



UTTARANCHAL
UNIVERSITY



LAW COLLEGE
DEHRADUN

Jan-June VOLUME 6 ISSUE 1 of 2021

FOREWORD

Law College Dehradun continues its endeavors at quality enhancement in education with focused deliverance through the hybrid mode of imparting class room lectures, webinars, competitions and evaluations.

The online wave with intermittent periods of regular class room teaching added to the innovative pedagogy in the LCD umbrella with ICT tools implementation in both the virtual and real modes.

The chairs of the college societies and clubs were involved in an incessant and incredible assignment of engaging themselves in active participation at online events, webinars and faculty development programmes and the students in organizing and simultaneously participating in various events.

I cordially present the newsletter to all the members of the law fraternity, my dear faculty, alumni, students, distinguished readers and all associated with us.

I sincerely am grateful to my fraternity who have risen to the situation and set the ball rolling to ensure LCD shall perform against adversity

I would like to thank our editor and would be pleased to hear your views at - lcdnl@uttarakhanduniversity.ac.in

-Prof. Rajesh Bahuguna, Dean, LCD

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Accolades...

Dr. Poonam Rawat-Conferred with the award for the first woman doctorate in law from Uttarakhand

Nari ShaktiSamelan award on 8th March 2021



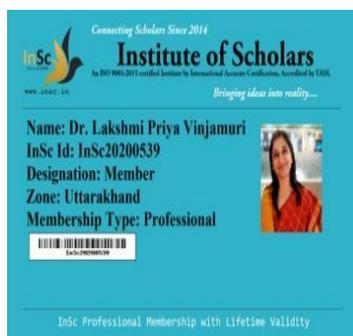
Dr. Lakshmi Priya Vinjamuri-

- Life member at the Indian Institute of Public Administration
- Professional Life Member at the Institute of Scholars

Grand felicitation to alumni Mr. Devansh Rathore, January 20th 2021

Mr. Devansh Rathore, alumni of Law College Dehradun, Uttarakhand University who qualified for the Uttarakhand Judicial Services Examination was cordially invited and duly felicitated by Prof. (Dr.) Rajesh Bahuguna, Dean of Law College Dehradun to express our heartfelt congratulations.

Mr. Devansh reciprocated the warm gesture stating Law College Dehradun was his first option for pursuing Judicial Services Examinations after completing BTech attributing his success to parents and teachers at Law College Dehradun and specifically the Competition Cell of the college.



Achievements...

MOU WITH ICSI, 7TH JAN 2021

Prof. Dr. Rajesh Bahuguna on behalf of Law College Dehradun signed a prestigious memorandum of understanding with ICSI to mutually promote and encourage interdisciplinary aptitude in the fraternity. The collaboration will see much development in the college for finance and practice of company secretaries.

Commendations...

Dr. Priya was the invited speaker at

ICADR, Regional Centre, Hyderabad in association with Jammu & Kashmir Institute of Management, Public Administration & Rural Development (IMPARD)(Government of Jammu & Kashmir) at the Online Programme on Alternative Dispute Resolution (Arbitration) on 6th January 2021

Dr. Lankapalli Bullaya College of Engineering, Andhra University- Expert Speaker on Gender Sensitization for Societal Change on 20th January 2021

Legitimate Scrutiny as the Chief Moderator & Speaker at the International Webinar on Commercial Arbitration on 13th March 2021

Dr. L.B .College, Andhra University on Ecological Restoration as a key note speaker for the World Environment Day 2021 on 5th June 2021

The Societies & Clubs functioning under the aegis of Law College Dehradun organized various virtual and live lectures, webinars, events and competitions in 2020-2021.

Special Lectures Webinars at LCD...

Seminar on “Career Development – How to Achieve Success in Life”, 23rd March 2021

Law College Dehradun organized a Seminar on “Career Development – How to Achieve Success in Life” on 23rd March, 2021, in collaboration with Uttaranchal Institute of Management. Spearheaded by the captivating and motivational talk by Ms. Pooja Anand, Head – Human Resources at Red Hat (IBM) and Mr. Vivek Anand, Associate Professor, Uttaranchal Institute of Management, the audience was exposed to the concept and meaning of success as putting a structured framework towards achieving once goals and the seven keys to success including balance, attitude, continuous learning, empathy, emotional intelligence, ethics & integrity, spiritual

anchor and determination. The speaker also emphasized on the significance of growing mind-set, perception, leadership qualities and introspection with the audience. Ms. Anand concluded the session by foregrounding the importance of continuous learning as a key to a successful life.

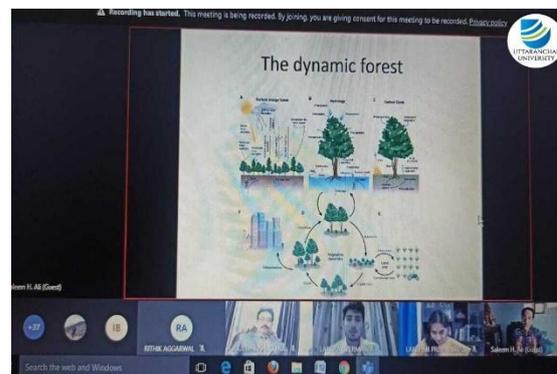


International Webinar on “Ecology and Law- An Essential Synthesis for Helping Earth”, 22nd April 2021

International Webinar on “Ecology and Law -An Essential synthesis for Helping Earth” under the aegis of Vasundhara- The Green Society was organized by Law College Dehradun on 22nd April 2021 as a part of the celebrations to mark the ‘Earth Day’ for the year 2021 and had the fine privilege of inviting noted environmentalist and energy expert Prof. Saleem H. Ali, distinguished

Professor of Energy and Environment, University of Delaware.

Prof. Ali shared his insights on “Ecology and Law- An Essential Synthesis for Helping Earth and went on to correlate Biosphere, the ‘Sphere of Life’, a key aspect of ecology to keep a balance, as a Goldilocks Zone, “The living environment is the biosphere, the thin layer around the world of living organisms”. “The Dynamic Forest’ with green zones in developed cities the aspects of vegetation and trees to be planted was discussed and he resolved many questions of the participants conveyed to the speaker by the moderator of the event, Lakshya Verma. Chairperson Dr. Lakshmi Priya Vinjamuri, summarized the session and concluded it expressing profound thanks to Prof. Ali for joining as a speaker and Prof. Dr. Rajesh Bahuguna, for the unconditional support in organizing the event.



A Brainstorming Session on ADR from Competitive Perspective, 22nd May, 2021.

The Alternative Dispute Resolution Centre of Law College Dehradun, faculty of Uttarakhand University, organized their first National event on the area of Mediation: Competitive Perspective and Key Insights by Ms. Gunavathi Subramaniam on the aspects pertaining to mediation, challenges in mediation and mitigation means, the structure and tips of competitions, mediation as ‘facilitated negotiation’ of the facilitative and evaluative types, Indian competitions and assessment techniques for career in ADR while illustratively analyzing a mediation problem and the two major components of General Information and Confidential Information.

Sharing her perspective on distinguishing the position and interest, she instructed the students to have multiple options for settlement ready at all times, to be coordinative and to be creative. On the topic of pre-session preparations, she emphasized on opening statements, agenda

formulation, sharpening problem solving skills.

The speaker told the participants to make a judgment call when it comes to a Caucus and look for an impasse and most importantly to engage the mediator as much as possible in the Caucus.

Ms. Subramaniam gave some General Tips which included, practicing tirelessly, watching videos, scrutinizing the judges' score-sheets, reading lots of material and familiarizing oneself with the process, terminologies and common phrases. She also suggested the participants to read 'Getting to YES' by Roger Fisher and William Ury.

Ishu Bharadwaj concluded the session after a session of answering participant queries and Dr. Aijaj Ahmed Raj, Chairperson LCD ADRC delivered the formal Vote of Thanks.

LAW COLLEGE DEHRADUN
Faculty of Uttaranchal University
Under the Aegis of
Alternative Dispute Resolution Centre
[LCDADRC]
Presents

A BRAINSTORMING
Session on
ADR FROM COMPETITIVE PERSPECTIVE
Topic : Mediation: A Competitive Perspective and Key Insight

Keynote Speaker
MS. GUNAVATHI SUBRAMANIAM
Advocate, Solicitor and Mediator
Mediation Trainer/PG Lecturer on ADR
University of Malaya, Malaysia

22nd May, 2021
3:00 P.M. onwards

REGISTER NOW

Competitions...

National Amendment Writing Competition, Jan 2021

Law College Dehradun, Faculty of Uttaranchal University organized the first National Amendment Writing Competition on the theme **“Change: A Pre-requisite or A Deficiency”** under the aegis of VASUNDHARA-THE GREEN SOCIETY, with the purpose of stimulating the idea of writing.

The competition had a good response with over 30 participants and the winner bagging the first position is Aditi Chowdhary from Law College Dehradun

LAW COLLEGE DEHRADUN
Faculty of
UTTARANCHAL UNIVERSITY
Under the aegis of
VASUNDHARA- THE GREEN SOCIETY
Presents
NATIONAL AMENDMENT WRITING COMPETITION
On
ENVIRONMENT PROTECTION ACT, 1986
REGISTRATIONS OPEN

Prof.(Dr.) Rajesh Bahuguna
Chairperson

Dr. Lakshmi Priya Vinjamuri
Chairperson

Ishita Baghel
President

Lakshay Verma
Event Co-ordinator

Aryan Yadav
Event Co-ordinator

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Anshu Kumar
Anshika Singh
Anshika Sharma
Anshika Srivastava
Anshika Singh

Harsh Singh
Harsh Tyagi
Shruti Pandey
Anshika Singh
Anshika Srivastava
Anshika Singh

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Debater of the year, 24th March, 2021
AARAMBH, The Debating Society, Law College Dehradun organized its flagship bilingual annual event Debater of the Year

on the 24th March, 2021 at the Seminar Hall, Law College Dehradun with the motion “Privatization is not a panacea for Public Sector Undertakings.”

The event was graced by the benign presence of Hon’ble chief guest Dr. Abhishek Joshi Director of Student Affairs and I.T. services, dignified patron Dean and Prof. (Dr.) Rajesh Bahuguna and Prof. (Dr.) Poonam Rawat H.O.D. (Law) and adjudged by Mr. Kumar Ashutosh from Political Sciences, Ms. Smriti Uniyal School of Journalism and Mass Communication and Ms. V Bhuvaneshwari, English Department. A total of 11 debaters inspired the crowd with their beautiful and persuasive speeches and Parth Narayan Singh, Swapnil Srivastava and Akshat Bhatt won the title of ‘Debater of the Year’ and received cash prize of Rs. 2100 each.



TRILEGAL LAW FEST, 8th April 2021

Smt. Sushila Devi Intramural Moot Court Competition had the Chairman of Uttarakhand Police Complaint Authority, Hon’ble Justice B. S. Verma as the Chief Guest and Hon’ble Chancellor of

Uttaranchal University Shri Jitender Joshi graced the occasion as the Special Guest ‘Amendment to Section 35 of Unlawful Activities Prevention Act’ which was challenged in the Supreme Court was the moot problem which had four teams arguing in the final round.

The teams that competed in the Final Round were, Team ZEUS, comprising of Mr. Rajat Gaur, Mr. Rahul Kumar and Mr. Yogi Chaudhary and Team ALASTOR, comprising of Ms. Akansha Agarwal, Mr. Bhawartha Nikhade and Ms. Bhavya Sharma, wherein Team ALASTOR were the petitioners and Team ZEUS were the respondents.

Hon’ble Justice B. S. Verma, stated that experience occupies a primary position in the field of legal profession. “Organizing successive Moot Court Competitions is a revolutionary and exemplary step of Law College Dehradun”.

The results were declared by Prof. (Dr.) Poonam Rawat, Head, Law College Dehradun and Chairperson, Moot Court Society for the three competitions.

Intramural PIL Writing:

- Winner: Ojasv Dev Jha
- Runner-up: Aditi Bansal
- 1st Runner-up: Ritu Bhandar

Intramural Client Counseling:

- Winner: Team LUPIN, comprising of Disha Verma and Aditi Ranjan

- Runner-up: TeamHAGRID
comprising of Tanya Joshi and
Tanisha Thakur
- Best Advocate: Kanishka Vaish
- Best Client: Isha Bhardwaj

**Smt. Sushila Devi Intramural Moot
Court Competition:**

- Winner: Team ZEUS
- Runner-up: Team ALASTOR,
- Best Counsel (Male): Rajat Gaur
- Best Counsel (Female): Anushka
Jha
- Best Memorial: Team ZEUS
- Best Researcher: Tie between
Rahul Kumar and Ayushi Singh

Hon'ble Chancellor of the university Shri Jitender Joshi rewarded the winners with a cash prize of Rs. 30,000 and the winner shield commending the winners and expressed hope that they would become successful judges and lawyers in future.

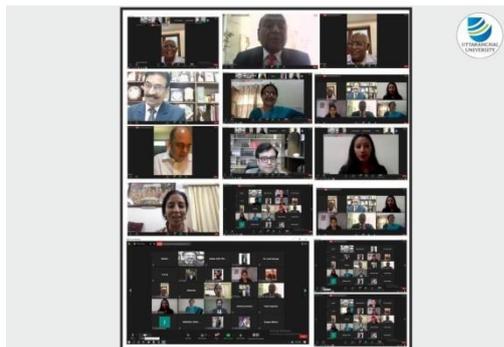
Senior faculty members and the faculty advisory board of MCS graced the occasion comprising Dr. Anil Kumar Dixit, Dr. Lakshmi Priya Vinjamuri, Mr. Kumar Ashutosh, Mr. Ujjwal Kumar Singh, Dr. Vijay Srivastava, Mr. Ramakant Tripathi, Mr. Anjum Parvez, Mr. Abhiranjan Dixit, Mr. Kuljit Singh and Mr. Vaibhav Uniyal.



**5th National Moot Court Competition,
2nd May 2021**

Former Chief Justice of India Justice K. G. Balakrishnan as the presiding Judge and Chief Guest, Additional Solicitor General of India Ms. Aishwarya Bhati, Founder of the Sarvada Legal, Mr. Abhishek Anand, Advocate of Delhi High Court, Mr. Amit George and Dean Professor Dr. Rajesh Bahuguna as the bench graced the final round of the National Moot Court Competition that witnessed active involvement of 37 Judges adjudicating 18 teams over 2 months in 16 Courts on the issues of the Epidemic Diseases Act, 1897 and Biodiversity Rules 2004 challenged before the Supreme Court of India.

Organized over the ZOOM platform the event was a dynamic exercise that culminated in the first prize of INR 60,000 being bagged by Aarav, Lalita and Aniket, School of Law, Christ University, Bangalore and the Runner's Up by Kishan, Ashish and Sakshi, Central University of South Bihar, Patna. Best oralist male and female, best researcher and best memorial were among the selected prizes from ICFAI University, Dehradun, Uttarakhand, Bharati Vidyapeeth Deemed University, Delhi, Chanakya National Law University, Patna and Rajiv Gandhi National Law University, Punjab respectively.



JUST A MINUTE, 13 May 2021

Nature is too thin a screen; the glory of the omnipresent God bursts through everywhere- Ralph Waldo Emerson

VASUNDHARA-The Green society organized the first National JAM (JUST A MINUTE) competition on TROPIC CASCADE- THE RELIGION OF NATURE.

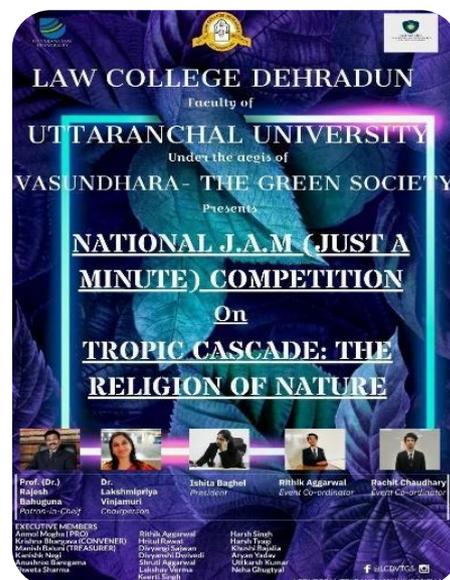
The Just a Minute competition tests student's creativity, presence of mind and

command over language all within a span of one minute.

The winners of the competition were

- Murtaza Noorani from A.K.K, New Law Academy, Pune, Sagar Sarda
- 1st Runner-up from AURO University, Surat and Nishant Tripathi
- 2nd Runner-up from the Shambhunath Institute of Law, Prayagraj

The event had much enthusiastic participation with over 35 registrants participating in the event.



Events and Drives ...

Law College Dehradun with Rotaract Club Dehradun Conducts 'Donation Drive, 8th and 9th February, 2021

'Blankets and Cloth Donation Drive' for the benefit of downtrodden people in slums near Nanda ki Chowki area of Dehradun was organized under the aegis of Rotaract Club of Law College Dehradun (RCLCD).

Towards social responsibility and humanitarian consciousness, the used winter clothes and blankets were donated by the faculty members and students of Law College Dehradun in the distribution drive that took place on 15th February 2021 led by Mr. Amit Kumar, Assistant Professor, LCD and Faculty Advisor of RCLCD along with Rtr. Ananya Gosain, and Rtr. Neetu Banduni with the support and encouragement of Prof. Dr. Rajesh Bahuguna, patron and Dean of the college.



‘Emotional Tribute’ to Immortal Martyrs, 23rd March 2021

Law College Dehradun paid an emotional Tribute to the immortal martyrs of the nation on 23rd March, 2021 in the presence of Hon’ble Vice Chancellor of the University, Prof. Devendra Pathak as the

Chief Guest. Every year this day is observed to commemorate the sacrifice of freedom fighters Bhagat Singh, Sukhdev Thapar and ShivramRajguru offering floral tribute to the portraits of Shaheed-e- Azam Bhagat Singh, Rajguru and Sukhdev followed by faculty members, non-teaching staff and hundreds of students. VandeMataram song was sung at the event and slogans were raised on the name of the martyrs of Indian Freedom Movement. The event had patriotic address delivered by the Honorable Vice Chancellor, Prof. Devendra Pathak and Prof. (Dr.) Rajesh Bahuguna, Dean of Law College Dehradun emphasizing on the moral responsibility of every educational institution to commemorate the day.



Legal Opinions...**Wildlife-human interaction – the legal framework and challenges**

The relation between humans and animals share a unique kind of bond “the mutualism” where both are benefited from the alliance of being joined together. The humans - Animals coexistence and interaction both physically and emotionally has existed for many years in a row and this creation has major impact upon the environment as fulfilling the demands of both.

Contemplating on the dual mode of approach to animals in India there are religious practice where animals are being worshipped as Deities on one hand and acute cruelty towards animals, used for food, tusks, skin and other body parts through slaughter and poaching thereby making Anthrozoology at international levels a topical issue. Emphasis is now made for animal assisted interventions, and the alarming issue between the humans and animals is the tremendous increase in the human population and stoking up of deforestation and consequent loss of habitat of animals and increased starvation. The animal rights as well as human rights both are to be concerned and protected.

The present position demonstrates the speedy destruction of natural resources at a rate much faster than restoration and scope for regain. In this conflict, Nature being the

dilatory requires immediate actions in its favor.

-Abhiranjan Dixit, Assistant Professor, Law College Dehradun

Artificial Intelligence and Legal Challenges—a perspective

The development of full artificial intelligence could spell the end of Human race- **Stephen Hawking**

The age of Artificial intelligence is dawning with time machines mimicking the humans in contemporary times.

Russian President Vladimir Putin in his speech expressly mentioned that the nation that has mastery on AI will rule the world.

A 2016 Report issued by Obama administration defines AI loosely as a computerized system that exhibits behavior that is commonly thought of as intelligence while others define it as a system capable of solving complex problems. In 2018 Microsoft defines it as “a set of technologies that enable computers to perceive, learn, reason and assist in decision making to solve problems in ways that are similar to what people do.” The legal challenges of AI which lead the legal fraternity to amend and draft new laws to meet the dynamics of the emerging technologies of AI include areas of copyright violation and infringement, execution and performance of contracts along with international contracts involving letter of credit and bills of lading in trade

relations and transactions, the personhood of a legal entity, the effectiveness of the tort laws, dynamics of laws related to crime and punishment, human rights and their violation and vulnerabilities of the cyber space and security besides others.

-Ujjwal Singh, Assistant Professor, Law College Dehradun

Drug Laws in India-the much requisite amendments

The drug laws in India are governed by the Narcotics Drugs and Psychotropic Substances Act, 1985 which came in to force on 14th November 1985. The Act aimed to curtail the possession, consumption, distribution, sale and import of the most addictive drugs known to mankind and impose deterrent punishments for anyone who committed any offence under the Act.

Before the NDPS ACT was passed by the Parliament, the laws relating to drugs could be traced way back to the Opium Act, 1857 which was followed by the Opium Act, 1878 and the Dangerous Drugs Act, 1930. The provisions under these statutes were not very regulated and contained very small punishments for the offences relating to drugs.

After International peace treaty called the Single Convention on Narcotic Drugs, 1961 various signatory countries to the convention i.e. the United States of America and the United Kingdom adopted a stricter

approach towards curbing and getting control over the drugs menace in these countries.

With the rise in International standards and awareness, India considered the need to incorporate these measures in the form of legislation that would serve the purpose in the domestic sphere. Hence, the 'National Drugs and Psychotropic Substances Act' was enacted in 1985. The Act classifies drugs into small, less than commercial and commercial and lists punishments based on this classification. The enactment includes substances obtained from nature such as Ganja (Marijuana) along with narcotic and psychotropic drugs.

As per the criminal jurisprudence system in India the accused is innocent until proven guilty which is contrary to the provisions and spirit of the NDPS Act. It is contrary to the standard principles of Human rights as it particularly holds the accused guilty until proven innocent and puts the onus to prove their innocence on the accused. Under the Act unless the contrary is proved, the courts will believe that the accused intentionally held the illicit drugs that were found in this possession.

-Ambar Srivastava, Assistant Professor, Law College Dehradun

Recent legal perspective and liability in medical practice- lacunae in the medico-legal laws in India

The laws of medical practice in India are confined to the Criminal Procedure Code and the Civil Procedure Code depending on the negligence which is considered most often as a tortuous liability on the part of the practicing medical profession whilst it ought to have a serious implication and responsibility on the medical practitioner.

The medical and ethical council of India provides for the guidelines and rule book for the practicing medical professionals, whether on the surgical or non-surgical areas of treatment. The medical professional fails most often than not, and many a time chooses to ignore the ethical and moral standards one ought to follow, as there are primarily no strict laws focusing on the various degrees of liability that a professional may be subject to. Many a time, the doctors take advantage of the ignorance, poverty and lack of medical knowledge on the part of an average Indian and the examples of such are galore.

Diagnostics, prognosis, treatment, surgical or non-surgical, post-operative care or follow-up visits of the patients are certain aspects that are being misused by many a registered medical practitioner not to mention the quacks and their gimmicks in providing treatment from an ailment.

An insight into the legal perspective of the medical profession in India with various decided cases of medical and clinical negligence, medical malpractice and medical

ignorance, leading to the victimization of the patients who are affected both in physical health coupled with mental trauma owing to the scrupulous ways of the noble medical professional is the call of the hour.

It is hence pertinent and essential to bring forth the need for the Indian medical laws to adhere and adapt to international standards in medical care, hospital administration, clinical trials and diagnostics in both the government and private sectors, across the various strata of clinics, hospitals and public health care centers in the country.

-Dr. Lakshmi Priya Vinjamuri, Associate Professor, Law College Dehradun

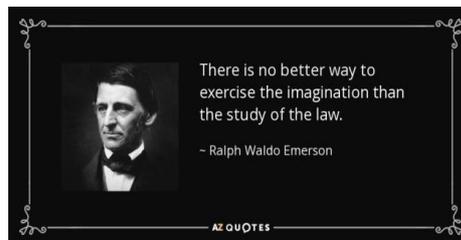
LCD In the News...

जज बनने पर देवांश का स्वागत



देहरादून। उत्तरांचल विश्वविद्यालय के लॉ के छात्र देवेश राठी के जज बनने पर कुतूहल को विश्वविद्यालय की ओर से उनका स्वागत किया गया। विधि के चांसलर जॉर्ज जेरी ने देवांश को पुष्पाच्छ देकर शुभकामनाएं दीं। कॉलेज के डीन डॉ. राजेश बहुगुणा ने बताया कि देवेश ने विधि के लॉ कॉलेज में एलएलबी (ऑनर्स) की परीक्षा 75 प्रतिशत अंकों के साथ उत्तीर्ण की। देवेश विकासमनार के रहने वाले हैं। उनके पिता कमल राठी राजस्व विभाग में लेखापाल व मां जल विद्युत निगम में कार्यालय अधीक्षक के पद पर कार्यरत हैं। कहा कि कॉलेज के छात्र उत्तराखंड, असम, बिहार, गुजरात, हिमाचल प्रदेश, राजस्थान और उत्तरप्रदेश सहित नौ राज्यों में जज हैं। जबकि, एक छात्र नेपाल न्यायिक सेवा में और एक-एक भारतीय सेना व नौसेना में भी सेवाएं दे रहे हैं। विधि के चांसलर ने कहा कि देवांश ने विधि की गौरवशाली परंपरा को कायम रखा है। विधि को एक बार फिर सर्व महसूस कराया है। ज.वि.वि.

Legal quotes...



Legal Humor...

Apartheid was legal

The Holocaust was legal

Slavery was legal

Colonialism was legal

Legality is a matter of power, not

JUSTICE

In our endeavor to promote the LCD Newsletter as an inclusive initiative we sincerely welcome our esteemed faculty, students and erudite readers to contribute their views and opinions to be published in our upcoming issues through case reviews, opinions and short articles.

The torchbearers of any academic institution are the faculty and we recognize the potential of our own fraternity through the “legal opinions” column of our newsletter.

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