

The Student

Online Student Magazine of Faculty of Law, IFHE

Vol.II

December 2013



IFHE (Icfai Foundation for Higher Education)

Magazine Committee

Chief Editor

Dr. Ravulapati Madhavi

Advisor

Dr. V. Hemalatha Devi, Dean, FOL

Composor

Mr. S. Murali Mohan

Editors

Mr. G. Venkata Yasasvi

Mr. J. Sridhar

Ms. M. Tanya

Mr. Nitin Tripathi

Ms. Gehna Banga

Mr. Sourya Banerjee

Review Members:

Ms. C. Lakshmi Anusha

Ms. K. Pooja

Ms. T. Sai Sessa Achala

Mr. Manoj Reddy

Ms. Medha Kalpesh Avasia

Ms. Manveen Sandhu

Contents

FOL News 1

Articles

Crime against Women: Everyday News..... 3

Knowing Your BP..... 4

*The Internet – The Value in Unregulated Internet
& Liability*..... 5

What's New in the 2014 Elections? 5

About Cases

My Analysis on Aarushi Talwar Case 7

Legal Luminaries

Ashok H. Desai 8

About Books

Nani Palkhivala – The Court Room Genius..... 9

Students Special 9

Colloquium

Maxims 11

*Law Students: Get the Most Out of Your Summer
Internship* 11

Competitions 13

FOL News

Special Lecture

Special Lecture by Hon'ble Justice B.P.Jeevan Reddy, Former Judge, Supreme Court of India and Former Chairman, Law Commission of India on "Constitutional Law" held on 4th November 2013.



Hon'ble Justice B.P.Jeevan Reddy, Former Judge, Supreme Court of India and Former Chairman, Law Commission of India delivered a lecture on 'Constitutional Law' to the students of faculty of law in the presence of Dean, Prof.V.Hemalatha Devi, Faculty of Law and other faculty and officials of the University which was presided over by the Hon'ble Vice Chancellor Prof. J. Mahender Reddy. The programme was graced by Mrs.Sobha Rani Yasaswy, Chairman, ICAFI Group. In the presidential address Prof.J.Mahender Reddy highlighted the growth of the Indian Constitution and the role of three wings in the governance of the country and emphasized on the working of

the constitution along with framing of the constitution.

He emphasized the importance of Constitutional Law which derived its source from three areas as Constitution itself, Conventions and Judicial Decisions rendered by the Courts. He described the fundamental rights and directive principles of state policy as the soul of the Indian Constitution, and designated them as two wheels of a chariot. He mentioned the importance of Article 41 of the Constitution which provides that the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

He highlighted that the fundamental rights are being enlarged in the light of directive principles of state policy and directive principles are read into fundamental rights in order to give effect to the aspirations of the framers of the Indian Constitution. He emphasized that the Indian Constitution is based on Conventions derived from British legal system which is a not written one. He highlighted the differences cropped up between Pandit Jawarlal Nehru and Dr.Rajendra Prasad regarding the powers of the Indian President. Justice Jeevan Reddy highlighted how the Indian Constitutional system has been influenced by the constitutional monarchy as prevalent in Britain. He expressed that although ours is a constitutional democracy still we have borrowed heavily from constitutional conventions prevalent in other democracy.

Regarding Article 356 of the Indian Constitution, he highlighted the provisions of the Indian Constitution and strongly denounced the practice of elected government at centre demolishing the elected government at the state level. He discussed the provisions relating to privileges enjoyed by Indian Parliamentarians and drew its lineage to the constitutional convention relating to parliamentary privilege in Britain. Lastly, Justice Reddy appreciated the role of the conventions in the growth of constitutional democracy which has grown over a period of time. He went through a series of cases highlighting the growth of Judicial Activism. He also launched online students magazine of the faculty of law "The Student".

Launching of "The Student" Online Student Magazine of Faculty of Law, IFHE

The Student, Online Student Magazine of Faculty of Law, launched by Hon'ble Justice Shri. B.P.Jeevan Reddy, Former Judge, Supreme Court of India and Former Chairman, Law Commission of India on 4th November 2013.



Academics

Completed End-Term examinations of Semester I, III, V and VII.

Classes commenced for the Semesters II, IV, VI and VIII from 2nd December 2013.

An Environmental Law Project - Noise Pollution

A field study on awareness on Noise Pollution was conducted by 7th Semester Students Mr. Prajeet Daniel and Ms. L. Jayasree on 01/11/2013 at Prince Public School and SSSVP.



Objective of the study was to assess the awareness among the school students about noise pollution especially the pollution caused during Diwali (celebrated on 3rd November 2013) and its ill effects on human on animal health. The methodology adopted was a survey method and a sample of 60 students from 7, 8, 9, 10 were administered or structured questionnaire consisting of 14 questions. The finding was astonishing as 75% percentage of students aware of Noise Pollution but they expressed helplessness as the school is nearer to main roads and 62 expressed knowledge about legislative measures and redressal machinery.

Guided by Dr. L. Lakshmi, Asst. Professor, FOL

Crime against Women: Everyday News

*Mr. Abhishek Gupta,
Semester VI, BBA.LLB.(Hons.)*

We live in a modern society boasting of a culture where women are respected and treated as equals. In fact, they are said to be at par with men. But every morning when we turn the pages of our newspaper and start our day, the headlines act as an eye opener.

Headline 1: Cop arrested, suspended for molesting woman in a moving bus.

Headline 2: A young girl molested by a gang of immoral men outside a pub

Headline 3: A lady raped in a public vehicle by its driver.

Another shocking news was the Delhi incident which took place few months back where a girl was molested and raped in a bus by bus driver and his friends and even after a huge disturbance in The Capital city of India, there were number of rapes repeated in the metro cities like Kolkata, Bangalore as well as in Delhi as if the molesters are challenging the society establishing that they would continue doing what they want to do, stop them if we can.

These headlines and news break the false notion that today's women carry with themselves. The notion of being an independent modern women, a woman who has the right to dress and speak the way she wants to, a woman who doesn't need to be scared of her male counterparts. But NCW's chairperson's comment that "women should dress carefully to avoid crime", shattered this notion, and when, the authorities shrug off their shoulders, by blaming the victim for wearing provocative clothes and consider those clothes as the trigger to rape; then there can be no end to such cases, no matter what.



It's not just molestation and rape which continue to haunt today's women. Dowry deaths are also a harsh reality that continues to make headlines every day. Apart from these, there are thousands of cases that go unreported because of fear of the society and criminals. The lecherous men roam about scot free and as far as filing a police report is concerned, it is a big ordeal and the investigations thereafter have been stories of apathy and downright humiliation meted out to the victims. Whereas, for

the convicted, punishments have been ranging from capital punishments to a day in jail.

Another crime against women is selling of women, especially teenage girls to rich family who need a servant or selling young girls for contract marriage to NRIs and other rich person. In UP a father gave his daughter of 18 years in "lease" to a rich NRI for contract marriage without the knowledge of his daughter to earn money and for this crime the father and the NRI were sentenced simple imprisonment for 5 years.

Until and unless the mentality of men who consider women as an object or a commodity is not changed, women will continue to be harassed and oppressed. We have succeeded in abolishing many lame practices by broadening our mindsets, practices like – Sati system, restriction on widow remarriage and restriction on girl education. A little more push by the government – (by harsh punishments to such men) and refinement in mindsets will definitely make rape incidents, molestation cases and dowry deaths a crime of the past.

Knowing Your BP

*Mr. Sourya Banerjee,
Semester VI, BBA.LLB.(Hons.)*

British Parliamentary style debate is a common form of academic debate. It has gained support in the United Kingdom, Ireland, Canada, India, Europe, Africa, Philippines and United States, and has also been adopted as the official style of the World Universities Debating Championship and European Universities Debating Championship. Speeches are usually either five or seven minutes in duration. It is officially the zenith of debating. True there are other interesting forms of debating like the Asian Parliamentary and the Conventional, the popularity of the BP in the commonwealth countries is unmatched.

Unlike conventional debates the BP has 4 teams. Not more, not less. Each team consists of two members. The teams are divided as, Opening Government, Closing Government, Opening Opposition and Closing Opposition. In simple words, imagine 4 members of a government introducing a motion with 4 members of the opposition, well, opposing it. Sounds simple enough? This is where it gets complicated. Each person has a specific role and specific purpose. The roles of the people involved are as follows.

Opening Government (OG) (first faction):

Prime Minister
Deputy Prime Minister

Opening Opposition (OO) (second faction):

Leader of the Opposition
Deputy Leader of the Opposition

Closing Government (CG) (third faction):

Member for the Government
Government Whip

Closing Opposition (CO) (fourth faction):

Member for the Opposition
Opposition Whip

Unlike a conventional debate, this is very dynamic and progressive as you need not only have better points but you also need to convince the panel of judges, who are called the Adjudicators, here. They also need to stick to their respective roles and coordinate with the other side.

The roles can be briefly summed up as follows;

Opening factions

The first faction on each Government and Opposition team, known as the Opening Factions, has four basic roles in a British Parliamentary debate. They must:

- 1) Define the motion of the debate.
- 2) Present their case.
- 3) Respond to arguments of the opposing first faction.
- 4) Maintain their relevance during the debate.

Closing factions

The role of the second two factions are to:

- 1) Introduce a case extension.
- 2) Establish and maintain their relevance early in the debate.
- 3) Respond to the arguments of the first factions.
- 4) Respond to the case extension of the opposing second faction.

In addition, the final two speakers of the debate (known as the Whips) take a similar role to the third speakers in Australia-Asian debating:

The opposition whip may not introduce new arguments for his faction, the government's whip may add new positive material as long as it's "small" and does not start a new line of argumentation. Their function is,

- 1) They must respond to both opposing factions' arguments;
- 2) They should briefly sum up their Opening Faction's case;
- 3) They should offer a conclusion of their own faction's case extension.

This is basically the debaters world in a British Parliamentary Debate in a nutshell. Another important role that students can play in a BP is that of an Adjudicator. But who is an Adjudicator and what he/she has to do is a story for another day!

For an idea as to how a BP is conducted refer to this video-

<http://www.youtube.com/watch?v=d1ype0Toqo4>

The Internet – The Value in Unregulated Internet & Liability

*Mr. Praveen Sankalp & Mr. Manu Nair
Semester VI, BBA.LLB.(Hons.)*

“Give a man a mask, and he will tell you the truth.” ~ Oscar Wilde

Within a span of a decade, Internet, probably considered the greatest invention ever, converted the entire world into one huge global village. But alas! It came with its flaws. Internet’s greatest blessing — its general openness to speech and all speakers alike, unveils its biggest curse. We cannot expect to have the most widely accessible and unrestricted communication platform the world has ever known, to be bereft of some imbeciles who use it to spew insulting, vile, and hateful comments. The fact of being anonymous on the internet makes it an ideal platform to be abused and misused by people who pursue their personal gains.

It is important to put things in perspective, however. Hate speech is not the norm online. The vast majority of online speech is of a socially acceptable nature, or even beneficial for that matter. But the minority poisons the entire online community. “Where does the right of expression, which we all want to respect, stop and the need to sanction and prevent hate speech, begin? What is the point in time when one right has to recognize that it cannot be exercised if it implies the violation of another,” UN Deputy High Commissioner for Human Rights, Flavia

Pansieri, said in her address to the opening of the 83rd session of the Committee on the Elimination of Racial Discrimination.

Questions pertaining to the moral responsibility of service providers relating to information on the Internet and its access call for a reassessment of the ways in which we think about attributing blame and guilt, and duties of reparation and compensation. They seem quite similar to the idea of strict liability which owes its origin to the legal sphere and thus are apposite to be introduced in moral and ethical theory. Doing so seems to conflict with some broadly shared and deeply felt intuitions regarding the individuality of responsibility and the relationship between responsibility and guilt. These convictions coincide with some basic ideas of moral theory on which the inscriptive theory is based. Nevertheless, the problems to which the proposed liabilities and responsibilities relate are so grave that they do not seem to leave room for remoteness. At the very least, what needs to be encouraged is reconsideration of the idea of strict liability and reassessment of its merits. After all, too many stringent laws would only curtail the most important and indispensable factor of internet- its freedom.

What’s New in the 2014 Elections?

*Ms. Dalia Pasaari,
Semester II, BBA.LLB.(Hons.)*

Article 326 of the Indian Constitution states that “The elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage; but is to say, every person who is a citizen of India and who is not less than twenty one years of age on such date as may be fixed in that behalf by or under any law made by the appropriate legislature and is not otherwise disqualified under this constitution or any law made by the appropriate Legislature on the ground of non residence, unsoundness of

mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election.”

Section 62 of The Representation of the People Act, 1951 guarantees to all the citizens of India, the Right to Vote. An option to exercise the rights guaranteed to all the Indian citizens by the Constitution of India or to simply ignore them, was always left at the discretion of the people. But it is sad to make note of the fact that not many Indians

exercise this right that is available to them. And what makes it even more saddening is that the strength of democracy in a Nation can be determined from the level of voter's participation in the general elections of the country, which is very weak in India. In the 2009 elections, statistics reveal that the voter turnout was 58.19% as against the voter turnout of 61.17% in the 1952 elections. This makes it evident that even though India is a democratic country, the democracy is weak because with each Lok Sabha Elections, the voter turnout is reducing. The higher the literacy rates are soaring, the lower is the voter turnout going. This defeats the basic objective of the general elections, which is to widen public participation in the electoral process. People are either ignorant of the right guaranteed to them or the sufficient resources to get themselves enrolled, or they simply find it insignificant to cast their vote maybe because they do not find the candidates worthy. Is "not voting at all" the only option available to them? Not anymore.

The Bench of Chief Justice P Sathasivam, Justice Ranjana Prakash Desai and Justice Ranjan Gogoi, in response to a petition filed by an Non Governmental Organization- People's Union for Civil Liberties, directed the Election Commission to provide a button on the voting machines to allow voters to reject all the candidates contesting an election in a constituency. Consequently, the 16th Lok Sabha Elections to be held in 2014 will have the "None of the Above (NOTA)" option. Also known as the "Against All" or "Scratch" Vote, NOTA option is already operational in Greece, US State of Nevada, Ukraine, Spain, Bangladesh and Columbia.

Currently, we are residents of such a Nation where the pace at which corruption breeds is much faster than the population of the country itself. And yes, the blame game cannot be played here because it was our choice to elect them as the Representatives and leaders of our Country. Participating in the General Elections of the country is no doubt a Right that can be exercised by every individual. However, this right should not be exercised by electing the wrong person. It is true that earlier people did not have an

option to reject all the candidates, so they voted only for the sake of exercising their right. In a way, not letting the people exercise the right to reject all the candidates was defeating the very freedom of expression and the right to liberty that they are bound to enjoy. So it became necessary to introduce the NOTA option so that people can choose to not only vote, but also vote for the right leader and reject all, if they do not find the leader they wish to be led by.

The NOTA option has eliminated one of the many excuses that voters adopt to justify their non-participation in the elections every five years. There may be times when an individual wishes to exercise his right, but does not find any candidate eligible for the post. At such instances, the NOTA option can come to his rescue when he can express his disapproval of all the candidates and at the same time, exercise the right which the Constitution of India guarantees to him. With this option available, there is likelihood that a majority of the votes will be casted in favor of NOTA. In such a case, a variety of formal procedures might be invoked which include leaving the office vacant, having the office filled by appointment, re-opening nominations or holding another election.

Introducing the NOTA option when electioneering in the country is in full swing would compel the political parties to nominate sound candidates and better qualified politicians to represent their party. The Political parties will make sure not to take for granted, the interests of the public, who can choose to reject them altogether.

"If I do not find any of the candidates deserving to contest elections, why vote at all?" or "Because none of the candidates are deserving, lets vote for this one" are no longer defenses that can be taken on for non-participation in general elections or for electing the wrong leader. NOTA marks the difference between "Not Voting at all" and "Not Voting for any Candidate."

Congratulations Indians! NOTA is one of the most momentous achievements of your Country.

My Analysis on Aarushi Talwar Murder Case

*Mr. Sourya Banerjee,
Semester VI, BBA.LLB.(Hons.)*

The CBI and Noida police are convinced that 14-year-old Aarushi was having an “affair” with 45-year-old domestic help, Hemraj. It was, after all, because of this “affair” that father Rajesh in a fit of rage, on seeing Aarushi and Hemraj in an “objectionable intimate position,” killed them both due to grave provocation. How have the police reached this conclusion of an “affair” between Aarushi and Hemraj? After all this is THE fulcrum of the case, this is THE fundamental pivot on which the entire case turns. Is there any evidence of this fundamentally important “affair”? None whatsoever. Has the CBI in these last five years been able to produce any neighbour, friend, family, observer, and local domestic to help corroborate their story of this so-called affair? No. Do the local chowkidars or maids say Aarushi was having this “affair”? No. Do any of Aarushi’s friends believe she was having this “affair”? No. Has any local help caught a glimpse of this “affair”? No. No evidence that Aarushi was having sex with Hemraj was ever presented—it was never even established that the two were in the same room on the night they were murdered. But the assaults on Aarushi’s character continued. In court, an expert from Gujarat, who came on the scene a year and a half after the event solemnly testified that there was intercourse. Outside, prosecution counsel made obscene recreations of her privates with their hands. As I read the 204 page order that gave Aarushi’s parents life imprisonment, the same unease that I had when I first heard about the case on the news channels. Is the conclusion derived by a news channels within hours from the crime reported and the conclusion of the CBI the

same after apparently investigating the case for a period of five long years. The order relies on the “wet spot” that was found on Aarushi’s bed, and argues that this must be evidence of cleaning her private parts. Unless there was intercourse, why would her private parts be cleaned? The question is, is there no other explanation for the wet spot but intercourse? That is a question that goes to the dark heart of this tragedy. In the frenzied search for topics to debate about the trial, one issue was repeatedly raised. Wasn’t this just a class thing? Would there be such outrage if the servants had done it? Why wasn’t there any sympathy for them? And so on. The evidence is what we should look at; and evidence doesn’t have class, ethnicity or religion. The judgement contained a paragraph on class, and evidence, in the order: “One must not forget that Bharti Mandal is a totally illiterate and bucolic lady from a lower strata of the society... Who came to NOIDA to perform menial job to sustain herself and therefore, if she has stated that she has given her statement on the basis of tutoring, her evidence cannot be rejected.” Bharti Mandals testimony was key in convincing the court that the Talwars’ door was locked from inside: therefore, they must have done it. The order effectively says two things: that people from the “lower strata”, may be tutored. And that this tutored testimony is as good as any other under oath.

Special Lecture by Hon’ble Justice B.P.Jeevan Reddy, Former Judge, Supreme Court of India and Former Chairman, Law Commission of India on “Constitutional Law” held on 4th November 2013.

Legal Luminaries



Ashok H. Desai

Ashok H. Desai is a former the Attorney General for India. He was in office from July 1996 to 1998. Previously, he was the Solicitor General of India from December 1989 to December 1990. He was awarded the Padma Bhushan award and the Law Luminary Award in 2001.

Ashok H. Desai did his schooling from The Scindia School, Gwalior, and then studied law at the Government Law College, Mumbai and graduated with a law degree in 1952. In 1956, he graduated from the London School of Economics with a Bachelors in Economics. That same year, he was called to the Bar at Lincoln's Inn, London. He was also part of the Harvard International Seminar in 1967.

As a Senior Advocate and as Attorney General he appeared in

a large number of cases involving issues of Administrative Law and Constitutional Law. Some of the cases of general interest in Bombay include the case of Sakharam Binder which struck down the dramatic censorship rule; the case of Pilloo Modi where the allotment of backbay land reclamation was set aside; and the case of Antulay in which Justice Lentin found that quid pro quo was regarding allotment of cement which led to the resignation of the Chief Minister. In a message to Mr. Desai, Congress president Sonia Gandhi said, "As Attorney-General and Solicitor-General of India, you have dealt with a host of vital and complex issues relating to the growth and integrity of the country with competence and dedication that are admirable."

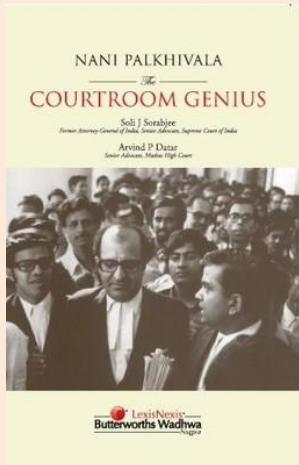
He appeared in the Supreme Court in the case of Ramanna Shetty on the obligation of the State to act fairly; the case of Narasimha Rao about Parliamentary privilege; the case of Vineet Narain about powers of a Court to monitor investigation against political leaders; the Narmada Dam case; and the case of Jayalalitha.

Desai was the Chairman of the Committee on Administrative Law of International Bar Association in 1986-88 and Consultant to the Commonwealth Workshop on Administrative Law at Lusaka, Zambia in 1990. In 1997, He presented India's Report to the United Nations Committee on Human Rights in Geneva and in 1998, he led the Indian delegation to the United Nations Preparatory Committee on Money Laundering Bill in Vienna. Among other positions he has held are Legal Correspondent, Times of India, and Professor, Law College, Bombay and Bombay College of Journalism.

Among his publications, he has contributed to "Constitutional Laws of India" (Arnold-Heinemann Publishers, 1986) "Democracy, Human Rights and the Rule of Law" (Butterworths 2000), "Final but fallible – Essays on the Supreme Court of India" (2000), "Bombay High Court" (2003) and "Evoking Mr. Seervai" (2005). He delivered the Annie Beasant Lecture on Secularism in Chennai (2004) and the Prem Bhatia Lecture on Dangers to our Democracy (2005).

**Compiled by: Ms. Gehna Banga,
Semester VI, BBA.LLB.(Hons.)**

Nani Palkhivala – The Court Room Genius



By- Soli J. Sorabjee (former Attorney General for India) and Arvind P. Dattar (senior Advocate, Madras High Court)

This book is a great piece of literary work, elucidating to us about the legend, Nani Palkhivala, who will always remain one of the most sought after

lawyers in the history of India. He remained

in the courtroom stage for nearly five decades and was supremely successful.

Other famous books on him are, Nani Palkhivala: A life by M.V.Kamath and The Legend of Nani Palkhivala by M.R. Pai, but this particular book is an exception as it not only chronicles Nani Palkhivala's journey as a lawyer but also gives us a clear insight into his working methods and style of advocacy. The book also discusses certain landmark cases at length and is an absolute delight for anyone who has even the slightest interest in law.

Submitted by Ms. Neha Suresh, Semester IV

Edited by Ms. Manveen Sandhu, Semester VI

Students Special

Jokes

A lawyer's dog, running about unleashed, beelines for a butcher shop and steals a roast. Butcher goes to lawyer's office and asks, "If a dog running unleashed steals a piece of meat from my store, do I have a right to demand payment for the meat from the dog's owner?"

The lawyer answers, "Absolutely."

"Then you owe me \$8.50. Your dog was loose and stole a roast from me today."

The lawyer, without a word, writes the butcher a check for \$8.50 (attorneys don't carry cash; it's too plebeian).

Several days later, the butcher opens the mail and finds an envelope from the lawyer: \$20 due for a consultation.

"You are a cheat!" shouted the attorney to his opponent.

"And you're a liar!" bellowed the opposition.

Banging his gavel sharply, His Honor interrupted: "All right, now that both attorneys have been identified, let's get on with this case."

ATTORNEY: Doctor, before you performed the autopsy, did you check for a pulse?

WITNESS: No.

ATTORNEY: Did you check for blood pressure?

WITNESS: No.

ATTORNEY: Did you check for breathing?

WITNESS: No..

ATTORNEY: So, then it is possible that the patient was alive when you began the autopsy?

WITNESS: No.

ATTORNEY: How can you be so sure, Doctor?

WITNESS: Because his brain was sitting on my desk in a jar.

ATTORNEY: I see, but could the patient have still been alive, nevertheless?

WITNESS: Yes, it is possible that he could have been alive and practicing law."

*Compiled by: Mr. Sourya Banerjee
Semester VI, BBA.LLB.(Hons.)*

Quotes

“I am free, no matter what rules surround me. If I find them tolerable, I tolerate them; if I find them too obnoxious, I break them. I am free because I know that I alone am morally responsible for everything I do.”

– Robert A. Heinlein

“Just because something isn't a lie does not mean that it isn't deceptive. A liar knows that he is a liar, but one who speaks mere portions of truth in order to deceive is a craftsman of destruction.”

– Criss Jami

“We cannot expect people to have respect for law and order until we teach respect to those we have entrusted to enforce those laws.”

– Hunter S. Thompson

“Laws and principles are not for the times when there is no temptation: they are for such moments as this, when body and soul rise in mutiny against their rigour... If at my convenience I might break them, what would be their worth?”

– Charlotte Brontë, *Jane Eyre*

“It isn't against the Law to be an idiot.”

– Cassandra Clare, *Clockwork Angel*

“Protest beyond the law is not a departure from democracy; it is absolutely essential to it.”

– Howard Zinn

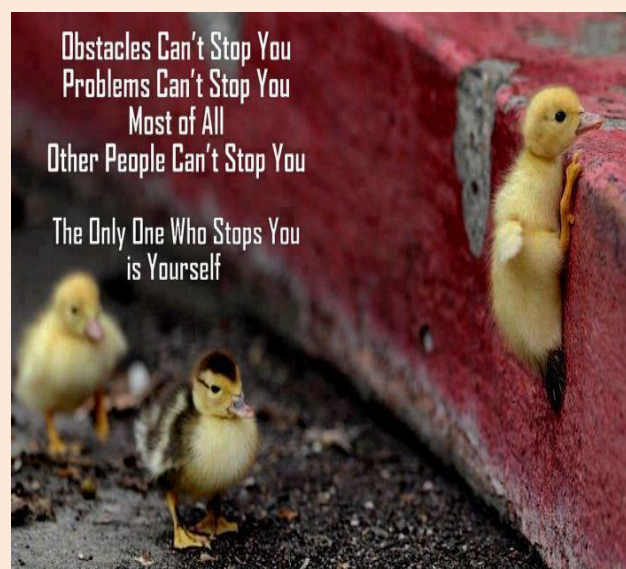
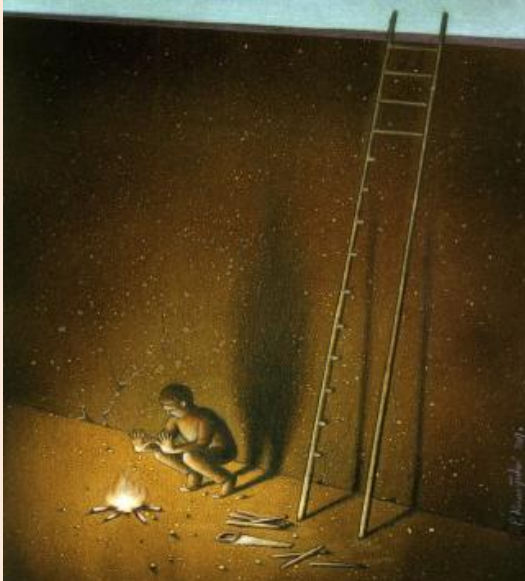
“It may be true that the law cannot make a man love me, but it can stop him from lynching me, and I think that's pretty important.”

– Martin Luther King Jr.

Compiled by: Mr. Sourya Banerjee, Semester VI, BBA.LLB.(Hons.)

Photo Story

Dont Burn Your Opportunities



Colloquium

Maxims

A mensa et thoro - From bed and board.

A vinculo matrimonii - From the bond of matrimony.

Ab extra - From outside.

Ab initio - From the beginning.

Absoluta sententia expositore non indiget - An absolute judgment needs no expositor.

Abundans cautela non nocet - Abundant caution does no harm.

Accessorium non ducit sed sequitur suum principale - An accessory does not draw, but follows its principal.

Accessorius sequitur - One who is an accessory to the crime cannot be guilty of a more serious crime than the principal offender.

Acta exteriora iudicant interiora secreta - Outward acts indicate the inward intent.

Actio non accrevit infra sex annos - The action has not accrued within six years.

Compiled by Mr. Abhishek Gupta, Semester VI, BBA.LLB.(Hons.)

Law Students: Get the Most Out of Your Summer Internship¹

Lainee Beigel¹

Often times law students think they know exactly what they want out of their careers. They then arrive at the big firm office (mine had a view of the Statue of Liberty) and realize, shortly after the glamor wears off, that this was not the right move. This leaves you in a position asking yourself, "did I just waste 3 years and an obscene amount of money on law school?" A summer internship can prevent this kind of traumatic entry into your legal career, but only if you pick the right position.

The summer after my first year of law school, I interviewed for quite a few positions. For me, it boiled down to two: one that was with the city of New York, and one that was with a

mid-size firm. I decided to take the firm job because it paid more, was located in the Empire State Building (which sounded prestigious) and because I thought a firm position looked better on a resume. These pre-conceived and uninformed notions led me astray.

While having a job that looks good on your resume is important, there's so much more to consider before making your decision. Many times students do not take the time to research what they really want out of a summer internship (or their careers altogether) and end up with a bad fit. Or they get a great opportunity, but don't know how to take advantage of their short time there. Therefore, when seeking summer positions and legal internships in general, these are some guidelines to follow:

¹ Lainee Beigel practiced as an attorney in New York City for several years before making the move to a corporate job. She's since founded Career Esquire, a legal consulting firm, with the goal of helping law students and legal professionals choose the right career path. She specializes in alternative legal careers and work/life balance for attorneys.

1. Ask detailed questions at the interview.

This will allow you insight into the job you will be doing, and the value of the internship you are trying to acquire. Asking questions also implies to the interviewer that you are really thinking about the job, and considering what you want out of it. During my summer at the law firm, I didn't like the type of law I was assisting with, and the partner I worked with was directly out of "The Devil Wears Prada". I was working on meaningless tasks and sitting in a library while she was out at hearings. The only thing she taught me all summer was "make sure your nail polish isn't chipped, it looks unprofessional." Thanks for the tip. I regret not asking more questions and seeking advice about which job I should accept. To avoid a situation like the one in which I found myself, the following questions can be very useful:

- Will I be working with various partners or just one?
- Will I be working in different departments, or focusing in one area?
- Will I be able to attend Court and/or depositions?
- What tasks will I be performing?
- Is there opportunity to continue working here during the school year?

2. If the partner or associate you interview with is the main contact for the summer, make sure you can see yourself working well with that person.

During my initial interview, the partner was very intense and hardly smiled. She kindly told me at the end of the interview that interns and associates often quit because they can't handle her management style. This statement was a huge red flag. Shockingly, on the job, she didn't have much time for her interns, didn't want to be bothered with questions and I could hear her yelling at her husband from down the hall on a daily basis. I should have known to work at Starbucks for the summer before taking this job, but I missed the signs.

3. Seek a position in an area in which you think you would like to practice.

Law School summers should not only be about money and your resume, but should also be about learning which career path you want to take. If you think you want to litigate, make sure you will get to observe what it is like to actually litigate. Choose an internship that allows you to observe what a practice area entails so you can determine whether it is right for you. When I started law school, I was sure I wanted to get into family law. After interviewing for a position at the Bronx Family Court, I discovered the reality was not the same as the sweet picture I created in my head. I went in a completely different direction.

4. Talk with firm associates and partners to discuss their summer experiences, and learn from those who have been there.

Learning from the experience of others, especially in the field you want to enter or at a company you want to work for, can be extremely helpful in determining what legal path you want to take. These lawyers have made mistakes they can share, and perhaps keep you from making them yourself. Remember, most people (especially lawyers) love to talk about themselves and their careers. Once you show interest in someone's job and career path, often times you will get some valuable insight into how they achieved success. This will also allow you to make contacts to utilize in the future. I still have several mentors from law school internships that I call often for career advice. Success in your career has a lot to do with your network, so start early!

5. Look around and observe the culture of the firm.

Although it may be hard as a law student, try to think long term. Are people friendly? Do associates stay in their offices all day and only come out for lunch? At my first job, the partners did not speak to associates unless it was necessary. If I had a question for one particular partner, I would have to stand in her doorway until she decided to acknowledge I was there. I once stood there for twenty

minutes while she reorganized her desk, (yes, I am serious). Take the time at your internship to observe these issues so you can spot them more easily when it is time to interview for a job.

It is perfectly acceptable to be inquisitive and interested at an interview and on the job. Partners and associates love an enthusiastic

intern who is ready to learn, and who is serious about their position. Don't let the kind talk and fun activities distract you from doing your research. Remember, you eventually want to end up at a firm or corporation where you can begin and enjoy a successful legal career, and however temporary, this is your first step.

Source: <http://www.vault.com/blog/job-search/law-students-get-the-most-out-of-your-summer-internship>

Competitions

Competitions Ahead

National Legal Essay Competition – 2013 (NLEC'13); Registration Last Date: December 31st, 2013. Source: www.nlec2013.net

3rd Institute of Law, Nirma University International Moot Court Competition, IIMC 2014 [14th – 16th Feb], Register by 24th Jan, 2014.

Content Contributors



Mr. Abhishek Gupta
Semester V, BBA.LLB.(Hon.)



Ms. Gehna Banga
Semester V, BBA.LLB.(Hon.)



Mr. Manu Nair
Semester V, BBA.LLB.(Hon.)



Mr. Pravin Sankalp
Semester V, BBA.LLB.(Hon.)



Mr. Sourya Banerjee
Semester V, BBA.LLB.(Hons.)



Ms. G. Neha Suresh
Semester III, BBA.LLB.(Hon.)



Ms. Dalia Pasaari
Semester I, BBA.LLB.(Hons.)