

2nd MASTER DRAFTSMAN COMPETITION

IN ASSOCIATION WITH
JAGGI JAGGI & JAGGI, INTERNATIONAL ATTORNEYS AT LAW

The Legal Aid Society and Sports Society under the aegis of Indore Institute of Law introduced a unique competition **2nd Master Draftsman- International Negotiation & Drafting Competition, 2021**, based on the idea of promoting the quintessential skills of the budding lawyers by engaging them in the activity of negotiation and drafting of commercial contracts. The competition was organized in association with Jaggi, Jaggi & Jaggi, and International Attorneys at Law. A total of 39 teams participated in the competition.

Before this competition many other competitions promoted the drafting skills only but for the first time something was solely devoted to Negotiation Skills and Commercial Contract Drafting. This was the first ever competition conducted by an institute, hence, it could be termed as Indore Institute of Law's **Intellectual Property**. The second chapter of the competition was dedicated to, drafting of an agreement on **Transfer of Technology**. Fortunately we have a very veteran panel of Judges in it which is as following:

The competition helped the students not only in learning about negotiation, which is the core aspect of business, finance, investment etc. but it also helped them in drafting of a formal legal document. Thus, the competition helped the students in a two folded manner. The participants acting as lawyers negotiated a series of legal simulation comprising of Fact Situation Proposition provided to all the participants and the Confidential Information

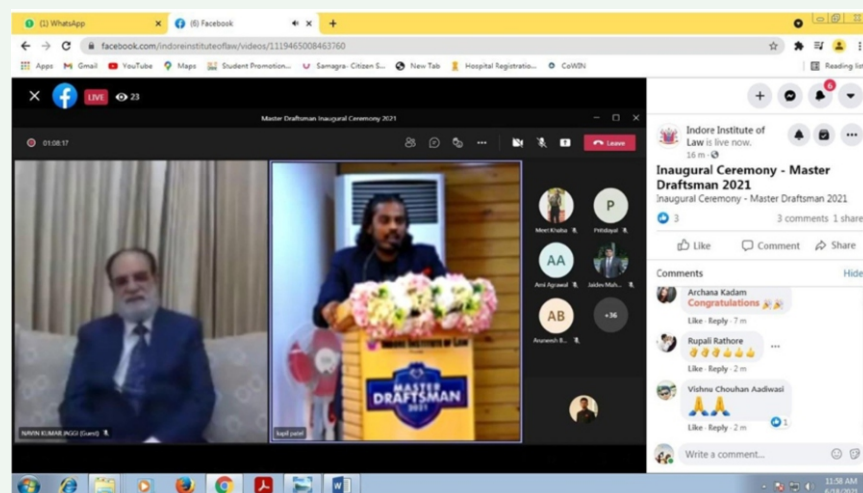
known only to the participants representing particular sides.

The Chief Guest for the inaugural ceremony was Mr. Navin Kumar Jaggi, CEO Jaggi Jaggi & Jaggi, International Attorneys at Law, along with Mr. Kantilal Bam (Chairman, ICON Education Society), Mr. AkshayKanti Bam (Chairman, Indore Institute of Law) and other dignitaries. Mr. Jaggi in his address emphasized on the need of having good negotiation and drafting skills for lawyers to achieve perfection and success in work. According to him these skills are tools of trade for a lawyer.

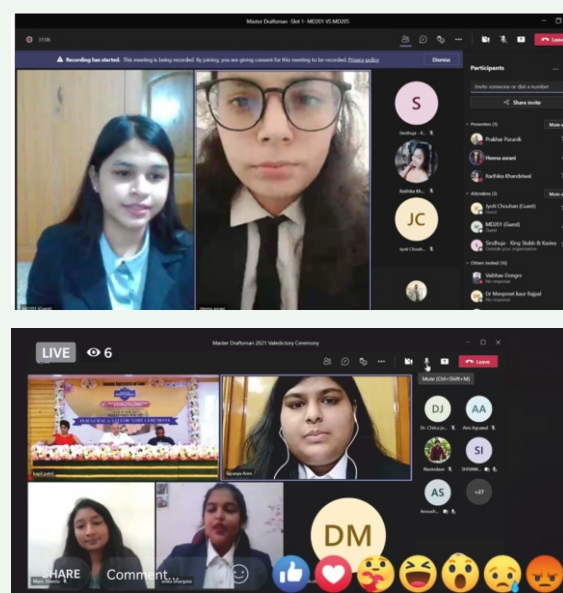
The Guest of Honour for the valedictory ceremony was **Ms. Divya Malcolm**, Partner, Kochhar & Co., Ms. Malcolm in her address emphasized on the need of drafting and negotiation and also highlighted the neglect it has received in all these years, she praised Indore Institute of Law for taking cognizance of the same and organizing the competition. According to her legal decisions and the entire process has its base in documentation along with the arguments. Therefore drafting is of great importance and greatly influences the decision making process. Mr. AkshayKanti Bam, Chairman Indore Institute of Law announced the winners of the competition, Pratyaksha, UPES Dehradun was the **Master Draftsman 2021** and Jyotsana Singh, Symbiosis Law School, Hyderabad was **Negotiator Extra ordinary**.

Via Virtual Mode -18th to 20th June, 2021

Inaugural Ceremony



Chief Guest of Inaugural Ceremony Mr. Navin Kumar Jaggi,
(Life Member, Supreme Court Bar Association, Jaggi Jaggi & Jaggi International Attorneys of Law)



Students presenting their ideas.

Valedictory Ceremony



Valedictory Ceremony Addressed by Dr. Manpreet Kaur Rajpal, Director & Dean Academics, IIL



Chief Guest, Ms. Shwetambara S. Mani, Regional Lead Counsel, Legal & Compliance-Africa, Cepheid & Danaher Diagnostics Platform and Guest of Honour, Ms. Divya Malcolm, Partner, Kochhar & Co., Advocate & Legal Consultants

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A nation is a politically organized nationality a territorial division containing a body of people of one or more nationalities & usually characterize by relatively large size & independent status. An Oxford Dictionary defines 'Nation' as a noun which consists of a group of people with the same language, culture, and history, who live in a particular area under one government. Meaning it is governed or consists of a set group of people who conjugates altogether to form a nation. French philosopher, Ernest Renan- in his essay "What is a nation?"- wrote about the bonds that hold nations together. He explained, "A heroic past, great men, glory upon which one bases a national idea. A nation is a large-scale solidarity constituted by the feeling of sacrifices that one has made in the past & of those that one is prepared to make in the future. Therefore, to build a nation full of prosperity, unity, strength, valor, and of efficiency there is a need of a sense of entrenchment. To create such a set of people there is need of purpose equipped efficient classrooms were such people minds or thought process could be set into motion to create a nation of fulfilling destiny.

Classrooms are the place where the future of the nation are molded to create a generation of people who would create a nation as destined by the principles, culture, emotions, dream, thought, or due to a belief of a group of people who imagined of such a nation. It is a center of learning. Pandit Jawaharlal Nehru once said – 'Children's are like buds in a garden & should be carefully & lovingly nurtured, as they are the future of the nation & the citizens of tomorrow.

Only through right education can be a better order of society be built up. The children of today will make an India of tomorrow. APJ Abdul Kalam have always believed that students play a significant role to transform India into a developing country. He said, 'Educationist's should build th capacities of the spirit of inquiry, creativity, entrepreneurial and moral leadership among students and become their role model. Always inspired thousands of youngsters all around the world, to never give up and believe in yourself.

Every age of human civilization, classrooms of that time have shaped that nation. Whether it be Gupta Age were Chanakya had taught Chandragupta the hacks of ruling and making an empire, Ashokan Age were principles of peace and brotherhood with non-violence was spread, Chhatrapati Shivaji's period who taught Maratha's to unite and fight tactically so as to conquer the Mughal Empire, whose guerilla warfare classrooms are still adopted in various army camps. There is no denying that the education given in the classrooms of that period has shaped the society or a nation, with invoking the peoples mind to think and prosper in that time period.

A healthy/positive interaction in a classroom forms the base of the person. This empowers such person to be able to sustain his life on his own terms, makes him independent either of thought or of finances, make that person able to make his thoughts heard through his comments, or create a person of altruistic nature who would be developing benevolent ideas to help society

or develop someone who would have inbuilt a leadership quality so as to lead any nation in a correct dimension. They are given their own individual identity; they are shaped to speak from their own mind. This not only empower a person as an individual, but also empowers the nation by keeping its stake in safe hands of people who can stand on their own and are independent from every sort either mentally or physically. Therefore, having a classroom with such a pious aim would definitely create a set group of not dumb but responsible and that would determine the true destiny of any nation.

All the ancient, medieval & present developments of human world has been possible through the crucial contribution of classrooms. It has played a greater role in creation of an India of cultural, knowledgeable & spiritual civilization in the world. It can be said that the destiny of a nation has been shaped in its ever-evolving classrooms. A classroom of each age has created a more comprehending and intelligence race, it has helped human to reach up into space through their technologies, invention, discoveries, thoughts & ideas. The human mind has shaped its destiny through the classrooms of the past. Thus, these classrooms shall be maintained & given stimulus to grow in right direction. Concluding my submission, I would finally want to end this note on a popular thought of Mahatma Gandhi on importance of learning for a better life is, "Learn as if you were to live forever".



AMARESH PATEL
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Icon Education Society (I.E.S.), as a first step to achieve its objectives, decided to set up an exclusive and independent college to provide specialized, high quality Law education for professionals, coupled with all basic infrastructure facilities.

Indore Institute of Law is the first independent & exclusive College of Law in Indore, Affiliated to the Bar Council of India & Devi Ahilya Vishwavidyalaya (DAVV), Indore. The Study/ Course/ Admission/ Examination and Degree shall be strictly in terms of regulations of DAVV, Indore. Indore Institute of Law is only Private College in Madhya Pradesh where all the law courses are under one roof.



A BRIEF OUTLINE OF THE ORIGINS OF OUR LEGAL SYSTEM IN INDIA



A rich and advanced legal system based on dharma prevailed in ancient India much before and after the Gupta period (320 to 550 AD). Apparently, a judge was selected on basis of his knowledge in 18 titles of law and 8,000 sub-divisions of them, besides his proficiency in logic (tarka), interpretation (mimamsa) and Vedas. "If king directs a judge to give an unjust decision in a case, the judge should beseech the king against the order and dissuade him from it. The power of a judge couldn't be questioned even by the king," according to N L Rajah, a senior advocate and an expert on writs, arbitration and consumer protection laws.

The first clear statement of rights is found in Kautilya's 'Arthashastra', where justice was assured as including a fair trial and the right to produce witnesses. Citizens had a right to trade and commerce, right to inheritance and to get standard wages. Women's right to 'stridhana' (women's property) was recognised as was the right to widow remarriage and in some cases even the right to divorce the husband.

The Brihaspati Smriti classifies courts as shaasita (where the king himself presided), mudrita (appointed by the king and using his seal), apratishtitha (circuit court) and pratisthita (established in village or town). The court presided by the king was the highest one. There were also courts appointed (ashikrita) by the king, presided by the chief justice (pradvivaka). Next to these came in the descending order – gana (assembly), shreni (corporation) and kula (family councils). The matters were decided in accordance with dharma (law), local custom and usages.

When it comes to jurisdiction, gana, shreni and kula could decide on all disputes except those falling under saahasa. "They had no power of imposing corporal punishments and fines. The appellate jurisdiction of gana over shreni and shreni over kula was recognised. The king was the highest court of appeal and his decision was final. The collegiate character of the king's court is explicit from Brihaspati's verse to the effect that king (raja), chief justice (pradvivaka), and judges (sabhyas) are the judicial officers. However, the

villagers had a judicial system of their own. Ancient India also had institutions which were similar to today's Law Commission of India. Nyayaparishad was a congregation of scholars in Vedas, Mimamsa, Vedangas and expert in law and three persons following ashrama dharmas (brahmachari, grihastha and sanyasa) who have actual life experience in each stage of life. The nyayaparishads were able to assist by providing research-based advice on controversial issues when the law was unclear. Of course, there were advocates. The equivalents of today's advocates were called 'niyogis' those days.

We had a rich legal system based on dharma that prevailed even much before and after the Gupta dynasty. Indian society, since inception, was essentially a duty-based society. All aspects of human conduct, from the cradle to the pyre, were governed by rules that were compendiously called 'dharma'.



SHITAL SIKARWAR
Assistant Professor
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IS AFGHANISTAN RETURNING TO ITS MEDIEVAL AGE?

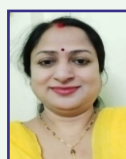


This august the Taliban has established itself as Afghanistan's caretaker government and are spreading their reign of terror throughout the country. The UN has not granted recognition to this interregnum. However, the interregnum has been receiving direct or indirect striving support from Pakistan, China, and Russia to acknowledge it. But countries disapprove of helping this provisional government on political and economical platforms. This whole scenario reminds everyone of medieval times when you could win a country on the tip of a sword or gun and could maintain it by terror or dictatorship. It reminds us of Razia Sultan, Balban, Jalal-ud-din Khilji, and Ghazi Tuglaq, of India. Especially in the periods of the Lodhi dynasty when Behlol Lodhi and Sikandar Lodhi were ruling and they were descendants of Afghans and evoke us of their traditions. Political disturbance or economic crises, Humanity or Social Concern & a mess created



by Taliban-like taking the country to the medieval period. Women are not given the right to education, Jobs & they cannot move out of the house without male escorts. Males & females will have to lead their life as per the Sharia Law. Males are also imposed with restrictions about their articles of clothing, hair & beard. Ministry of Islamic Orientation in a meeting with barbers gave orders about hairstyle, beard & music which shouldn't be played in a saloon. They have restricted Young males from taking selfies & having any kind of entertainment on mobile phones. They restricted traveling for leisure. In a university, they appointed a Chancellor who is just a graduate and a militant but the professors are Ph.D. Because of the lawlessness & terror, people are forced to leave the country. There cannot be any other religion except Islam. Taliban's representative Jabihulla Mujahid is in contact with the UN to get their interim Government to

be legitimized. They are confident that they will get support from a few countries. But if you talk about the Common Citizens of Afghanistan they are made to face the nightmare that has been the Taliban. The social media reports that are coming in show that the Taliban is not living in the 21st century and also taking the country with them to the medieval period with Sharia Law. In the era of Science & Technology, Citizens have not been given Gender Equality & Human rights. As a new Law, they have declared, they'll mutilate criminals by cutting their hands. Taliban should take inspiration from countries that have followed their religion & still adopted the modern practices of human rights & gender equality.



MADHURI MODI
Assistant Professor (History)
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BEST FOR AN INDIVIDUAL IS NOT NECESSARILY BEST FOR THE SOCIETY



Society is an organization of people who share a collective interest or purpose. It is an interconnected community and involves a complicated web of evolving patterns that bind people together. People interact with each other within a society and it is characterized by a pattern of relationships. This has become more complex and progressive in contemporary society. Any action by an individual will no doubt affect the interests of society as a whole.

Interactionism, a theoretical perspective, imagines individuals impacting society as much as society impacts individuals. It studies people's actions from their perceptions, i.e., what they perceive from a particular action or situation. It is a face-to-face process that includes actions, reactions, and mutual adaptation between two or more people in a society. This implies that we humans are connected to each other, and the decisions and consequent actions of an individual can surely have an impact on the community, even if it is not within their immediate environment.

August Comte, the founder of sociology, once said, "The only real life is the collective life of the race; individual life has no existence except as an abstraction." This implies that individuals are necessary for a civilization to exist. However, the "collective" idea of society has come under great scrutiny and conflicts with individual goals for personal independence and well-being. Sometimes, an individual refuses to follow societal values and beliefs and instead tries to follow his own path and refuses to make sacrifices for the common good. This may be acceptable because, in some ways, it reflects that what is best for an individual cannot be best for society.

The growing aspirations have made it more complex. Every individual is born with some natural rights which he has the right to enjoy and society's decisions in any way should not affect his natural rights and freedom. Emphasizing more on individual rights may not always lead to conflict with society, and even if it does, it might bring a change in

society. Individuals who defy societal norms and sanctions bring about massive and revolutionary change in society, as history has shown. Be it Karl Marx, Max Weber, Emile Durkheim, Mahatma Gandhi, BR Ambedkar, and many more, they questioned the existing norms and practices and were born with the courage to pave their own way. Even today, they are reminiscent for their work and wisdom. Likewise, it may happen sometimes, one might reject and break the laws or rules to call for freedom and justice in society and it is the duty of the society to make laws, regulations, treaties, and conventions to provide a safer place for individuals. These laws and regulations should be followed to maintain harmony and brotherhood among the citizens of the country. If society fails to do so, it can lead to a disbalance of thoughts among individuals.

God has created society for the benefit of all, and we, as humans, have both special responsibilities and certain privileges with regard to certain goods. Humans are not the owners of the world, but rather caretakers. To conclude, the conflict between collective well-being and individual freedom has become more noticeable with the evolution of individualism and capitalism, as well as with new concepts of justice and equality. Individuals should care about society and promote collective interest in consonance with their self-interest. Great citizens make great nations, and these great nations, in return, care for their citizens. They have a mutually supportive and interrelated relationship that is both regressive and positive in nature. One should take decisions by thinking once about how it will impact the whole society and try to live in peace and harmony.



NAMISHA OJHA
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CURRENT AFFAIRS OCTOBER 2021

One Sun, One World, One Grid (OSOWOG)

India and the UK are likely to announce a joint declaration on "one sun, one world, one grid" - or OSOWOG at the upcoming Conference of Parties (COP26). The UN Climate Change Conference, or COP26, is scheduled to be held between 31st October and 12th November in Scotland. The concept of OSOWOG is what the British have called a green grid. The idea behind the concept is a trans-national electricity grid supplying solar power across the globe.

Public Healthcare in India

Policy making in the country's health sector is shaped by its federal structure and the Central-State divisions of responsibilities and financing. State List: Public health and sanitation, hospitals and dispensaries are state subjects, which means the primary responsibility

of their management and service delivery lies with the states.

Public Interest Litigation

The Supreme Court (SC) scolded a petitioner for filing a Public Interest Litigation (PIL) without adequate research. Public Interest Litigation (PIL) is the use of the law to advance human rights and equality, or raise issues of broad public concern.

Election Symbols

Recently, the Election Commission of India (ECI) has decided to freeze the election symbol of a Political Party. The Election Symbols (Reservation and Allotment) Order, 1968 empowers the Election Commission to recognize political parties and allot symbols. An electoral or election symbol is a standardized symbol allocated to a political party.