I warmly welcome you to the first issue of the NAGLS E-Newsletter ‘LEGAL DIALOGUE’. Here you will find the latest news about the College, its exceptional programs, students and faculty. Our world is changing rapidly due to technological advances, migration and residential patterns, and global economic, environmental, political and social conditions. In such an environment, we need ongoing assessment that will help to inform the educational programs, policies and related strategies in order to meet the needs, interests, expectations and aspirations of individuals and communities alike. Our vision is based on hard work, open communication, a strong emphasis on team work and a high level of responsibility. This visionary culture allows our wards to not only adopt the present day challenges but also individual responsibilities to the society and our nation at large.

Shri. M. Altaf Hussain
Chairman
N.A. Group of Institutions

It gives me immense pleasure to open a few words as prologue to our in-house E-Newsletter ‘LEGAL DIALOGUE’ exclusively meant for spreading legal awareness. I congratulate all the faculties, staff of NAGLS and the editorial board for bringing out such a beautiful E-Newsletter. Ever flowing ocean of Knowledge through education is our cherished motto. We inherited a strong foundation to march ahead and achieve the same within mentioned education objectives for a stronger and brighter India. Measures initiated by the Trustees, steps taken by the college administration, the willing contributions of the teaching and non-teaching staff and over whelming response and enthusiastic participation of my dear students in the college activates in the recent past all vouch for this. When all the constituents come together and work in unison, the expected results are bound to flow. Come on let’s give our best and make this institution a modern temple of learning through our diligence, devotion and dedication. Wishing you all the best…!

Shri Syed Mohid Alfata

: NAGLS PLATFORM : OPEN TO OPINION

A symposium cum inter-school competition was organized at NAGLS campus on Jan 9, 2016 on the topic RAPE, MURDER or even TERROR: Bangalore is the new sin city. Is the Garden City of India turning into new Crime Capital of the country? The panelists at the Symposium were:

1. Hon’ble Justice N. Santosh Hegde, Former Judge, Supreme Court of India & Former Lokayukta,Karnataka State
2. Smt.Gowramma,Member,Karnataka State Commission of Women
3. Shri H.R. Suresh, Chairman The National Cooperative Bank Ltd.
4. Shri Abdul Azeem, Former MLC and Former Asst. Commissioner of Police, Govt.of Karnataka.
5. Shri. M. Altaf Hussain, founder of N.A. Educational Trust (R) and Board of Trustees.

About 500 students of Higher Secondary standard from different schools of Bangalore accompanied with their faculty participated in the symposium. The programme was moderated by Ms. Priyanka Dwivedi, Vice-Principal. The symposium was organized in three sessions: the first session was on sharing perceptions on the surge in crime in the recent past. The second session was on discussion of reasons and factors that could be responsible for the rising crime followed by the last session which was on resolution of the issue. There was an enthusiastic participation from the students who were well informed on the issue. The Panelists gave valuable suggestions for resolving the issue of crime in the city. Justice Santosh Hegde exhorted the efforts of NAGLS in organizing the symposium. The Program is concluded with the vote of thanks by Shri. Syed Mohid Alfata, Principal-Director, N.A. Global Law School.

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**Know Your Rights: an Initiative**

"Know your Rights" is a constitutional awareness initiative of NAGLS. In Series-1, which was commenced in September 2015: the awareness program was organized in 15 different Institutions of South Bangalore on Fundamental Rights and Duties inscribed in the constitution. The sessions were conducted in a participative mode involving and engaging the students in interaction, questions and discussions.

**INAGURATION OF N.A GROUP OF INSTITUTIONS**

N. A. Group of Institutions was inaugurated on January 30, 2016 by Shri Mukhtar Abbas Naqvi, Hon’ble Union Minister for Parliamentary & Minority affairs, Govt. of India. in the presence of Chairman and Board of trustees. N. A. Group of Institutions is managed by N.A. Educational Trust and comprises of N.A. Global law School, N.A. Pre-University College and the upcoming N.A. School of Journalism and Business Studies. The mission of the trust is to promote educational excellence, character development and render service to the society. Hon’ble Minister applauded the trust for this educational venture and expressed that there was a need for such institutions of higher education in our country to impart quality education so to prepare the youth of today as leaders of future.

**SWATCH BHARAT**

NAGLS is a firm believer in the ideologies of Mahatma Gandhi and supports the Swatch Bharat mission which was initiated by the Hon’ble Prime Minister, Shri Narendra Modi on Oct 2, 2014. On Oct 2, 2016 the faculty and staff took the task of cleaning the campus and surrounding streets. The entire day was dedicated for this purpose. NAGLS is very closely associated with the Swatch Bharat Mission and a day in each month is dedicated for this mission.

**70TH INDEPENDENCE DAY CELEBRATION**

The 70th Independence Day was celebrated with great enthusiasm. The programme began with hoisting of the national flag by the Chief Guest, Shri. K Vishwanath, Inspector of Police of Hebbagodi Police Station followed by cultural programme by the students. The speech delivered by the students reminded us of the struggle that our country had to go through to attain freedom and how the journey has been since independence. The theme of the play performed by students: SAY NO TO DRUGS sent a very meaningful message. The entire program reminded us of the noble ideals which inspired our national struggle for freedom.

**STUDENT ORIENTATION PROGRAMME FOR FIRST BATCH**

The Student Orientation program for the first batch of NAGLS was held on July 30th, 2016. This date is worth remembering in the history of NAGLS as we had our first batch of students coming from different parts of India blessed by Hon’ble Justice M.N Venkatachaliah, Padma Vibhushan and former Chief Justice of India as the chief guest for the programme. Shri Yashpal Puliani, (Puliani and Puliani Law Book Sellers & Publishers- Legal & Commercial) and Shri Wadhwa (Publisher, Wadhwa & Company, Nagpur) were the Guests of honour. It was a distinct honour for NAGLS to have Hon’ble Justice M.N Venkatachaliah as the Chief Guest. He addressed the students on the nobility and importance of the profession of law. He advised the students to inculcate the habit of reading and utilize libraries. Hon’ble The Chief Justice Subbro Kamal Mukherjee, Chief Justice of Karnataka High Court had send his message for the students as he could not be present for the programme. In his message, he advised them to work hard and stay focused toward their goal in the duration of the five years of their degree. He told the students to take advantage of the enriching educational experience that will be provided to them at NAGLS. The day was memorable one and marked the beginning of a new journey for the students. The programme ended with the vote of thanks delivered by Shri Syed Mohid Altaf, Principal Director.

**TEACHERS DAY**

On 5th September 2016, the students organized a cultural program to celebrate the Teachers Day. The program included musical, dance and play performances. The Students tried every possible way to convey their affection and gratitude to their teachers.
The Supreme Court in its landmark judgment in Oct, 2016 has widened the scope of the Protection of Women from Domestic Violence Act, 2005 by making it gender-neutral. The SC ordered deletion of the words “adult male” before the word ‘person’ in Section 2(q) of the Act making it gender-neutral. The Protection of Women from Domestic Violence Act, 2005 protects women from physical, sexual, verbal, emotional and economic abuse at home. The landmark verdict of Supreme Court came on an appeal against the Bombay High Court judgment, which had resorted to the literal construction of the term ‘adult male’. Based on literal construction of these words, Bombay High Court had discharged four persons, including a woman, two girls and a minor boy of a family from a domestic violence case on the ground that they were not “adult male” and hence cannot be prosecuted under the Act.

About Jabong
Jabong was founded in 2012. It was owned by Global Fashion Group (GFG). It offers more than 1,500 international high street brands, sports labels, Indian designer and ethnic labels and over 150,000 styles from more than 1,000 sellers. In September 2014, Jabong was merged with four online fashion retailers in Latin America, Russia, South-east Asia, Middle East to create GFG by its investor Rocket Internet.

The Supreme Court has upheld constitutional validity of penal laws on defamation as the right to life under Article 21 includes the right to reputation. Ruling in this regard was given by two-judge SC bench of Justices Deepak Misra and Justice Prafulla C Pant on combined petitions filed by a number of politicians and public figures. Supreme Court gave in detail the reasons for it judgment it said that Freedom of Right to speech and expression enshrined under Article 19 of Constitution does not confer any right to a person to trample the reputation of others. Right to free speech is not absolute; it does not mean freedom to hurt another’s reputation which is protected under Article 21 of the Constitution. Defaming a person amounts to offence against society and the government is entitled to lodge a case against a person under criminal defamation law.

The question whether there should be a bar on the age at which a person can pursue law course has always been debated. The dispute arose over the validity of Government of India gazette notification in March, 2009 stating that the upper age limit for admission in LL.B three year course should be 30 years (35 years for SC/ST) and for LL.B five year course should be 20 years (22 years for SC/ST). In 2013 the BCI had withdrawn Clause 28, Schedule III thereby age restriction was removed for admission in LL.B three year and five year course. The withdrawal was challenged before the Madurai Bench of the High Court of Madras which held that withdrawal of Clause 28 by the BCI was illegal. Subsequently, Bar Council of India challenged the decision of the High Court of Madras before the Supreme Court. The apex court dismissed the Special Leave Appeal in November 2015 and upheld the decision of the Madras High Court. At present all Law colleges and Universities have to comply with Clause 28, Schedule III of Legal Education Rules 2008.

Supreme Court upholds the Clause 28, Schedule III of Legal Education Rules, 2008

Homegrown e-commerce giant Flipkart acquired online fashion portal Jabong through its fashion unit Myntra. It is said that Jabong was acquired by Flipkart in a cut-price deal that values the online fashion store at 70 million dollars. This acquisition will help Flipkart to strengthen its position in Fashion and Lifestyle e-commerce segment in order to compete with Amazon Fashion in India.

Supreme Court widens ambit of Domestic Violence Act, 2005

Startup India Standup India
On 16th Jan 2016, Hon’ble Prime Minister Shri Narendra Modi announced bunch of benefits and schemes to promote start-up ecosystem in India. The even was called ‘Startup India, Stand up India’. It has immense importance because, for starters, it was the first of its kind dialogue between India’s startup community and the government. Government will set up a fund with an initial corpus of INR 2,500 crore and a total corpus of INR 10,000 crore over a period 4 years (i.e. INR 2,500 crore per year). The Fund will be in the nature of Fund of Funds which means that it will not invest directly into Startups, but shall participate in the capital of SEBI registered Venture Funds. Key features of the Fund of Funds are highlighted below:

- The Fund of Funds shall be managed by a Board with private professionals drawn from industry bodies, academia, and successful Startups
- Life Insurance Corporation (LIC) shall be a co-investor in the Fund of Funds
- The Fund of Funds shall contribute to a maximum of 50% of the stated daughter fund size. In order to be able to receive the contribution, the daughter fund should have already raised the balance 50% or more of the stated fund size as the case maybe.
- The Fund shall ensure support to a broad mix of sectors such as manufacturing, agriculture, health, education, etc.
**GST (GOODS & SERVICE TAX)**

Currently there are many indirect taxes. We all know about Service Tax, Vat, Luxury tax etc. You can see these taxes whenever you check out from a hotel and whenever you pay the bill at restaurant. The bill they offer to you contains these taxes. Now, what GST does is that it combines all these taxes into one, i.e. subsumes all other indirect taxes. It is done for all the Central level and State level taxes. The nature of GST is that it taxes only the final customer. Hence the cascading of taxes is avoided and production costs are cut down. Following is the list of the taxes that are subsumed by GST –

- State Level Taxes – State Value Added Tax or Sales Tax, Entertainment Tax, Octroi and Entry Tax, Purchase tax, Luxury Tax, Taxes on Lottery, Betting and Gambling.

So, this means that GST clubs almost all indirect taxes together that are levied by central and State Governments. Introduction of GST will bring following benefits –

- Multiple Taxation is removed
- Goods and Services are taxed at same rate
- Taxes on the Manufacturers are reduced
- It helps in the seamless flow of credit in the economy

In single line we can say that GST will simplify administration, improve compliance, remove distortions in production, trade and consumption. Although there are noticeable benefits of GST, it doesn’t mean that it is perfect. There are some disadvantages too, which can’t be ignored –

- The tax on services would go from 14 to 20% after the implementation of GST
- The Tax on retails will almost get doubled
- The tax on imported Goods will be around 6%

**INDIA’S FIRST MEDIPARK (MEDICAL PARK) WILL BE SETUP IN TAMILNADU**

India’s first Medipark (Medical Park) will be set up in Tamil Nadu at Chengalpet near Chennai, Tamil Nadu. It will boast of the first medical devices manufacturing park in the country. In this regard, the Union Cabinet has allowed HLL Life care, a miniratna public sector company to sub-lease over 300 acres of land for the purpose.

**How it will be formed?**

The Medipark will be funded through a Special Purpose Vehicle (SPV) with HLL being a 50% shareholder. HLL will sub-lease 330.10 acres of land to investors, through a transparent bidding process to investors desirous to set up manufacturing units for medical equipment and devices. It will be developed in phases with completion period of seven years.

**Important**

First manufacturing cluster in the medical technology sector in the country envisaged to boost local manufacturing of hi-end products at a significantly lower cost. Play a significant role in the development of medical devices and technology industry and allied disciplines under the Make in India initiative. Help in providing affordable healthcare delivery, particularly in diagnostic services to a large section of people.

**Constitution Awareness**

Part IV of the Constitution of India deals with the Directive Principles of State Policy. Directive Principals of State policy are not enforceable by any court but are supposed to play a fundamental role in the governance of the country with the government duty-bound to apply these principles in making laws. Among other Directive Principles is Article 44, which asks the State to “Endeavour to secure for citizens a Uniform Civil Code throughout the territory of India” Uniform civil code is the proposal to replace the personal laws based on the scriptures and customs of each major religious community in India with a common set governing every citizen. These laws are distinguished from public laws and cover marriage, divorce, inheritance, adoption and maintenance.

**In Debate: National Judicial Appointment Commission vs. Collegium**

In Collegium system, the Chief Justice of India and a forum of four senior-most judges of the Supreme Court recommend appointments and transfers of judges. It has no place in the Indian Constitution. The collegium system has its genesis in a series of three judgments that is now clubbed together as the "Three Judges Cases". The National Judicial Appointments Commission (NJAC) is a constitutional body (99th Constitutional Amendment) proposed to replace the present Collegium system of appointing judges. It will consist of six people - the Chief Justice of India, the two most senior judges of the Supreme Court, the Law Minister, and two ‘eminent persons’. These eminent persons are to be nominated for a three-year term by a committee consisting of the Chief Justice, the Prime Minister, and the Leader of the Opposition in the Lok Sabha, and are not eligible for re-nomination. NJAC was created to replace the Collegium system as the Central government has criticised it saying it has created an imperium in imperio (empire within an empire) within the Supreme Court. The Supreme Court quashed the National Judicial Appointments Commission (NJAC) Act and also declared the 99th amendment to replace the Collegium system unconstitutional.