



LEX INVICTUS

OFFICIAL NEWSLETTER OF THE
DEPARTMENT OF LAW
SCHOOL OF LEGAL STUDIES
CENTRAL UNIVERSITY OF TAMIL NADU



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Message from the Dean (i/c)



Dr. Velmurugan P.S

A free state is one in which every citizen will have legal rights protected by the law of the land. To strengthen the legal domain of our country, the CUTN had established the School of Legal Studies in the academic year 2019-2020. The School offers opportunities for enriching the knowledge in the field of Law to the postgraduate students across the country. The School has taken several initiatives to enhance and incorporate the skills and inculcate the knowledge on various aspects of legal system, particularly from Indian perspective.

The School is supported by outstanding faculty members who are outstanding academicians who are known nationally and internationally, as outstanding scholars in their fields besides being open and accessible to the students, truly committed to teaching, both in and out of the classroom. Consequently, the Department of Law, CUTN had gained popularity among Law schools in India within a short span of time

I am glad to note that the Department of Law, School of Legal Studies has joined the band wagon of other departments by bringing out its first monthly E-newsletter. The main focus of this E-newsletter is to show case the curricular, co-curricular and extra-curricular achievements of the department, students and the faculty members. In face this newsletter will be a self-motivating factor enabling comparison of the department's performance with that of other departments in CUTN.

I would like to applaud the Department of Law for their drive in bringing out this E-newsletter with a short notice. A very Special Congratulation from Dean's desk to the faculty members for their wonderful zeal, commitment, cooperation and untiring efforts.

It is matter of pride for the School of Legal Studies of CUTN. I'm sure that the practice of publishing monthly E-newsletter will continue throughout the existence of the School.

Dr.Velmurugan.PS
Dean (i/c)
School of Legal Studies,CUTN

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EDITORIAL BOARD

Faculty Coordinator
Ms. Bhagyalakshmi R

Student Coordinators
*Rajasingaravelan S R &
Arul Venkatesh*

ABOUT THE DEPARTMENT

The Department of Law, School of Legal Studies was established in 2019 with the prime focus of imparting quality legal education. The Department offers two year LLM programme with specialisation in Corporate Governance and Industrial Jurisprudence. The academic strength of the Department consists of the Dean, four Regular Faculties and two Guest Faculties. The Department holds the intake of 20 students for the PG programme. The initial intake of the students was in 2019 and the students are presently enrolled in the first year.

VISION STATEMENT

- Impart Socially Relevant Legal Education in par with global standards
- Emerge as an eminent department with excellence in Legal Education focused on Research, Industrial training and extension activities

MISSION STATEMENT

- Applied Learning through Collaboration with National & International Legal Institutions and Industrial Experts
- Knowledge sharing through the process of hosting National Workshops, Seminars & Committee Activities.

Dean



Regular Faculties



Guest Faculties



INTRODUCTORY ARTICLE

Online Platform & Transformative Teaching Pedagogy in Legal Education



Ms. Bhagyalakshmi R
Assistant Professor
Department of Law

The technological advancements and innovations have served the humankind since decades. An inevitable contribution to cite is the online networking platform and effortless data dissemination. Remarkably, this advancement can be applauded for its effective engagement in aiding the academic discourse by creating online platforms for teaching learning process. The post Covid-19 outbreak across the globe has in a way compelled the academic world to engage the online platforms for continuing the teaching learning process, which has paved ways for revisiting and remodeling the existing teaching methodology. The methodological constructs in face to face class room teaching were largely

looming around the traditional approaches to teaching practises whereas the online teaching methodology needs to be comprehensive enough to attract the student attention and active learning, which is inherently challenging across the disciplines even in legal discipline as well.

The online teaching and learning experience demands a pedagogically sound instructional design for effective teaching. The instructional design in online platform can be structurally framed to ensure student participation in the academic discourse through innovative methods such as spider web based discussions, icebreaker activities, simulative exercise for ensuring cognitive

presence, student peer assistance and collaborative research activities, case study analysis to name a few. The added benefit of synchronous and asynchronous learning pattern in online platforms inculcates flexibility in teaching process to devise a pro active instructional design. The online teaching in legal discipline can be remodelled with the effective adaptation of this methodology.

Gerald F Hess in the Journal of Legal Education has enlisted seven principles of good practises in legal education which could be adopted for online legal education. In effect, principles of active learning, group exercise and formative assessment are the three fundamental principles which could be invoked in online learning. The online active learning method through Socrates method ensures cognitive realisation especially in case law analysis and case study method. Similarly the Bloom's taxonomy holds relevance in online active learning for law students in interpretation of law, analysis of legal principle as well as evaluation of judicial decisions. Asynchronous online exercises also engage in

effective evaluation of understanding of the legal principles and class lectures. Redefining the pedagogy in online legal education through these principles promises an effective dissemination of knowledge.

The CUTN response in continuing academic sessions during the nationwide lockdown through online platforms was entirely a rewarding experience. The experiential teaching practises through the online medium were helpful in exploring the diverse methods for effective dissemination of knowledge. As a legal academician, it was fruitful for me to engage the students with cross reference methods in online platforms to attract their attention to the class discussions. The synchronous reference to learning process by switching over to legislative provisions and case laws over the internet has been effective in attaining student participation in online discussions. Similarly, the asynchronous mode of disseminating study materials, case study exercises, simulative quiz exercises, framing case laws charts has added more flexibility to the learning exercise for the

students. The entire online sessions was a remarkable experience for me as a teacher and equipped me to be

structurally more averted with technological advancements

DEPARTMENTAL ACTIVITIES

Legal Awareness Programme

The legal awareness programme was conducted on 17/02/2020 by the Department as a part of the Unnat Bharat Abhiyan (UBA) initiative of the University. The programme was held at Perumbugalur Village, located adjacent to CUTN Neelakudi Campus. The fundamental objective of the legal awareness programme was to educate the villagers on various legal terms such as Patta, Chitta, Adangal, etc to which they are commonly exposed to. Efforts were made to create a simple and lucid presentation for explaining the terms. The program was planned to be conducted



in three different modes, such as doorstep awareness, addressing village gathering in a common place and interactive session with the school children.

A pamphlet containing comprehensive explanation of various legal terminologies has been prepared in the vernacular language. Students and faculty members formed groups among themselves and met the natives at their doorsteps. Pamphlets were distributed which was followed by a short introduction about the objectives of the initiative. A public gathering at a common place was also arranged, where the villagers normally used to conduct their Gramsabha.



Students and faculty members addressed the gathering on various topics such as free Legal Aid programs, distinction between the criminal and civil disputes, significance of Constitution, Emphasis on Gandhian ideology of unity, social welfare legislations, etc.



The Department has also organised a POCSO explainer programme for the students of the Government Middle School, Perumbugalur with the aid of the teachers at the school. The children were sensitised about good touch and bad touch. The entire programme was indeed a unique experience to the faculties as well as to the students

Online Teaching Activities during Nationwide Lockdown

The Department in due compliance with the University Circular for Academic Activities during Lockdown and the Ministry of Human Resources Development Circular on Online Teaching Activities has effectively undertaken online classes for the students during the lock down period. The persistent effort of the faculties and students spread over a time span of two and half months starting from mid March till the end of May has accounted for online face to face video lectures on an average of minimum 16 hours a week. There has been engagement of Google classrooms and Google Meet for effective dissemination of reading materials, Assignments, Quiz Exercises as well as Case Study Exercises for keeping alive the academic activities of the department. The daily reports of the online activities were also submitted to the MOOCS-ICT for MHRD correspondence

STUDENT ARTICLE

**Invocation of Nationwide lockdown-
Legal Provisions**



**Rajasingaravelan S R
(LLM First Year)**

On New Year's Eve, most of us including one who is reading this, as well as one who is publishing, editing and writing this piece of article would not have anticipated such a shattering outbreak of a lethal disease in their near future. Well(not to say this), but rhetorically garnered for the purpose of formal writing, to begin with, it all started in the mainland China particularly at Wuhan in Hubei Province. When the Wuhan's hospital entries flooded with patients having a totally strange disease, it drew the attention of the medical world as well as the governing body of People's Republic of China. Subsequently Beijing isolated the Hubei Province from rest of the mainland, and taken enormous steps to isolate and treat the patients with such strains in their

bodies. This isolation is the first of its kind in the world that had paved way for its future followers from around the globe.

The deadly disease of CoVID-19 (popularly known as Novel Corona virus), had managed to take route from its origin and had reached multiple destinations in the world. The first confirmed case in India was reported on 30th January, 2020. Alarmed by the up rise of CoVID-19, India has shut its doors with the outside world on 24.03.2020, and had announced a complete lockdown statutorily supported by the provisions such as Section 6(2)(i) of National Disaster Management Act, 2005 and Section 2 and 2A of Epidemic Diseases Control Act, 1897. The complete lockdown was implemented from 24.03.2020 to April 15.04.2020, and more regulations were added to the Lockdown 1.0 in their subsequent versions. The lockdown was successful at the initial stage by achieving its objective of containing the spread of virus, whereas the repercussions it had caused in the economy of the nation is huge. Cabinet Committee of Economic Affairs headed by Prime Minister of

India, had released a slew of reforms after a thorough thought on the prevailing condition in the nation. The immediate unlock might have a greater impact in causing surge and peak of the cases, thus, a phased unlock was announced in the last week of May commonly known as Unlock 1.0.

The current pandemic and the subsequent lockdown measures are relatively new and rarely occur in history. The actions and reactions of the public are clearly recorded, and it can help our future generation to overcome such hard times, as we are also referring back to these kinds of remnants in the history. History is recorded, studied and referred only because, we should have a lesson from the past and we should not repeat the same. Apart from political factions, agendas and their affinities every person in the Government is working tirelessly and with due diligence, to overcome this uncertainty. The authorities are repeatedly requesting the public to not to step down from their homes to mitigate the severity of the disease outbreak. Thus it eventually turned out to be a duty

casted upon every individual to cooperate with the public officials and instill a combined effort to fight the epidemic. The entire lockdown and the governmental measures offer a chance for the public to prove that “UNITY IS STRENGTH”.

LEGAL DEVELOPMENTS IN A NUT SHELL

1. **Banking Regulation (Amendment) Bill, 2020 introduced in Lok Sabha.**

The bill comes in the wake of the crisis at the Punjab & Maharashtra Co-operative (PMC) Bank last year. The bill sought to amend the Banking Regulation Act, 1949 and seeks to give the Reserve Bank of India (RBI) the powers to regulate cooperative banks. It provides for issue and regulation of paid-up share capital and equities by cooperative banks.

2. **Supreme Court lifts Restriction Imposed by RBI on Crypto currency, Allows Trading.**

The Supreme Court has set aside Reserve bank of India's (RBI) 2018 Circular which had restricted banks from dealing with crypto currency

such as bit coins. The petition against the RBI curbs was filed by the Internet and Mobile Association of India (IAMAI) questioning the powers of the RBI to impose such a ban since the crypto currency wasn't a "currency" in the legal sense. IAMAI had insisted that crypto currencies were more like a commodity. The RBI issued a circular in April last year banning regulated financial institutions from providing services to crypto businesses. The ban went into effect three months later and banks subsequently closed the accounts of crypto exchanges.

3. Lok Sabha passes The Insolvency and Bankruptcy Code (Second Amendment) Bill, 2019

The much debated and controversial Bill has been passed by Lok Sabha on 06.03.2020. It provides an introduction of additional class of creditors such as real-estate home buyers. They can also be able to initiate class-action suit against the defaulter. The Ordinance empowers the resolution professional to require suppliers to continue providing goods and services during the moratorium period. This provision overrides the agency of suppliers to

negotiate and decide whether to continue a contractual arrangement

4. MCA introduces 'Companies Fresh Start Scheme 2020 and revised 'LLP Settlement Scheme

MCA introduces 'Companies Fresh Start Scheme 2020 and revised 'LLP Settlement Scheme 2020' to provide relief to law abiding companies and LLPS. The Ministry of Corporate Affairs (MCA), has introduced the "Companies Fresh Start Scheme, 2020" and revised the "LLP Settlement Scheme, 2020" which is already in vogue to provide a first of its kind opportunity to both companies and LLPs to make good any filing related defaults, irrespective of the duration of default, and make a fresh start as a fully compliant entity. However, the immunity is only against delayed filings in MCA21 and not against any substantive violation of the law.

5. Changes in Companies Act - Criminal Liabilities to be substituted by Civil Liabilities.

The Finance Minister, while announcing the budget 2020 has proposed to amend the Companies Act, 2013 to substitute criminal liability by civil liability. Company

Law Committee was constituted by the Ministry of Corporate Affairs in September, 2019, inter alia, to further decriminalise the provisions of the Companies Act, 2013 based on their gravity and to take other concomitant measures to provide further Ease of Living for corporate in the country. The Committee has recommended amendments in the Companies Act, 2013 to remove criminal offences in case of procedural and technical defaults as well as defaults which can be determined objectively and which, otherwise, lack the element of fraud or do not involve larger public interest

6. Amendments in SARFAESI Act

Eligibility limit of NBFCs for Debt Recovery reduced. Under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act 2002, the current eligibility limit is Rs.500 Crore of asset size or loan size of Rs.1 Crore. This limit has now been proposed to be reduced to Rs.100 Crore of asset size of Rs.50 Lakhs loan size. This reduction in limit would mean that now Non-Banking Financial Corporations debt recovery can

enforce the security interest for lower ticket size loans. This is also expected to improve their ability to recover smaller loans

7. Central Government Notifies National Start-up Advisory Council

On January 21, 2020, The Central Government has notified the structure of the National Start-up Advisory Council to advise the Government on measures needed to build a strong ecosystem for nurturing innovation and start-ups in the country to drive sustainable economic growth and generate large scale employment opportunities. The Council will suggest measures to foster a culture of innovation amongst citizens and students, in particular, promote innovation in all sectors of economy across the country, including semi-urban and rural areas, support creative and innovative ideas through incubation and research and development to transform them into valuable products, processes or solutions to improve productivity and efficiency and create an environment of absorption of innovation in industry

FACULTY ACHIEVEMENTS (January to April, 2020)



Dr. Sangeetha Sriraam
Assistant Professor
Department of Law

- Presented a paper titled *Beyond Paternalism: Drafting a Surrogacy Law for the 21st Century* at the One Day National Seminar on Changing Dimensions of Family Law in India on 4th January 2020 organised by the Tamil Nadu Dr. Ambedkar Law University
- Participated in the two-day national level workshop conducted by the University Grants Commission under the Unnat Bharat Abhiyan on *Fostering Social Responsibility and Community Engagement in Higher Education Institutions in India*, on 21st and 22nd January, 2020 at the Inter-University Accelerator Center, New Delhi
- Presented a paper titled *The Un-right Act for the Protection of the Rights of Transgenders in India* at the 4th National Conference on Human Rights & Gender Justice, 2020 organised by Knowledge Steez in collaboration with ILI Law College, and All India Law Teachers Congress on 19th January, 2020
- Presented a Paper titled *Uniform Civil Code: An Instrument of Gender Justice* at the One-day National Symposium on 'Re-defining Gender Equality' organized by CEWCL, IFIM Law School in association with District Legal Services Authority Bengaluru Rural District, Bengaluru, Lahari Advocates Forum, Bengaluru & The Advocates' Association, Bengaluru on 8th March, 2020
- Presented a Paper titled *The Need for Uniform Civil Rights for the Sexual Minorities* on 7th March, 2020 for the National Seminar on "Feasibility of Uniform Civil Code" organised by NMIMS, Kirit P Mehta School of Law



Ms. Akanksha Jumde
Assistant Professor
Department of Law

- Presented a paper titled *Legislated CSR: A Critical Appraisal of the Indian Experience* Corporate Law Teachers' Association (CLTA) Conference 2020, at Monash Business School, Monash University, Feb 2-4, 2020
- Published an Article: Akanksha Jumde and Prof. Jean du Plessis (2020), *Legislated Corporate Social Responsibility in India: The Law and Practicalities of its Compliance* Statute Law Review, 2020, Vol. XX, No. XX, 1-28 doi:10.1093/slr/hmaa004, Oxford University Press, (ISSN: 0144-3593 (print); 1464-3863 (web)). (ABDC Listed: Rank A (2019)).
- AkankshaJumde and Nishant Kumar, *Interface between Right to Education and IPR: Does Copyright Law Inhibit the Enjoyment of Right to Education?* in INTELLECTUAL PROPERTY RIGHTS AND TRADITIONAL KNOWLEDGE, NishaDhanrajDewani and AmulyaGurtur (eds), IGI Global Publications (USA) (accepted).
- AkankshaJumde and Nishant Kumar, *Access to Medicines in Light of Patent Law Regime in India: A Legacy of Legislation or Lease of the Judiciary?* in INTELLECTUAL PROPERTY RIGHTS AND TRADITIONAL KNOWLEDGE, NishaDhanrajDewani and AmulyaGurtur (eds), IGI Global Publications (USA) (accepted).



Ms. Bhagyalakshmi R
Assistant Professor
Department of Law

- Published and Presented a paper titled *Neoliberal Economic Reforms and Concept of State: A Study Highlighting the Need for Mapping the Legal Contours of Public Private Partnership in Infrastructure Development* in the Conference Proceedings of International Interdisciplinary Seminar on State, Civil Society and Human Rights: Neo Liberal Reflections hosted by Department of Law, Central University of Kerala, 2020, ISBN No. 978-93-5396-695-9 (February 2020)

STUDENT ACTIVITIES AND ACHIEVEMENTS (January to April 2020)



- The First year LLM Students of the Department as part of the Unnat Bharat Abhiyan have sensitised the girl students of the CUTN regarding the various laws governing woman protection in India by engaging a group discussion



- LLM First year Student, R Arul Ventakesh, has participated in the Google News Initiative India Training Network Workshop, held at Central University of Tamilnadu, Thiruvarur on 6th and 7th February, 2020. He has successfully undergone training in “Fact-Checking and Online Verification.

STUDENT VOICE



**R Arulvenkatesh
(LLM First year)**

CUTN hosts an excellent venue for academics and extracurricular activities. I have many friends who are very close to my heart. Still I remember my first acquaintance with professors and friends; it is still green in my mind. The ambiance of CUTN has always given me positive vibes. I got an opportunity to polish and mould my skills and knowledge day by day. The lectures of my professors are very keen, observed and motivational. Similarly, the legal aid programme of the Department was a great experience for me! I felt privileged to help the poor and needy people. I got an

opportunity to hear their issues and problems. It was a proud moment for me and felt happy about choosing right career which focuses considerably on social service. I feel happy and proud to be a student of CUTN.



Rajasingaravelan S R
(LLM First Year)

Student life is chiseled as one of the most beautiful part in every man's heart. Here at CUTN, this specific juncture allowed me to interact with students from various cultural backgrounds, parts of state and even from other countries. This diversity is spectacular in understanding various mindsets, their way of life. All these diversities converge into a single identity "STUDENT". CUTN is amazing, astonishing, vibrant, vivid and unique. For me, being at CUTN and being a CUTNian is a proud feeling that has no expiry and I'm always fond of relishing it to the core



G Priya
(LLM First year)

CUTN really made a change in me. Here's where I came to know about the real meaning of freedom, thought me to be self reliant and strong. It also gave me the wonderful flock of friends from different departments, which in turn made me look at the world in a different perspective, these friends and their perspective changed the world views in me, from then I have started to see the world in a very passionate way. When you talk about CUTN, you cannot leave out the faculty members here, who are literally my second friends, who became my third eye of knowledge. CUTN

becomes heavenly paradise not only because of people but also because of its pleasant location with a river by the side and it also has peaceful village environment, which matches perfectly to define my world here.

Acknowledgment

We extend our sincere gratitude to our Dean(i/c) Dr.Velmurugan P.S. for his continuous support and guidance. This newsletter would not have been possible without the ample contribution and support from the faculties and students of the Department and we are deeply indebted to their endless effort in this Endeavour.

With kind regards,

LEX INVICTUS Editorial Team
Department of Law, School of Legal Studies
Central University of Tamil Nadu