ध



**DME ABHIVYAKTI SOCIETY**

**PRESENTS**  
**EXTEMPORE**

DATE & Time –  
11/09/2020  
Time- 3-4pm

VENUE- Google Meet

**REGISTRATION LINK-**  
<https://forms.gle/Ja4gyigXi5o7bjCF6>

E- Certificate of Participation to be provided to all participants

Google meet link for the event-  
<https://meet.google.com/ugr-cxdf-hpm>

Contact-  
UditBhardwaj- 7004717328  
Raj Singh - 8303749055

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**PRESENTS**  
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**WINNERS!**

**BEST ENGLISH SPEAKERS**      **BEST HINDI SPEAKER**

**AVUSHI SINGH**      **POOJA KAUL**      **ANUSHKA KAUSHIK**      **RAAJHIA DUBEY**



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**Cine Treasures**  
Presents

Guess the movie by a scene      Guess the actor  
Guess the song by english translation      Guess the Movie by emoji

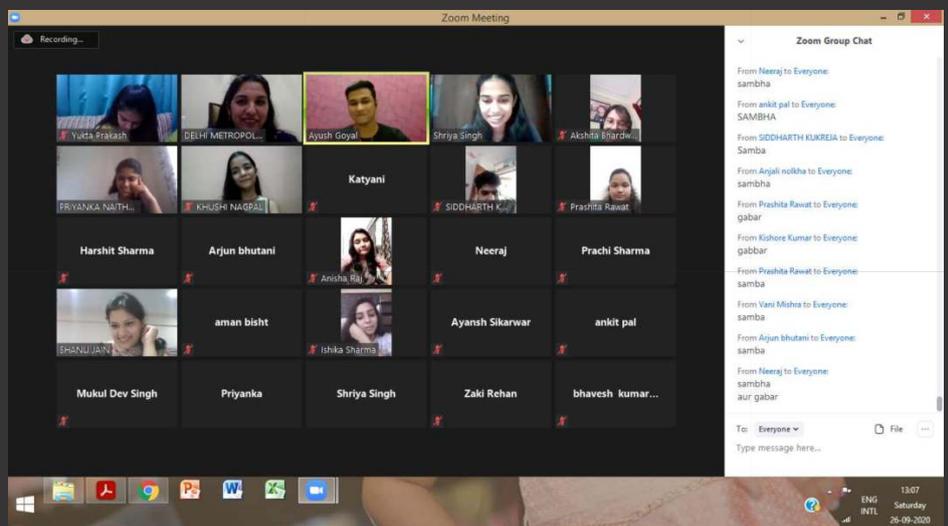
**Cine Buzz**

When: 26<sup>th</sup> September, 2020  
Time: 12:00-2:00 p.m  
Where: Zoom

Student Convener  
**Yukta Prakash**  
9910086108

Student Convener  
**Priyanka Naithani**  
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Have fun and Win exciting prizes!!



**Editorial Board:**

Ms Shambhavi Mishra, Ms Shabeeh Rahat

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