



AMITY UNIVERSITY

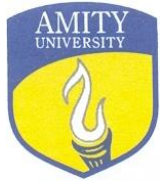
RAJASTHAN

AMITY LAW SCHOOL (ALS)

BBA LL.B. (Hons)

List of students undertaking field project or research projects or internships.

Program Code	Programme name	Name of the students
12215	BBA LLB (H)	Ganesh Sharma
12215	BBA LLB (H)	Khushi Rawat
12215	BBA LLB (H)	Parth Vaza
12215	BBA LLB (H)	Rohit Modh
12215	BBA LLB (H)	Rishika Jain
12215	BBA LLB (H)	Abhimanyu Chundawat
12215	BBA LLB (H)	Anirudh Vyas
12215	BBA LLB (H)	Charul Soni
12215	BBA LLB (H)	Harsh Lodha
12215	BBA LLB (H)	Heeral Devpura
12215	BBA LLB (H)	Isha Patel
12215	BBA LLB (H)	Keshav Dadhich
12215	BBA LLB (H)	Latika Tekwani
12215	BBA LLB (H)	Madhav Choubey
12215	BBA LLB (H)	Muskan Gupta
12215	BBA LLB (H)	Navya Shekhawat
12215	BBA LLB (H)	Parth Guar
12215	BBA LLB (H)	Payal Jhorar
12215	BBA LLB (H)	Radhika Singhal
12215	BBA LLB (H)	Ragini Agarwal
12215	BBA LLB (H)	Rinku Chauhan
12215	BBA LLB (H)	Riya Singh Chauhan
12215	BBA LLB (H)	Shreya Nayak
12215	BBA LLB (H)	Srishti Patwal
12215	BBA LLB (H)	Vedant Bali
12215	BBA LLB (H)	Tarannum
12215	BBA LLB (H)	Aditya Pratap
12215	BBA LLB (H)	Aditya Kumar Upadhyay
12215	BBA LLB (H)	Astha Mishra
12215	BBA LLB (H)	Bhagyashree Chauhan
12215	BBA LLB (H)	Deepti Mudgal
12215	BBA LLB (H)	Mudita Agarwal



AMITY UNIVERSITY

— R A J A S T H A N —

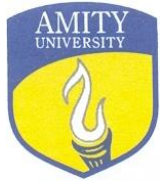
12215	BBA LLB (H)	Riya Raj
12215	BBA LLB (H)	Shikha Singh
12215	BBA LLB (H)	Shriyank Kumar
12215	BBA LLB (H)	Shruti Gupta
12215	BBA LLB (H)	Richa Bohra
12215	BBA LLB (H)	Yashvee Singhal
12215	BBA LLB (H)	Kirti Goyal
12215	BBA LLB (H)	Monika Bagaria
12215	BBA LLB (H)	Gaurav Purohit
12215	BBA LLB (H)	Kashvi Katewa
12215	BBA LLB (H)	Shubham Nawhal
12215	BBA LLB (H)	Arpit Mehta
12215	BBA LLB (H)	Uma Jain
12215	BBA LLB (H)	Shivangi Yadav
12215	BBA LLB (H)	Kanika Wadhvani
12215	BBA LLB (H)	Anmol Sharma
12215	BBA LLB (H)	Shubhi Bhatnagar
12215	BBA LLB (H)	Pooja Kriplani
12215	BBA LLB (H)	Stuti Sanghamitra
12215	BBA LLB (H)	Buvandeep Singh
12215	BBA LLB (H)	Stuti Sanghamitra
12215	BBA LLB (H)	Mudita Dubey
12215	BBA LLB (H)	Shubhi Bhatnagar
12215	BBA LLB (H)	Mudita Dubey
12215	BBA LLB (H)	Pooja Kriplani
12215	BBA LLB (H)	Buvandeep Singh
12215	BBA LLB (H)	Anmol Sharma
12215	BBA LLB (H)	Namrata Sharma
12215	BBA LLB (H)	Shivangi Yadav
12215	BBA LLB (H)	Raj Laxmi
12215	BBA LLB (H)	Rabab Nawab
12215	BBA LLB (H)	Shubhangi Sharma
12215	BBA LLB (H)	Purva
12215	BBA LLB (H)	Nitika Goel
12215	BBA LLB (H)	Saket Kabra
12215	BBA LLB (H)	Krishna Sinojia
12215	BBA LLB (H)	Srishti Soni
12215	BBA LLB (H)	Yash Patwari
12215	BBA LLB (H)	Meghana Tailor
12215	BBA LLB (H)	Akshita Bajaj
12215	BBA LLB (H)	Anirudh Vyas



AMITY UNIVERSITY

— R A J A S T H A N —

12215	BBA LLB (H)	Harsh Lodha
12215	BBA LLB (H)	Heeral Devpura
12215	BBA LLB (H)	Isha Patel
12215	BBA LLB (H)	Kaushiki Sharma
12215	BBA LLB (H)	Keshav Dadhich
12215	BBA LLB (H)	Muskan Gupta
12215	BBA LLB (H)	Parth Gaur
12215	BBA LLB (H)	Radhika Singhal
12215	BBA LLB (H)	Ragini Agarwal
12215	BBA LLB (H)	Rahul Sharma
12215	BBA LLB (H)	Rinku Chauhan
12215	BBA LLB (H)	Shivangi Singh
12215	BBA LLB (H)	Srishti Patwal
12215	BBA LLB (H)	Vivek Khandelwal
12215	BBA LLB (H)	Yash Johari
12215	BBA LLB (H)	Riya Singh Chauhan
12215	BBA LLB (H)	Payal Jhorar
12215	BBA LLB (H)	Yashvee Singhal
12215	BBA LLB (H)	Saksham Soni
12215	BBA LLB (H)	Kashvi Katewa
12215	BBA LLB (H)	Ayush Malik
12215	BBA LLB (H)	Pulkit Joshi
12215	BBA LLB (H)	Sarika Baloda
12215	BBA LLB (H)	Gaurav Purohit
12215	BBA LLB (H)	Stuti Sanghamitra
12215	BBA LLB (H)	Anmol Sharma
12215	BBA LLB (H)	Yashwardhan S Rathore
12215	BBA LLB (H)	Shubhi Bhatnagar
12215	BBA LLB (H)	Dhruv Khurana
12215	BBA LLB (H)	Pooja Kriplani
12215	BBA LLB (H)	Abhijit Mohanty
12215	BBA LLB (H)	Shivangi Yadav
12215	BBA LLB (H)	Harshvi Chaumal
12215	BBA LLB (H)	Smriti Bansal
12215	BBA LLB (H)	Aayushi Devpura
12215	BBA LLB (H)	Aditya Thanvi
12215	BBA LLB (H)	Ajay Saraswat
12215	BBA LLB (H)	Akshat Pokharna
12215	BBA LLB (H)	Anil Jat
12215	BBA LLB (H)	Arpit Mehta
12215	BBA LLB (H)	Arvind Kumar Singh



AMITY UNIVERSITY

— R A J A S T H A N —

12215	BBA LLB (H)	Chitranshu Vaishnav
12215	BBA LLB (H)	Deepanshu Heda
12215	BBA LLB (H)	Dhriti Sharma
12215	BBA LLB (H)	Ishant Prajapati
12215	BBA LLB (H)	Jaswant Pal Bhati
12215	BBA LLB (H)	Jay Kumar Sharma
12215	BBA LLB (H)	Maitrayi Parashar
12215	BBA LLB (H)	Mayank Dadhich
12215	BBA LLB (H)	Mohd Fazil
12215	BBA LLB (H)	Nikhilesh Rahangdale
12215	BBA LLB (H)	Prakriti Ghatiya
12215	BBA LLB (H)	Ritanshu Sharma
12215	BBA LLB (H)	Shubham Nahwal
12215	BBA LLB (H)	Shubhangi Sinha
12215	BBA LLB (H)	Simran Rajesh Bhatnagar
12215	BBA LLB (H)	Suryadev Singh Shaktawat
12215	BBA LLB (H)	Tanisha Goyal
12215	BBA LLB (H)	Tushar Kumar
12215	BBA LLB (H)	Uma Jain
12215	BBA LLB (H)	Umaid Singh Munjal
12215	BBA LLB (H)	Umang Yadav
12215	BBA LLB (H)	Vanshika Sharma
12215	BBA LLB (H)	Vibhu Agarwal

NARPAT SINGH TANWAR

(Advocate)

General Secretary

The Bar Association, Jaipur (1)

Residence –

6, Khandelwal Nagar Ext-A, Opp.

Poultry Farm, Agra Road, Jaipur

Date –

Place – Jaipur

To Whom So Ever It May Concern

This is to certify that Mr. Shubham Nawhal a student of Amity University, pursuing 5th Semester of Third Year LL.B., S/o Sh. Suresh Kumar Sharma R/o 50, Shree Ram Nagar-B, Bhomiya Marg, Jhotwara, Jaipur has undergone internship in under signatory from June 15, 2018 to July 15, 2018.

During the internship period, He has undertaken the following work :-

1. Researched on the procedure of the criminal trials under Code of Criminal Procedure 1973, Complaints under NI Act 1881, Complaint under the Consumer Protection Act 1986.
2. Drafted the comlaints under the Consumer Protection Act 1986, Criminal Complaints and FIR for the Offences of IPC, Case study of pending cases and relevant citiations of Supreme Courts & Various High Courts of India.

We appreciate his internship and willingness to learn work in the new areas, subject and accpet challenging assignments. His Behaviour with the fellow colleaguest as well as clients is highly satisfactory.

Certified today on 22 January 2019 at Jaipur


Narpat Singh Tanwar

Narpat Singh Tanwar
Advocate
Res. E. No. 6, Khandelwal Nagar
Ext.-A, Opp. Poultry Farm
Agra Road, JAIPUR

TO WHOM SO EVER IT MAY CONCERN

This is to certify that Mr. Shubham Nawhal 4th year student of Amity University Jaipur, Rajasthan has meticulously undergone internship with IIFL Finance Limited at Jaipur from 15th June 2020 to 15th September 2020 .

During the tenure of his training we found him punctual, hardworking and inquisitive. He was involved in the legal matters of the company. He has attended NI court, DRT court hearings with the empanelled advocates of our company.

He has done research and worked on various matters such as Section 138 of NI ACT, Arbitration Proceeding under The Arbitration and Conciliation Act 1996, Execution of warrant of attachment, Execution of Bailable / Non Bailable warrants He has assisted in drafting of legal notice, application and reply of legal notices .

We wish him success for his future endeavour.

For IIFL Finance Limited

Authorised Signatory

Date : 15th Sep 2021



India Infoline Finance Limited

Corporate Identity Number: **U67120MH2004PLC147365**

Corporate & Regd. Office: Office No. 802, 8th Floor, Hubtown Solaris, Prof N. S. Phadke Marg, Vijay Nagar, Andheri (East), Mumbai - 400 069

• Tel : (91-22) 6788 1000 • Fax: (91-22) 6788 1010 • E-mail: reach@iifl.com • Website: www.iifl.com

18th JANUARY, 2020

TO WHOM SO EVER IT MAY CONCERN

This is to certify that Mr. SHUBHAM NAWHAL 4th Year student of AMITY UNIVERSITY JAIPUR, RAJASTHAN, has meticulously undergone internship with our firm at Jaipur from 27th DECEMBER 2019- 18th JANUARY, 2020 furthering his practical training during his five -Year Law Course.

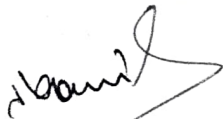
During his internship, he was involved in various legal matters and was exposed to work relating to litigation, corporate laws and arbitration. He reflects immense capabilities of doing research in various areas of law.

He has done research and worked on various matters under different heads of law such as The Constitution of India, 1950, Criminal Procedure Code, 1973, Code of Civil Procedure, 1908, Indian Penal Code, 1860, Prevention of Food Adulteration Act, 1954, Surrogacy (Regulation) Act, 2019, Micro, Small and Medium Enterprises Development Act, 2006, The Rajasthan Tenancy Act, 1955, The Rajasthan Excise Act, 1950, The Registration of Births and Deaths Act, 1969, Payment of Gratuity Act, 1972, Citizenship Amendment Act, 2019, CSS (Pension) Rules, 1972.

He has also assisted in drafting & completing writ petitions and has prepared briefs and has assisted in drafting notices, applications and replies for matters asked as opinions. During his training, his performance and level of knowledge has been excellent. It was a pleasure working with him.

We wish him a bright future ahead.

For PKA Advocates, Jaipur



Manish Priyadarshi
Associate Partner





FHS ||| **LAW**
FIRM

INTERNSHIP CERTIFICATE

This is to certify that

Mr. Shubham Nawhal

has successfully completed the distance internship program which was conducted from
8 June 2020 to 23 July 2020.

During the internship, he has worked on various assignments and has assisted with productive research towards multiple areas of practice such as International Arbitration, Shipping and Maritime, Banking and Finance, Criminal Law, Family Law, and Corporate Document Drafting.

We found dedication and skill in the assignments submitted during the internship and wish him the best for all future endeavors.

Vidur Dhawan
Partner Corporate

FHS Law Firm

Sea Tower, Office No. 201, Raffay Street, Near Abu Dhabi Chamber of Commerce, Corniche Road, Abu Dhabi, UAE
Tel: +971 2 639 9921 | Mob: +971 50 992 7331 | info@fhsfirm.com | www.fhsfirm.com



Certificate of Internship

This to certify that

Shubham Nawhal

Amity Law School, Jaipur

has completed an internship at
Indian School of Law, Policy & Governance (ISLPG)
from February 15, 2021 - March 15, 2021.

During this period, he carried out all tasks assigned
to him in a diligent and conscientious manner and we
wish him the very best in all his future endeavours.

S. Mohanty

SASWAT MOHANTY

Chief Executive Officer
ISLPG

Aditya Singh

ADITYA SINGH

Founder & Chair
ISLPG

Certificate Number: ISLPG/0121/037

Date: 02.08.2021

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Shubham Nawhal, who is presently pursuing his BBA LLB (Honors) from Amity Law School, Amity University, Jaipur, has interned with our firm for the period of 3 months from February 15, 2021 to May 15, 2021.

In the course of his internship, he has worked on various legal matters including, but not limited to:

- Conducted an extensive research and prepared an opinion on legal requirements for facilitation of loan transfer by an Indian company to its sister concern situated abroad as provided under the Companies Act, 2013, FEMA (Foreign Exchange Management Act) Regulations, 1999 and guidelines issued by Reserve Bank of India on external commercial lending.
- Conducted research and prepared a detailed note on short selling of shares and the rights & obligations of a stock broker under BSE, NSE and SEBI.
- Conducted an extensive research and prepared an opinion on legal requirements for the invocation of pledged shares and on licence for NBFC P2P.
- Drafted and reviewed various Agreements, such as Master Service Agreement, Non-Disclosure Agreement, letter of intent and assisted in drafting of Secondment Agreement.
- Conducted prior art search for trademark and patent and assisted in registration thereof.
- Drafted replies to the objections raised in the application filed registration of Trademark.
- Conducted financial due diligence and prepared reports related therewith on various companies.

During his tenure of internship, we have found him to be diligent, sincere and hardworking and he has successfully completed all the work assigned to him.

We wish him every success in life.

For Alternis Ita (AI) Legal Partners



Amav Vats

Managing Partner

PANKAJ KUMAR BOHRA

FAX : 0291-2723518

ADVOCATE

EMAIL:pankajbohra21@yao.com

TO WHOM SO EVER IT MAY CONCERN

This is to certify that MR. Arpit Mehta student of BB.A-LL.B(H), Amity University, Jaipur (Rajasthan) has completed internship from 20.06.2017 to 20.07.2017 in my office. During this period he attended the High Court and Trial Court proceedings and has well acquainted with the various matters going in the Court. He has gone through case studies and through discussion related to sale tax and excise matters in my office.

I found him exceptionally well in the tax purpose of his internship programmed. I wish the very best for his bright and successful career.

Dated: 22 July 2017

Pankaj Kuma Bohra

Advocate

Founder: Jayaprakash Narayan; **Founding President:** V M Tarkunde**President:** Ravi Kiran Jain (U.P.); **General Secretary:** V Suresh (Tamil Nadu); **Treasurer:** Surendra Kumar (Bihar).**Vice-Presidents:** (all names in alphabetic order) **Binayak Sen** (Chhattisgarh); **G. Saraswathi** (Ms.) (TN); **N.D. Pancholi** (Delhi); **P. B. D'Sa** (Karnataka); **Radhakant Saxena** (Rajasthan); **Sanjay Parikh** (Delhi), **Vinay K. Kanth** (Bihar). **Secretaries:** **Kavita Srivastava** (Ms)(Rajasthan); **Nishant Akhilesh** (Jharkhand), **Rohit Prajapati** (Gujarat); **Sudha Bharadwaj** (Chhattisgarh); **Vandana Misra** (Ms.) (U.P.); **Y.J. Rajendra** (Karnataka). **National Organising Secretaries:** **Ajay T.G.** (Chhattisgarh); **Arjun Sheoran** (Punjab);**Nishath Hussain** (Ms.) (Rajasthan); **Ramashray Prasad Singh** (Bihar).

E.mails: <puclnat@gmail.com> & <ndpancholi44@gmail.com>

Please visit our websites: www.pucl.org

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Uma Jain**, the first year student of BBA LL.B(Hons.), *Amity Law School*, Jaipur, worked as an *Intern* with PUCL Delhi from 20th June 2017 to 20th July 2017.

During her internship she studied the working of PUCL as a Human Rights organisation and how it works to protect and promote civil liberties and human rights in the country.

She participated in various meetings and seminars of PUCL, attended proceedings in criminal and civil courts – Tis Hazari Court, Patiala House Court and Delhi High Court. She attends the Press Conference on **Stop Mob Lynching** at Constitution Club. She also attends the discussion on **Human Rights Lawyering** with Nandita Haksar; a documentary film on first war of Indian Independence of 1857 and talk by Prof. Arun Kumar at Gandhi Peace Foundation. She visited Jantar Mantar, New Delhi with a view to learn about the various aspects of agitations and 'Dharnas' of different sections of society.

At the end of the internship she prepared a comprehensive research paper on the issue of "**Right to Education**".

I wish her success in life.



(**N. D. Pancholi**)

President, PUCL Delhi

Mobile: 9811099532

N. D. PANCHOLI

President, PUCL Delhi

Delhi
July 20, 2017

People's Union for Civil Liberties (PUCL)
270-A, Patpar Ganj, Opposite Anand Lok
Apartments (Gate No.-2), Mayur Vihar-I,
Delhi-110 091 (☎ 011-2275 0014)



RAJASTHAN STATE LEGAL SERVICES AUTHORITY

RAJASTHAN HIGH COURT CAMPUS, JAIPUR BENCH, JAIPUR

(Phone: 0141-2227481, 2227555, Help line No.2385877)

(E-mail : rslsajp@gmail.com, rj-slsa@nic.in, website : www.rlsa.gov.in)

No. F-7()/RSLSA/JS/Internship/2016/ 19476

Dated: 26.07.2018

CERTIFICATE FOR INTERNSHIP

Certified that Mr/Ms... UMA JAINs/d/o Mr... MANOJ JAIN
student of... AMITY UNIVERSITY, JAIPUR, RAJASTHAN has
successfully completed the "^{SUMMER} Internship Programme" with RSLSA/District Legal Services Authority,
JODHPUR METROPOLITAN as per directions of Rajasthan State Legal Services Authority, Jaipur
from 02.07.2018 to 26.07.2018 (Total... 21 ^{working} days/months).


Member Secretary

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Uma Jain D/o Sh. Manoj Jain 4th Year student of Amity Law School, Amity University, Rajasthan has meticulously undergone internship at THE LAW DESK, Jaipur office from 15th June 2019 to 15th July 2019 to as a part of her training towards Five Year Law Course.

During the course of her internship she was involved in matters of diverse fields and was exposed to issues pertaining to Indian Contract Act, Information Technology Act, Trade Marks Act, The Motor Vehicles Act and Rajasthan Subordinate Court Ministerial Establishment Rules.

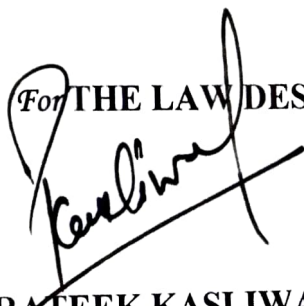
She has also assisted in drafting a reply.

During her internship she has shown keen and genuine interest towards the work assigned to her.

I wish her all success in future endeavors.

Jaipur

Monday, 15th July, 2019

For THE LAW DESK

PRATEEK KASLIWAL

Advocate



MUKHERJI

LAW ASSOCIATES

Ref: OIP/DP-A58-2020

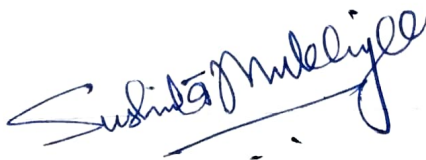
Date: 15-06-2020

This is to certify that **Uma Jain** D/o. **Mr. Manoj Jain** a student of **Amity University Rajasthan** successfully completed her work assignments under our guidance through an Online Internship Program in association with **Droit Penale Group, Prayagraj** form the period 14th May to 14th June 2020.

She joined us through video conferencing on 14th May 2020 and worked under us till 14th June 2020. During her period of work experience, she diligently worked on various matters allotted to her. Through the assignments allotted to her, she relatively covered a wide range of topics ranging from various civil matters to fairly complex criminal matters.

She demonstrated through her work that she possess not only legal acumen but also laudable research skills. Throughout the period she assisted us in matters relating to **Insolvency and Bankruptcy Code, Real Estate Laws in India, Mining Laws in India and Cyber Crimes – Cyber Laws in India**. During her period of association with our chamber she impressed us with her sincere efforts and due diligence.

We wish **Uma** all the best for all her future endeavors. I hope with her diligence and proclivity for research, she will raise the b(B)ar.



(Sushmita Mukherjee)
Managing Partner



(Abhijeet Mukherji)
Managing Partner

CORPORATE OFFICE:

1503, KIDWAI NAGAR, ALLAHPUR, PRAYAGRAJ
PHONE: 0532-2501024

Corporate Office : R-2, First Floor, Tilak Marg, Adjacent to CBI office, C-Scheme, Jaipur - 302005
Registered Office : D-175, Amar Villa Apartment, Bhragu Marg, Banipark, Jaipur - 302016

Date: 10/11/2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Ms. Uma Jain, student of 5th Year B.B.A. LL.B. (Hons.), at Amity University Jaipur has interned at our office from 15th October, 2020 to 10th November, 2020.

During her internship, she worked/assisted on various practice areas of law such as Contract Labour (Regulation & Abolition) Act 1970, Rajasthan Civil Services Appellate Tribunal Act 1976, Co-operative Societies Act 1912, Trademark Act 1999, Companies Act 2013, Rajasthan Land Revenue Act 1956, Insolvency and Bankruptcy Code 2016.

She has also drafted Title Due Diligence Reports for various banking matters and assisted in research work of various critical issues in these practice areas.

During this period, she has shown remarkable keenness and good aptitude towards practical as well as legal aspects of the matters. She has keen interest in studying different branches of law and a mental aptitude to become an efficient lawyer.

We wish her all the best for her future endeavors.

For Amicus Legal Advocates & Consultants




Managing Partner



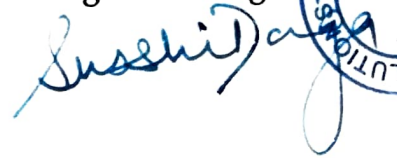

Date: 11/02/2021

To Whomsoever It May Concern

This is to certify that Uma Jain, student of 5th Year B.B.A. LL.B. (Hons.) at Amity University, Jaipur has interned at our office from 17th November, 2020 to 11th February, 2021. During her internship, she has worked and researched on laws such as Transfer of Property's Act of 1882, SARFAESI Act of 2002, Recovery of Debts Due to Banks and Financial Institutions Act of 1993, and various other banking, property and stamp laws. She has ably assisted in providing legal opinion on title verification of properties, preparing and vetting title documents. She has also assisted research and drafting various litigation matters in these areas of law. We found her very sincere, hard working and having an ability to work efficiently in a time bound manner.

We wish her all the best for her future endeavors.

For Amicus Legal Banking Solutions

GYANENDRA KUMAR TRIPATHI

ADVOCATE

KANPUR NAGAR

AT COURT COMPOUND

KANPUR NAGAR

Mob No :- 9839950988, 7068547771

E-mail :- gyanendrakumartripathi1067@gmail.com

Date :- 14-January-2020

Certificate of Excellency

This is certify that Ms. Shivangi Yadav, student of school of Law Amity University. Jaipur, Rajasthan of B.B.A.L.L.B. branch have completed her internship of 5th Semester of 30 days i.e. the period of 15.12.2019 to 14.01.2020 under my guidance.

I have found him to be self-starter who is motivated, duty bound and Hard-working. She perform excellent with well behaviour and she was regular and punctual at time to report before me day to day. She worked sincerely on her assignments and her performance was Par Excellence.

I wish him best of luck for her future.

Gyanendra Kumar Tripathi

Advocate



G. K. Tripathi
Advocate

Court Compound Kanpur Nagar

CHAMBERS OF ABHAS MISHRA
ADVOCATES & CONSULTANTS

DATE: 17.07.2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Shivangi Yadav**, a student of the Third Year of BBA LL.B. at *Amity Law School, Jaipur* affiliated with *Amity University, Rajasthan* was associated with my chambers from 27.06.2020 to 17.07.2020 as a trainee in a web-based internship.

During this period, she actively participated in various cases relating to *Criminal and Family Law*. She also made virtual presentations on Right to Education of Transgenders, POCSO Act and Section 13(1)(ib) of the Hindu Marriage Act, 1955 and showed aptitude in diverse aspects of research as well as understanding of cases.

She is a pleasing person and during the period of internship, she proved to be a promising and resourceful intern even though the entire internship was online and internet based.

I wish her all the best for all her future endeavours.


Abhas Mishra
Advocate



Founder: Jeevan Prakash, AOR, Supreme Court

CERTIFICATE OF INTERNSHIP

This is to certify that **SHIVANGI YADAV**, student of **Amity university** has completed his/her internship of one month commencing from **7-9-2020** under my guidance.

During the internship, he/she made himself/herself familiar with professional skills of (i) in-depth solution-based study of various legal topics to acquire problem-solving skills such as (a) rights of rape survivors, (ii) sex on false promise of marriage, (iii) various aspects of law on FIR, (iv) legal escape route from contractual obligations; (ii) Writing skills to put forward as to the true scope of the law and its interpretation, (iii) Communication skills in the least possible and most effective way; (iv) Leadership skills to grape the opportunity to lead others; (v) advising client on given problem; (vii) Making video on legal topics; (viii) attended virtual court hearing; (ix) assuming social responsibility to spread legal awareness and thereby socialize himself/herself with outside world.

During internship, I have found him/her to be motivated, duty bound, punctual and hard working. He/She has also maintained the daily diary of the task assigned and reported day to day basis.

He/She worked sincerely on his/her assignments and his/her performance was **PAR EXCELLENCE.**

We wish him/her every success and bright future in life.

Date - 8 October, 2020



Jeevan Prakash

AOR, SUPREME COURT



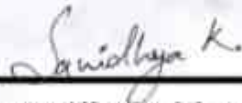
CERTIFICATE OF INTERNSHIP

THIS TO CERTIFY THAT

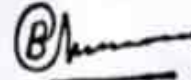
Ms. Shivangi Yadav

of Amity Law School, Jaipur has successfully completed her tenure as a
CAMPUS AMBASSADOR from October 22, 2020, to December 22, 2020.

In her tenure of internship, she had promoted various events. We found her very punctual and hard-working during the internship.



Mr. Sanidhya Kulshreshtha
Founder & C.E.O.
Legallify India



Mr. Bhavya Bihani
Co- Founder
Legallify India

CERTIFICATE OF INTERNSHIP

This certifies that

Ms. Shivangi Yadav, an excellent law intern, who has shown sincerity in work.

has completed the legal internship with us successfully for the month of January, 2021

Certified by S. Bhambri & Associates(Advocates), Delhi.

SOFIA BHAMBRI
MANAGING PARTNER

N. K BHAMBRI
SENIOR ASSOCIATE





Certificate of Internship

This to certify that

Shivangi Yadav

Amity Law School, Jaipur

has completed an internship at
Indian School of Law, Policy & Governance (ISLPG)
from January 04, 2021 - February 04, 2021.

During this period, she carried out all tasks assigned to her in a diligent and conscientious manner and we wish her the very best in all her future endeavours.

S. Mohanty

SASWAT MOHANTY

Chief Executive Officer
ISLPG

Aditya Singh

ADITYA SINGH

Founder & Chair
ISLPG

Certificate Number: ISLPG/0121/006



CERTIFICATE OF INTERNSHIP

THIS CERTIFICATE IS PRESENTED TO

SHIVANGI YADAV

Student of Amity University Jaipur has successfully completed one month "Content Writing Internship" i.e. from 25th January, 2021 to 25th February, 2021.

During the internship we found him/her to be regular, sincere, hardworking and appreciate his/her commitments towards work. We wish him/her a successful future.

SAI VIKRANTH

FOUNDER & PUBLISHER
JLSR JOURNAL [ISSN(O) : 2582-306X]

WAJAHAT ANSARI
Advocate & Legal Consultant
Supreme Court of India
17, Setalvad Block, Bhagwan Das Road
New Delhi-110001
advocatewajahat@yahoo.com
+919810288773

Date: 01.03.2021

TO WHOM IT MAY CONCERN

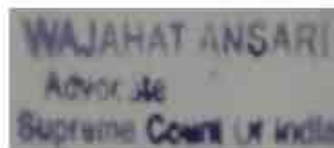
This is to certify that Ms **SHIVANGI YADAV** student of **BBA.LLB. 8th** semester in **4th year** having Enrolment No **A21521517003** of **AMITY UNIVERSITY JAIPUR, AMITY LAW SCHOOL** at **RAJASTHAN** has completed her online internship of one month i.e. the period of **01.02.2021** to **01.03.2021** under my guidance.

During the span of online internship, he/she has participated in the legal group discussion, lectures, webinars, and arguments as well as studied various case files, case laws and judgements for the same. The other parts of her online internship included drafting of various documents, research work and translation of documents.

He/She performed excellently with well behaviour and she is punctual at time to report before me day to day. He/she worked sincerely on her assignments and her performance was **Par Excellence**.

I wish him/her best of luck for his/her future.

YOURS



(WAJAHAT ANSARI)
New Delhi
BCD No. D/1102/98/R

ALL LEGAL SOLUTIONS ADVOCATE AND ASSOCIATES
ALL LEGAL SOLUTIONS ADVOCATE AND ASSOCIATES

CHANDARPAL SINGH SUJAWAT

VIKAS MASSEY



DR. ABHISHEK CHOUDHARY

BHARAT SINGH BHATI

Office : C1 - MOHIT COTTAGE, RAINI VIHAR, AIMER ROAD, JAIPUR 302021

CONTACT : 9462308060, 8107227060

DATE – 09/07/2021

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Miss. Shivangi Yadav** D/o Shri Ramesh Singh Yadav, of BBA.LL.B. (H.) Amity University Rajasthan, (batch 2017-2022) has worked with this association from 08-06-2021 to 08-07-2021 as an intern.

As an intern she was given the responsibility of preparing case note for the seniors and for the purpose of ready reference material while advancing the arguments of the case before different courts in Jaipur on Civil and various miscellaneous matters.

It may be noted that she has also contribute in the area of legal research which included but not limited to finding appropriate case laws, relevant sections and arranging the files besides attending the courts as a learner with seniors to assist them in the areas of criminal, banking and other matters.

We have found her sincere and hard working with rare qualities of mingling with team and complying with the decision of managements and seniors.

Sincerely,

Bharat Singh Bhati

Associate Advocate

All Legal Solutions Advocates

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name :- Kanika Wadhvani

Class :- BBA.LLB(H)

Batch :- 2017-22

Enrollment No.:- A21521517009

Certificate of Internship (At the end of Report)



PRIME LEGAL
LEADERS IN THE LAW OF IDEAS

01.02.2021

CERTIFICATE OF INTERNSHIP

We present this certificate to **MS. KANIKA WADHWANI**, 4th year student of B.B.A.LL.B (HONS.) at Amity Law School, Amity University Rajasthan for successful completion of her online internship with Prime Legal virtually. The internship period was from **Nov 01, 2020 – February 01, 2021**.

The tasks done by her during the internship consisted of summary of latest judgements on daily basis, answering legal queries on various legal platforms, research work and drafting. She demonstrated good research skills with a self-motivated attitude to learn new things. She was willing to put her best efforts and get into the depth of the subject to understand it better.

She is very committed towards work. She is hard working and assiduous in nature and always showed a positive attitude towards all the projects and works assigned to her. We appreciate her hard work, sincerity & dedication and wish her all the success in her life. We are confident that she will be an asset to the profession.

We wish her all the very best for her future endeavors.

**Adv. Anik,
Partner,**



**Adv. Ayantika
Partner,**

Read about us:- www.primelegal.in

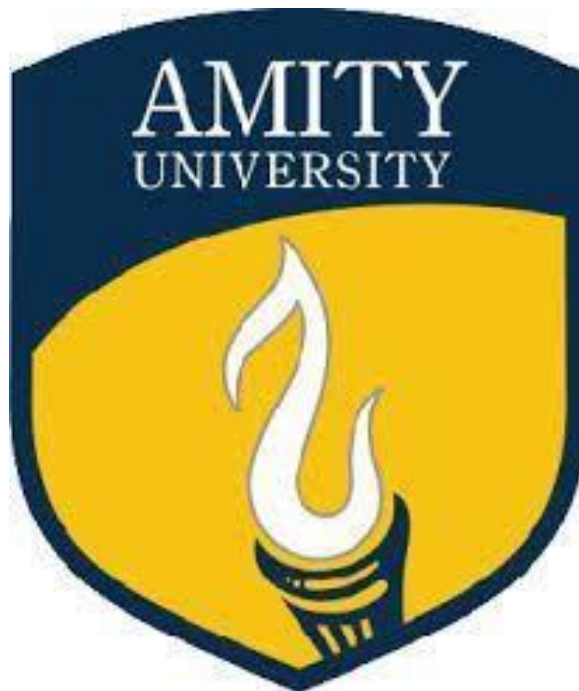
Prime Legal

Bangalore- 28/7, 2nd floor, K G Road, Bangalore 560009 Tel- 080-62281212

Delhi- C-14, Daryaganj Colony, Legal Nagar-02, New Delhi- 110032

Chennai- No. 65, Malabar Street, Parry's, Chennai- 600005 and 22 more places.

**INTERNSHIP DIARY MAINTAINED BY
THE STUDENT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN**



**SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)
Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur**

Submitted by:-

Name :- Anmol Sharma

Class :- BBA.LLB(H)

Batch :- 2017-22

Enrollment No.:- A21521517014

Internship Certificate

BHADAURIA ASSOCIATES

Office :-43, Bhadauria Lawyer's Chamber,
Khatipura Phatak, Jaipur 302012

Ajay Pratap Singh Bhadauria Mob. No. 9251045074
Rajesh Singh Bhadauria Mob. No. 9251044033
Sandeep Singh Bhadauria Mob. No. 9828634848
Advocates
RAJASTHAN HIGH COURT, JAIPUR

Date 27.8.2020

TO WHOM SO EVER IT MAY CONCERN

This is to certify that Mr. Anmol Sharma S/o Shri Rajesh Sharma Student of Semester 7th, of Amity Law School, Amity University of Rajasthan has undergone his internship with Bhadauria Associates Jaipur from 01 June to 30th June 2020.

We wish him very best for his career and future endeavors.

Jaipur
dated 27.8.2020


Signature Advocate
Ajay Pratap Singh Bhadauria
Advocate

J. P. DHANOPIA

M.A., L.L.B.
Advocate

Phone : Office : 2587323
Resl. : 2591965
Mobile : 98260 58732

Office : G-11, Commercial Complex,
D. K. Tower, J. K. Road, Indrapuri,
Bhopal (M. P.)

10.07.2018

CERTIFICATE OF INTERNSHIP

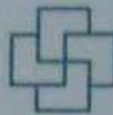
This is to certify that **SHUBHI BHATNAGAR**, studying in 1st year, B.B.A, L.L.B. (Hons.) at Amity University, Rajasthan has successfully completed her internship at our firm from 10.06.2018 to 10.07.2018.

He attended various NCLT sessions and High Court proceedings and worked on cases in the lower courts such as Assistant Courts, City Civil Courts and Small Causes Courts. He was diligent in carrying out legal research at the firm and also ably assisted in drafting notices and affidavits.

I found him quite efficient, observant and hardworking and he showed great interest on the work assigned to him.

Authorised Signatory


(J.P Dhanopia)



LNU

LAXMI NARAYAN UPADHYAY & ASSOCIATES LLP

ADVOCATES & SOLICITORS

BHOPAL OFFICE : UGF-4, Alakhnanda Complex, (Near Vishal Mega Mart) Zone-I, M.P. Nagar, Bhopal - 462011, Ph.: 0755-4274855

BHOPAL OFFICE : M-204, IInd Floor, Vijay Stambh, Zone-1, M.P. Nagar, Bhopal - 462011, Ph.: 0755-4944440

DELHI NCR OFFICE : F-803, Vivek Vihar, Sector-82, Noida - 201305

Contact : 09717578698, 09826424040 | email : mayankupadhyay@lnu.co.in, email : priyankupadhyay@lnu.co.in | Website : www.lnu.co.in

TO WHOMSOEVER IT MAY CONCERN

This is to acknowledge that Ms. Shubhi Bhatnagar, currently pursuing her 2nd year in B.B.A. LL.B. (Hon's) from Amity University, Rajasthan has successfully completed her internship with Trial Courts in Bhopal and High Court of Madhya Pradesh. During her stay she was engaged in various activities.

During this period i.e. from 10.06.2019 to 01.07.2019 she was engaged in the following activities-

1. Witnessed the court procedure.
2. Studied case files.
3. Learnt the nuances of the interlocutory orders in civil cases like Injunction, Substitution of parties, etc. and in criminal cases like Bail, Discharge, etc.
4. Learnt how to file a case in civil and criminal side along with procedural filing.
5. Understood the techniques of writing judgment.
6. Did research for various cases.
7. Mediation Proceedings.

Throughout her internship, Shubhi worked with dedication and enthusiasm, displaying a keen desire to learn and contribute to the work. She has displayed a high level of team spirit during her work. She has very effectively carried out directions and has taken up additional responsibilities readily. She is sincere and hardworking.

I wish her all the best in the future.

Laxmi Narayan Upadhyay & Associates LLP

(PRIYANK UPADHYAY)

Designated Partner



LAW OFFICES OF MITHU JAIN

ADVOCATE ON RECORD
SUPREME COURT OF INDIA

10, TANSEN MARG (FIRST FLOOR)
BENGALI MARKET,
NEW DELHI, 110001, INDIA

EST. 2020

MJ/IC/04/2020

17th December, 2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Ms. Shubhi Bhatnagar, a 4th year BBA. LL.B. (Hons.) student at Amity University Rajasthan, Jaipur was associated with my office, as an Intern for 30 weeks that is between 25.04.2020 till 21.11.2020.

During this period, she has attended the cases listed before the Hon'ble Supreme Court of India and other Tribunals as well as conducted legal research on various branches of law. During this period, she **assisted my office in Drafting Petitions relating to the following areas of law:**

- Plight of migrant labourers during COVID-19 lockdown. (*In Re Problems and Miseries of Migrant Labourers*; SMW(C) No. 6/2020)
- Re-imbursement of Salaries to Doctors front lining COVID-19 (*Dr. Arushi Jain v. Union of India*; W.P. (C) No. 759/2020)
- Consumer Complaint for deficiency of services/medical negligence. (*Dr. Arushi Jain v. Dr. Lal Pathlabs Ltd. & Ors.*)
- The encounter case of Vikas Dubey on behalf of NHRC as an intervener. (*Peoples Union for Civil Liberties and Anr. V. Union of India and Ors*; W.P (Crl) 118/2018)
- Bail application of Atul Gorsawala in the Surat's Coaching centre fire case. (*Dinesh Premjibhai Kevadiya v. Atul Vinodkumar Gorsawala*; SLP(Crl) No. 3534/2020)

Shubhi also researched on:

- The concept of laws pertaining to sexual harassment of women at workplaces [POSH Act, NCW Act, IPC, CrPC].
- The section 34 and 37 of the Arbitration and Conciliation Act, 1996.
- Delhi Special Police Establishment Act (DSPE), 1946.
- Decree of divorce granted by a foreign court and its maintainability in India.

Shubhi is an extremely dedicated and hardworking law student, who has displayed exemplary responsiveness, sincerity and met with deadlines. She will be an asset to any office she joins. I wish her all the best for her future endeavors.

(MITHU JAIN)
Advocate on Record

DESAI & DIWANJI

ADVOCATES, SOLICITORS AND NOTARIES
B – 195, LAJPAT NAGAR PART – I
NEW DELHI – 110 024.
TEL.: +91 (11) 4506 6255/ 2982 5578

24 March 2021

TO WHOMSOEVER IT MAY CONCERN

This certificate of internship is being given to Ms. Shubhi Bhatnagar, 4th year, BBA.LL.B (Hons) from Amity University Rajasthan. Ms. Shubhi has successfully completed her internship at Desai & Diwanji, New Delhi from January 1, 2021 to January 31, 2021.

Ms. Shubhi was primarily involved in research under the Arbitration and Conciliation Act, 1996. Other researches performed by her were related to:

- Anti-arbitration orders and intervention of courts under Section 11 of the Arbitration and Conciliation Act, 1996;
- Validity of foreign awards in India;
- Redaction of confidential portion in a document;
- Unilateral appointment of sole arbitrator;
- Patent illegality, limitation period of appeal and intervention of courts in arbitral awards;
- Orders pronounced by Justice Arun Mishra on BS4 Vehicles;
- Common area maintenance charges in a residential area;
- Nature of offences committed u/s 66 A, 66 C and 67 A, 67 B of the Information Technology Act, 2000. Would the compounding under section 63 of the Information Technology Act, 2000 apply or is it limited to compliance part only?
- Sections 67A and 67B of the Information Technology Act, 2000 relating to bail matters;
- Interim awards under the Arbitration and Conciliation Act, 1996; and
- Whether a construction company / infrastructure company falls within the scope of Shops and Establishments Act of Tamil Nadu.

She was also involved in preparation of a presentation on the Social Security Code, 2020; and preparation of list of dates in various matters.

During the period of her internship she performed her assignments with diligence and we found her sincere and hardworking.

We wish her all the best for her future endeavors.

For Desai And Diwanji



**For Aslam Ahmed
Partner**



Jaipur Office
201, Second Floor,
Coral Studio One,
Lal Kothi, Sahkar Marg,
Jaipur-302015, Rajasthan
Tel: +91-141-22744101
Email: info@tribuslegal.in

Ref: JPR/2021/02/COI-02

Dated: 19th, March, 2021


CERTIFICATE OF INTERNSHIP

This is to certify that **MS. SHUBHI BHATNAGAR**, Enr. no. A21521517017, Amity University Jaipur has successfully completed her 4 weeks of internship period, starting from 15th, February, 2021, under the guidance of undersigned.

During the internship period, she was found to be diligent and motivated. She has interned with our Commercial Dispute & Litigation Practice team.

We wish her all the best.

For Tribus Legal,


HANS HONEY KHARI
ADVOCATE,
RAJASTHAN HIGH COURT, JAIPUR





26.07.2021

TO WHOSOEVER IT MAY CONCERN

THIS IS TO CERTIFY THAT Ms. SHUBHI BHATNAGAR D/O MR. VIRENDRA BHATNAGAR WHO IS PURSUING HER BBA LLB (Hons) (8th SEM.) FROM AMITY UNIVERSITY RAJASTHAN, AMITY LAW SCHOOL, JAIPUR HAS INTERNED WITH OUR OFFICE FROM 05th JULY, 2021 TO 26th JULY, 2021.

DURING THE COURSE OF HER INTERNSHIP, SHE HAS BEEN INVOLVED IN DIFFERENT AREAS OF LAW PRACTICE INCLUDING THE ARBITRATION AND CONCILIATION ACT, 1996, BANKING LAWS, AS WELL AS, SHE HAS DONE EXTENSIVE RESEARCH AND DRAFTING WORK IN DIFFERENT AREAS.

SHE EXHIBITED STRONG ETHICAL VALUES AND COMMITMENT TOWARDS THE PROFESSION. DURING HER INTERNSHIP SHE HAS SHOWN KEEN AND GENUINE INTEREST TOWARDS THE WORK ASSIGNED TO HER. WE WISH HER SUCCESS IN ALL HER FUTURE ENDEAVORS.

AKHIL MODI

ADVOCATE

AKHIL MODI

51-52, VIJAY NAGAR

KARTARPURA PHATAK

JAIPUR-302006 (RAJ.)

AKHIL MODI AND ASSOCIATES

Akhil Modi & Associates

Corp. Off. : 51-52, Vijay Nagar, Kartarpura, Jaipur - 302 006, India. Tel.: 0141 2500384, Fax: 0141 2504201

www.akhilmodi.com



RENAISSANCE

THE HISTORY RESEARCH INTERNSHIP

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Pooja Kriplani successfully completed a month long History Research Internship by Think India Tribal Rights Forum and Maharana of Mewar Charitable Foundation, with researching on the topic "*Childcare & Education of Mewar Tribes*" from 15th January 2021 to 15th February 2021.

During this period Pooja acted as an enthusiastic and dedicated individual along with completing her work on time. She further came up with various ideas and suggestions that improvised the submission.

Pooja has been a punctual and disciplined intern. Her detailed research articles reflected the diligent work she put in during the internship. She is an indispensable asset to any organization that works with her.

We wish her a great future ahead.

Bhupendra Singh Auwa

Administrator in Chief
MMCF, The City Palace Museum, Udaipur

Pradhumna Malpani

Incharge
Think India Tribal Rights Forum



Oil and Natural Gas Corporation Limited

Skill Development Centre

SI. No. SDC-MUM/37/WINTER-TRG/2020-21

Work Centre: Mumbai

CERTIFICATE

This is to certify that Ms. Stuti Sanghamitra a student of Amity Law School, Jaipur pursuing BBA, LLB -(HONS) has successfully undergone Winter Training w.e.f 1.12.2021 to 31.12.2021 at Legal Section under the mentorship of Saumya Raj, DCLA.

She has completed her Project work on Nuances & Applicability of arbitration & Conciliation Act, 1996 under various matters & cases and Succession Laws in India

We wish her all success in her academic endeavours and life.

Date: 08.02.2022

Place : Mumbai

Training Co-ordinator

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of Amity Law School, AUR,
Jaipur

Submitted By:-

Name:- BUVANDEEP SINGH

Class- BBA LLB (Hons.), VIII Semester

Batch:- 2017-2022

Enrollment No.: -A21521517029

Internship Report

Name: Mudita Dubey

Fathers Name: Dharmeshwar Dubey

University: Amity Law School, Amity University, Jaipur

Year: 9th Semester (5th Year)

Date: 1st December 2021 – 31st December 2021

Drafting Assignments:

1. Updated dates and case status of the cases listed.
2. Drafted a Legal Opinion on a case “ Whether to compliance with the State Commission’s Order or should appeal Further”
3. Drafted a Legal Opinion of an ongoing case on “ Holding the No Objection Certificate or to Release it”
4. Drafted 5 Replies of Legal Notices of ongoing cases for full payment of the financed loan amount.
5. Drafted 2 Rejoinders
6. Drafted Application of Section 8 for permanent Injunction.

Research Assignments:

1. Research on Arbitration and Cross Liability clauses in an Agreement and vetted relevant case laws.
2. Research on Stamp Duty and Registration fees

Ref: MMFSL/JANUARY2022/PRJTR/HRD

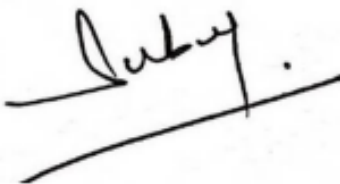
Date: January 17, 2022

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Mudita Dubey** has successfully completed her internship program at our organization for a period from **December 01, 2021 to December 31, 2021**. We have found her to be dedicated and of analytical bent of mind.

We wish her success in all her future endeavors.

For **MAHINDRA & MAHINDRA FINANCIAL SERVICES LIMITED.**



AUTHORISED SIGNATORY

J. P. DHANOPIA

M.A., L.L.B.
Advocate

Phone : Office : 2587323
Resl. : 2591965
Mobile : 98260 58732

Office : G-11, Commercial Complex,
D. K. Tower, J. K. Road, Indrapuri,
Bhopal (M. P.)

10.07.2018

CERTIFICATE OF INTERNSHIP

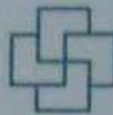
This is to certify that **SHUBHI BHATNAGAR**, studying in 1st year, B.B.A, L.L.B. (Hons.) at Amity University, Rajasthan has successfully completed her internship at our firm from 10.06.2018 to 10.07.2018.

He attended various NCLT sessions and High Court proceedings and worked on cases in the lower courts such as Assistant Courts, City Civil Courts and Small Causes Courts. He was diligent in carrying out legal research at the firm and also ably assisted in drafting notices and affidavits.

I found him quite efficient, observant and hardworking and he showed great interest on the work assigned to him.

Authorised Signatory


(J.P Dhanopia)



LNU

LAXMI NARAYAN UPADHYAY & ASSOCIATES LLP

ADVOCATES & SOLICITORS

BHOPAL OFFICE : UGF-4, Alakhnanda Complex, (Near Vishal Mega Mart) Zone-I, M.P. Nagar, Bhopal - 462011, Ph.: 0755-4274855

BHOPAL OFFICE : M-204, IInd Floor, Vijay Stambh, Zone-1, M.P. Nagar, Bhopal - 462011, Ph.: 0755-4944440

DELHI NCR OFFICE : F-803, Vivek Vihar, Sector-82, Noida - 201305

Contact : 09717578698, 09826424040 | email : mayankupadhyay@lnu.co.in, email : priyankupadhyay@lnu.co.in | Website : www.lnu.co.in

TO WHOMSOEVER IT MAY CONCERN

This is to acknowledge that Ms. Shubhi Bhatnagar, currently pursuing her 2nd year in B.B.A. LL.B. (Hon's) from Amity University, Rajasthan has successfully completed her internship with Trial Courts in Bhopal and High Court of Madhya Pradesh. During her stay she was engaged in various activities.

During this period i.e. from 10.06.2019 to 01.07.2019 she was engaged in the following activities-

1. Witnessed the court procedure.
2. Studied case files.
3. Learnt the nuances of the interlocutory orders in civil cases like Injunction, Substitution of parties, etc. and in criminal cases like Bail, Discharge, etc.
4. Learnt how to file a case in civil and criminal side along with procedural filing.
5. Understood the techniques of writing judgment.
6. Did research for various cases.
7. Mediation Proceedings.

Throughout her internship, Shubhi worked with dedication and enthusiasm, displaying a keen desire to learn and contribute to the work. She has displayed a high level of team spirit during her work. She has very effectively carried out directions and has taken up additional responsibilities readily. She is sincere and hardworking.

I wish her all the best in the future.

Laxmi Narayan Upadhyay & Associates LLP

(PRIYANK UPADHYAY)

Designated Partner



LAW OFFICES OF MITHU JAIN

ADVOCATE ON RECORD
SUPREME COURT OF INDIA

10, TANSEN MARG (FIRST FLOOR)
BENGALI MARKET,
NEW DELHI, 110001, INDIA

EST. 2020

MJ/IC/04/2020

17th December, 2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Ms. Shubhi Bhatnagar, a 4th year BBA. LL.B. (Hons.) student at Amity University Rajasthan, Jaipur was associated with my office, as an Intern for 30 weeks that is between 25.04.2020 till 21.11.2020.

During this period, she has attended the cases listed before the Hon'ble Supreme Court of India and other Tribunals as well as conducted legal research on various branches of law. During this period, she **assisted my office in Drafting Petitions relating to the following areas of law:**

- Plight of migrant labourers during COVID-19 lockdown. (*In Re Problems and Miseries of Migrant Labourers*; SMW(C) No. 6/2020)
- Re-imbursement of Salaries to Doctors front lining COVID-19 (*Dr. Arushi Jain v. Union of India*; W.P. (C) No. 759/2020)
- Consumer Complaint for deficiency of services/medical negligence. (*Dr. Arushi Jain v. Dr. Lal Pathlabs Ltd. & Ors.*)
- The encounter case of Vikas Dubey on behalf of NHRC as an intervener. (*Peoples Union for Civil Liberties and Anr. V. Union of India and Ors*; W.P (Crl) 118/2018)
- Bail application of Atul Gorsawala in the Surat's Coaching centre fire case. (*Dinesh Premjibhai Kevadiya v. Atul Vinodkumar Gorsawala*; SLP(Crl) No. 3534/2020)

Shubhi also researched on:

- The concept of laws pertaining to sexual harassment of women at workplaces [POSH Act, NCW Act, IPC, CrPC].
- The section 34 and 37 of the Arbitration and Conciliation Act, 1996.
- Delhi Special Police Establishment Act (DSPE), 1946.
- Decree of divorce granted by a foreign court and its maintainability in India.

Shubhi is an extremely dedicated and hardworking law student, who has displayed exemplary responsiveness, sincerity and met with deadlines. She will be an asset to any office she joins. I wish her all the best for her future endeavors.

(MITHU JAIN)
Advocate on Record

DESAI & DIWANJI

ADVOCATES, SOLICITORS AND NOTARIES
B – 195, LAJPAT NAGAR PART – I
NEW DELHI – 110 024.
TEL.: +91 (11) 4506 6255/ 2982 5578

24 March 2021

TO WHOMSOEVER IT MAY CONCERN

This certificate of internship is being given to Ms. Shubhi Bhatnagar, 4th year, BBA.LL.B (Hons) from Amity University Rajasthan. Ms. Shubhi has successfully completed her internship at Desai & Diwanji, New Delhi from January 1, 2021 to January 31, 2021.

Ms. Shubhi was primarily involved in research under the Arbitration and Conciliation Act, 1996. Other researches performed by her were related to:

- Anti-arbitration orders and intervention of courts under Section 11 of the Arbitration and Conciliation Act, 1996;
- Validity of foreign awards in India;
- Redaction of confidential portion in a document;
- Unilateral appointment of sole arbitrator;
- Patent illegality, limitation period of appeal and intervention of courts in arbitral awards;
- Orders pronounced by Justice Arun Mishra on BS4 Vehicles;
- Common area maintenance charges in a residential area;
- Nature of offences committed u/s 66 A, 66 C and 67 A, 67 B of the Information Technology Act, 2000. Would the compounding under section 63 of the Information Technology Act, 2000 apply or is it limited to compliance part only?
- Sections 67A and 67B of the Information Technology Act, 2000 relating to bail matters;
- Interim awards under the Arbitration and Conciliation Act, 1996; and
- Whether a construction company / infrastructure company falls within the scope of Shops and Establishments Act of Tamil Nadu.

She was also involved in preparation of a presentation on the Social Security Code, 2020; and preparation of list of dates in various matters.

During the period of her internship she performed her assignments with diligence and we found her sincere and hardworking.

We wish her all the best for her future endeavors.

For Desai And Diwanji



**For Aslam Ahmed
Partner**



Jaipur Office
201, Second Floor,
Coral Studio One,
Lal Kothi, Sahkar Marg,
Jaipur-302015, Rajasthan
Tel: +91-141-22744101
Email: info@tribuslegal.in

Ref: JPR/2021/02/COI-02

Dated: 19th, March, 2021


CERTIFICATE OF INTERNSHIP

This is to certify that **MS. SHUBHI BHATNAGAR**, Enr. no. A21521517017, Amity University Jaipur has successfully completed her 4 weeks of internship period, starting from 15th, February, 2021, under the guidance of undersigned.

During the internship period, she was found to be diligent and motivated. She has interned with our Commercial Dispute & Litigation Practice team.

We wish her all the best.

For Tribus Legal,


HANS HONEY KHARI
ADVOCATE,
RAJASTHAN HIGH COURT, JAIPUR





26.07.2021

TO WHOSOEVER IT MAY CONCERN

THIS IS TO CERTIFY THAT Ms. SHUBHI BHATNAGAR D/O MR. VIRENDRA BHATNAGAR WHO IS PURSUING HER BBA LLB (Hons) (8th SEM.) FROM AMITY UNIVERSITY RAJASTHAN, AMITY LAW SCHOOL, JAIPUR HAS INTERNEED WITH OUR OFFICE FROM 05th JULY, 2021 TO 26th JULY, 2021.

DURING THE COURSE OF HER INTERNSHIP, SHE HAS BEEN INVOLVED IN DIFFERENT AREAS OF LAW PRACTICE INCLUDING THE ARBITRATION AND CONCILIATION ACT, 1996, BANKING LAWS, AS WELL AS, SHE HAS DONE EXTENSIVE RESEARCH AND DRAFTING WORK IN DIFFERENT AREAS.

SHE EXHIBITED STRONG ETHICAL VALUES AND COMMITMENT TOWARDS THE PROFESSION. DURING HER INTERNSHIP SHE HAS SHOWN KEEN AND GENUINE INTEREST TOWARDS THE WORK ASSIGNED TO HER. WE WISH HER SUCCESS IN ALL HER FUTURE ENDEAVORS.

AKHIL MODI

ADVOCATE

AKHIL MODI

51-52, VIJAY NAGAR

KARTARPURA PHATAK

JAIPUR-302006 (RAJ.)

AKHIL MODI AND ASSOCIATES

Akhil Modi & Associates

Corp. Off. : 51-52, Vijay Nagar, Kartarpura, Jaipur - 302 006, India. Tel.: 0141 2500384, Fax: 0141 2504201

www.akhilmodi.com

Internship Report

Name: Mudita Dubey

Fathers Name: Dharmeshwar Dubey

University: Amity Law School, Amity University, Jaipur

Year: 9th Semester (5th Year)

Date: 1st December 2021 – 31st December 2021

Drafting Assignments:

1. Updated dates and case status of the cases listed.
2. Drafted a Legal Opinion on a case “ Whether to compliance with the State Commission’s Order or should appeal Further”
3. Drafted a Legal Opinion of an ongoing case on “ Holding the No Objection Certificate or to Release it”
4. Drafted 5 Replies of Legal Notices of ongoing cases for full payment of the financed loan amount.
5. Drafted 2 Rejoinders
6. Drafted Application of Section 8 for permanent Injunction.

Research Assignments:

1. Research on Arbitration and Cross Liability clauses in an Agreement and vetted relevant case laws.
2. Research on Stamp Duty and Registration fees

Ref: MMFSL/JANUARY2022/PRJTR/HRD

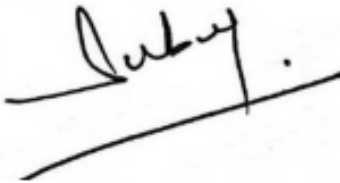
Date: January 17, 2022

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Mudita Dubey** has successfully completed her internship program at our organization for a period from **December 01, 2021 to December 31, 2021**. We have found her to be dedicated and of analytical bent of mind.

We wish her success in all her future endeavors.

For **MAHINDRA & MAHINDRA FINANCIAL SERVICES LIMITED.**



AUTHORISED SIGNATORY



RENAISSANCE

THE HISTORY RESEARCH INTERNSHIP

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Pooja Kriplani successfully completed a month long History Research Internship by Think India Tribal Rights Forum and Maharana of Mewar Charitable Foundation, with researching on the topic "*Childcare & Education of Mewar Tribes*" from 15th January 2021 to 15th February 2021.

During this period Pooja acted as an enthusiastic and dedicated individual along with completing her work on time. She further came up with various ideas and suggestions that improvised the submission.

Pooja has been a punctual and disciplined intern. Her detailed research articles reflected the diligent work she put in during the internship. She is an indispensable asset to any organization that works with her.

We wish her a great future ahead.

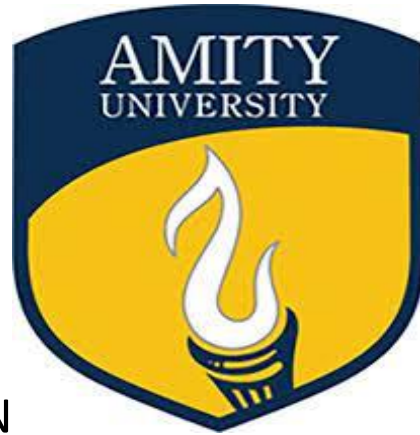
Bhupendra Singh Auwa

Administrator in Chief
MMCF, The City Palace Museum, Udaipur

Pradhumna Malpani

Incharge
Think India Tribal Rights Forum

INTERNSHIP DIARY MAINTAINED BY THE STUDENT
AMITY LAW SCHOOL



AMITY UNIVERSITY RAJASTHAN

SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of Amity Law School, AUR,
Jaipur

Submitted By:-

Name:- BUVANDEEP SINGH

Class- BBA LLB (Hons.), VIII Semester

Batch:- 2017-2022

Enrollment No.:-A21521517029

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATIONS

DAY 1

1. DATE & TIME :-February 15,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:- N.A

5. NATURE OF ASSIGNMENT :- RESEARCH WORK

6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :- THE PERMISSIONS AND THE LEGAL COMPLICASES WERE OBSERVED THAT AREREQUIRED FOR A FRANCHISE AGREEMENT

8. TASK ASSIGNED TO THE INTERN :- WHAT ARE THE LEGAL COMPLICATIONS FOR A FRANCHISE AGREEMENT

DEATILED REPORT OF DAILY PROCEEDINGS & OBSERVATIONS

DAY 2

1 . DATE & TIME :-February 16,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:- N.A
5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :- THE PERMISSIONS AND THE LEGAL COMPLICATIONS WERE OBSERVED THAT ARE REQUIRED FOR A FRANCHISE AGREEMENT
8. TASK ASSIGNED TO THE INTERN :-WHAT ARE THE LEGAL COMPLICASES FOR A FRANCHISE AGREEMENT

DEATILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 3

- 1 . DATE & TIME :-February 17,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:- N.A
5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-I GOT TO KNOW ABOUT THE DETAILS TO BE MENTIONED AND THE FORMAT OF THE EMPLOYMENT CONTRACT OF EMPLOYEES WORKING IN FOREIGN EMBASSY LOCATED IN INDIA
8. TASK ASSIGNED TO THE INTERN :-MODEL EMPLOYMENT CONTRACT OF EMPLOYEES WORKING IN FOREIGN EMBASSY LOCATED IN INDIA

DETAILED REPORT OF

DAILY PROCEEDINGS & OBSERVATIONS

DAY 4

- 1 . DATE & TIME :-February 18,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION

INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A

5. NATURE OF ASSIGNMENT :-RESEARCH WORK

6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :-I GOT TO KNOW WHAT IS PROTOCOL HANDBOOK AND HOW TO TAKE IT OUT FROM THE RELEVANT SITE

8. TASK ASSIGNED TO THE INTERN :- TAKE OUT PROTOCOL HANDBOOK FROM THE MINISTRY OF EXTERNAL AFFAIRS AND READ THE SAME.

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 5

1 . DATE & TIME :-February 19,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:- N,A

5. NATURE OF ASSIGNMENT :-RERA OFFICE VISIT

6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :- I GOT TO KNOW ABOUT THE REGISTRATION REQUIRED UNDER RERA, THEN ABOUT THE DIFFERENT FORMS APPLICABLE FOR RELIEF,REGISTRATION etc, AND THE REMEDY FOR THE HOMEBUYERS.

8. TASK ASSIGNED TO THE INTERN :-VISIT RERA

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 6

1 . DATE & TIME :-February 20,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-CONFIDENTIAL
5. NATURE OF ASSIGNMENT :-DRAFTING WORK
6. STAGE OF PROCEEDINGS/CASE :-REPLY TO THE REVISION PETITION
7. OBSERVATIONS OF INTERN :-I OBSERVED HOW A REPLY IS TO BE DRAFTED TO A REVISION PETITION
8. TASK ASSIGNED TO THE INTERN :- DRAFT REPLY TO THE REVISION PETITION

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 7

- 1 . DATE & TIME :-February 21,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-CONFIDENTIAL
5. NATURE OF ASSIGNMENT :-DRAFTING WORK
6. STAGE OF PROCEEDINGS/CASE :-REPLY TO REVISION PETITION
7. OBSERVATIONS OF INTERN :-I OBSERVED HOW A REPLY IS TO BE DRAFTED TO A REVISION PETITION
8. TASK ASSIGNED TO THE INTERN :- INCORPORATE THE CHANGES IN THE REPLY DRAFT

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 8

- 1 . DATE & TIME :-February 22,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-CONFIDENTIAL
5. NATURE OF ASSIGNMENT :-CASE BRIEF
6. STAGE OF PROCEEDINGS/CASE :-APPEAL TO NCLAT
7. OBSERVATIONS OF INTERN :-IN THIS CASE THE APPEAL WAS MADE UNDER SECTION 421 OF THE COMPANIES ACT 2013 AND IT WAS AGAINST THE IMPUGNED ORDER BY NCLT BENCH AT NEW DELHI UNDER SECTION 397 AND 398 OF THE ACT.
8. TASK ASSIGNED TO THE INTERN :-PREPARE CASE BRIEF

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 9

1. DATE & TIME :-February 23,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-CONFIDENTIAL
5. NATURE OF ASSIGNMENT :-BRIEF OF THE CASE
6. STAGE OF PROCEEDINGS/CASE :- N.A
7. OBSERVATIONS OF INTERN :-IT WAS A REVISION PETITION UNDER SECTION 21 (B) OF THE CONSUMER PROTECTION ACT,1986 AND WAS AGAINST THE FINAL ORDER PASSED BY THE HON'BLE SCDC
8. TASK ASSIGNED TO THE INTERN :-PREPARE CASE BRIEF

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 10

1. DATE & TIME :-February 24,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A

5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-NA
7. OBSERVATIONS OF INTERN :-I OBSERVED THE DUTIES OF THE PROMOTER UNDER RERA
8. TASK ASSIGNED TO THE INTERN :-FIND THE CASE REFERENCE FOR DUTIES OF THE PROMOTER UNDER RERA 2016.

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 11

1. DATE & TIME :-February 25,2021,11:00 AM.
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-RESERACH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :-SECTION 38(1) OF THE IBC,2016 READ WITH REGULATIONS 12(2)(b)ofIBIBI REGULATIONS,2016 REQUIRES

8. TASK ASSIGNED TO THE INTERN :-PREPARE A REPORT ON PROVISIONS WITH THE CASE LAWS ON LIMITATION LAW FOR CLAIM FILING BEFORE LIQUIDATOR

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY12

1 . DATE & TIME :-February 26,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A

5. NATURE OF ASSIGNMENT :-DRAFTING WORK

6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :- I OBSERVED THE DETAILS

THAT ARE TO BE MENTIONED IN THE PROOF OF CLAIM AND FORMS AND FORMAT OF THE SAME.IT IS IN FORM D,UNDER SCHEDULE 2

8. TASK ASSIGNED TO THE INTERN :-DRAFT PROOF OF CLAIM OF FINANCIAL CREDITOR

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 13

1. DATE & TIME :-February 27,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A

5. NATURE OF ASSIGNMENT :-RESEARCH WORK

6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :-FOUND OUT THE CASE REFERENCES ON THE GIVEN PROPOSITION

8. TASK ASSIGNED TO THE INTERN :-CASES ON CLAIM OF A HOMEBUYER BEFORE LIQUIDATOR WHOSE ALLOTMENT HAS BEEN CANCELLED

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 14

1. DATE & TIME :-February 28,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A

5. NATURE OF ASSIGNMENT :-RESEARCH WORK

6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :-FOUND OUT THE CASE
REFERENCES ON THE SAID PROPOSITION

8. TASK ASSIGNED TO THE INTERN :-:-CASES ON CLAIM OF A
HOMEBUYER BEFORE LIQUIDATOR WHOSE ALLOTMENT HAS

BEEN CANCELLED

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 15

1. DATE & TIME :-MARCH 1,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-FOUND OUT THE CASES ON
THE GIVEN PROPOSITION
8. TASK ASSIGNED TO THE INTERN :-CASE LAWS ON
WHETHER THE ACCUSED STAND TO GAIN THE BENEFIT OF
DOUBT WHEN THE WITNESS IS NOT SO SURE ABOUT THE
HAPPENING OF AN INCIDENT

DETAILED REPORT OF

DAILY PROCEEDINGS & OBSERVATIONS

DAY16

1. DATE & TIME :-MARCH 2,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-FOUND OUT THE CASES ON
THE GIVEN PROPOSITION
8. TASK ASSIGNED TO THE INTERN :-CASES ON THE
ALTERNATE VERSION OF THE ACCUSED OR WHERE THERE IS
MORE THAN ONE HYPOTHESIS

DETAILED REPORT OF

DAILY PROCEEDINGS & OBSERVATIONS

DAY 17

1. DATE & TIME :-MARCH 3,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-FOUND THE CASES ON THE GIVEN PROPOSITION
8. TASK ASSIGNED TO THE INTERN :-CASES ON NON RELAIABILITY ON THE TESTIMONY OF EYEWITNESS, PLEA OF ALIBI AND SECTION 32 OF THE EVIDENCE ACT

DEATILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY18(HOLIDAY)

- 1 . DATE & TIME :-MARCH 4,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-N.A
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-N.A
8. TASK ASSIGNED TO THE INTERN :-N.A

DEATEILED REPORT OF DAILY PROCEEDINGS & OBSERVATIONS

DAY 19(HOLIDAY)

- 1 . DATE & TIME :-MARCH 5,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH

WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-N.A
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-N.A
8. TASK ASSIGNED TO THE INTERN ; -N.A

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATIONS

DAY

20(HOLIDAY)

- 1 . DATE & TIME :-MARCH 6,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-N.A
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-N.A
8. TASK ASSIGNED TO THE INTERN :-N.A

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATIONS

DAY 21(HOLIDAY)

1. DATE & TIME :-MARCH 7,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-N.A
6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :-N.A
8. TASK ASSIGNED TO THE INTERN :-N.A

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 22

1. DATE & TIME :-MARCH 8,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-VISIT NCLT JAIPUR
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-FORMS IN WHICH THE
APPLICATION SHOULD BE FILED AND THE FEES FOR THE
APPLICATION
8. TASK ASSIGNED TO THE INTERN :-VISIT NCLT OFFICE AND

FIND OUT ABOUT THE FORMS AND FORMATS

DETAILED REPORT OF

DAILY PROCEEDINGS & OBSERVATIONS

DAY 23

1. DATE & TIME :-MARCH 9,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN
PRESENCE:-CONFIDENTIAL
5. NATURE OF ASSIGNMENT :-CASE BRIEF
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-THE CASE IS LISTED IN THE
DEBTS RECOVERY TRIBUNAL AND IS TO BE LISTED ON THE NEXT
DATE FOR VAKALAT AND OBJECTION
8. TASK ASSIGNED TO THE INTERN :-PREPARE CASE BRIEF

DETAILED REPORT OF

DAILY PROCEEDINGS & OBSERVATIONS

DAY 24

1. DATE & TIME :-MARCH 10,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN
PRESENCE:-CONFIDENTIAL
5. NATURE OF ASSIGNMENT :-CASE BRIEF
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-THE APPLICANT DIDNOT FILE
THE REJOINDER TO THE REPLY AND THE CASE IS TO BE LISTED
8. TASK ASSIGNED TO THE INTERN :-PREPARE CASE BRIEF

DETAILED REPORT OF

DAILY PROCEEDINGS & OBSERVATIONS

DAY 25(HOLIDAY)

1. DATE & TIME :-February 15,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-NA
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-N.A
8. TASK ASSIGNED TO THE INTERN :-N.A

DEAILED REPORT OF DAILY PROCEEDINGS & OBSERVATIONS

DAY 26 (HOLIDAY)

1. DATE & TIME :-MARCH 12,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A

5. NATURE OF ASSIGNMENT :-N.A

6. STAGE OF PROCEEDINGS/CASE :-N.A

7. OBSERVATIONS OF INTERN :-N.A

8. TASK ASSIGNED TO THE INTERN :-N.A

DETAILED REPORT OF

DAILY PROCEEDINGS & OBSERVATIONS

DAY 27

1. DATE & TIME :-MARCH 13,2021,11:00 AM

2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT

3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-FOUND OUT CASE ON THE GIVEN PROPOSITION
8. TASK ASSIGNED TO THE INTERN :-CASES ON WITHDRAWL OF SUIT AFTER PRELIMINARY DECREE

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATIONS

DAY 28(HOLIDAY)

1. DATE & TIME :-MARCH 14,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-N.A

6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-N.A
8. TASK ASSIGNED TO THE INTERN :-N.A

DETAILED REPORT OF
DAILY PROCEEDINGS & OBSERVATIONS

DAY 29

1. DATE & TIME :-MARCH 15,2021,11:00 AM
2. NAME OF THE COURT/LAW FIRM/ORAGNISATION
INSTITUTION :-JAMMU HIGH COURT
3. NAME OF THE ADVOCATE/INDUSTRY CONCERN WITH
WHOSE CASE ATTACHED:-

Adv.SANDEEP SINGH

4. NAME OF PARTIES DEAL WITH IN PRESENCE:-N.A
5. NATURE OF ASSIGNMENT :-RESEARCH WORK
6. STAGE OF PROCEEDINGS/CASE :-N.A
7. OBSERVATIONS OF INTERN :-FOUND OUT THE CASE ON
THE GIVEN PROPOSITION
8. TASK ASSIGNED TO THE INTERN :-CASESON STATUS OF

MEMBERSHIP OF DIRECTORS IN A PRIVATE COMPANY AFTER BEING BY NCLT

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

Day 1

1. Date & Time: - January 1, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found out the cases on the given proposition
8. Task Assigned to the Intern: Research on Anti-Arbitration order and Intervention of Courts under Section 11 of the Arbitration and

Conciliation Act.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 2

1. Date & Time: - January 2, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found the cases on given proposition.
8. Task Assigned to the Intern: Research on anti-arbitration order, validity of foreign orders in India and the provisions for appeal against the emergency award under SIAC.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 3

1. Date & Time: - January 3, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found the cases relevant to the proposition.
8. Task Assigned to the Intern: Research on section 11 of the Arbitration and Conciliation Act and interpretation of courts if conduct of the parties could be considered as a definitive agreement.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 4

1. Date & Time: - January 4, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found the cases on the given proposition.
8. Task Assigned to the Intern: Research on foreign judgements related to redaction of confidential portion in a document.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 5

1. Date & Time: - January 5, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Read thoroughly about the social security code, 2020 provisions.
8. Task Assigned to the Intern: Make presentation on the Social Security Code, 2020.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 6

1. Date & Time: - January 6, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - AdvSANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Observed the nuances of the code and also read the grounds for challenging the arbitral award in depth.
8. Task Assigned to the Intern: Incorporate changes in the Social Security Code, 2020 presentation and research on Patent illegality as a ground to challenge the arbitral award under section 34, period of limitation for filing of an appeal under Section 37, circumstances for interference of courts with the arbitral awards under the A&C Act.

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

Day 7

1. Date & Time: - January 7, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Read various cases to get clarity on the said proposition.
9. Task Assigned to the Intern: What are the circumstances for interference of courts with the arbitral awards under the A&C Act.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 8

1. Date & Time: - January 8, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH

COURT

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found the same through the SC website.
8. Task Assigned to the Intern: Find Judgements/Orders of Justice Arun
Mishra on BS4 Vehicles.

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION **Day 9 (Holiday)**

1. Date & Time: - January 9, 2021
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH
COURT
3. Name of the Advocate / Industry Concern with whom case attached/

work assigned: - NA

4. Name of the Parties deal with in Presence: - NA

5. Nature of Assignment / Proceedings & Procedure Noted: - NA

6. Stage of the Proceedings / Case: NA

7. Observation of Intern: - NA

8. Task Assigned to the Intern:NA

DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION
Day 10 (Holiday)

1. Date & Time: - January 10, 2021

2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - NA

4. Name of the Parties deal with in Presence: - NA

5. Nature of Assignment / Proceedings & Procedure Noted: - NA
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - NA
8. Task Assigned to the Intern:NA

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 11

1. Date & Time: - January 11, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA

7. Observation of Intern: - Read the EPF and the MP Act thoroughly.
8. Task Assigned to the Intern: Comparative Chart for the EPF and MP Act, Maternity Benefit Act and Employment information and Monitoring with the provisions under the Code of Social Security, 2020

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 12

1. Date & Time: - January 12, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Internal pagination
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - magnitude of work

8. Task Assigned to the Intern: Internal pagination assignment (Vol I and Vol II)

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 13

1. Date & Time: - January 13, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found the cases and marked the relevant portions.
8. Task Assigned to the Intern: Take out all the case laws mentioned in the petition and mark the relevant portions.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 14

1. Date & Time: - January 14, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. ADV.SANDEEP SINGH and Adv. Aslam Ahmed (Partner)
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found the relevant case laws.
8. Task Assigned to the Intern: Judgments on section 67A and 67B of the IT Act relating to bail.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 15

1. Date & Time: - January 15, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Internal Pagination
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Magnitude of the work
8. Task Assigned to the Intern: Internal pagination of 40 Volumes.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 16

1. Date & Time: - January 16, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Internal Pagination
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Magnitude of work
8. Task Assigned to the Intern: Internal Pagination of 40 volumes.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 17

1. Date & Time: - January 17, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Internal pagination
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Magnitude of work
8. Task Assigned to the Intern: Internal pagination of 40 volumes.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 18

1. Date & Time: - January 18, 2021, 10:00 AM

2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Internal Pagination
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - magnitude of work
8. Task Assigned to the Intern: Internal pagination of 40 volumes

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 19

1. Date & Time: - January 19, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Internal
Pagination
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - magnitude of work
8. Task Assigned to the Intern: Internal pagination of 40 volumes

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 20

1. Date & Time: - January 20, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH
COURT
3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA

5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Researched on the said proposition.
8. Task Assigned to the Intern: Research on GST Laws Annuity and Safeguard duty.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 21

1. Date & Time: - January 21, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research

work

6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Read thoroughly about the interim award under the Arbitration and Conciliation Act.
8. Task Assigned to the Intern: Research on minimum charges for common area maintenance in a society and research on 4 propositions related to interim award under Arbitration and Conciliation Act.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 23

1. Date & Time: - January 23, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA

7. Observation of Intern: - Read about the relevant provisions from the IT Act, 2000.
8. Task Assigned to the Intern: Research under the IT Act, 2000

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 24

1. Date & Time: - January 24, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Read thoroughly on the said proposition and found the relevant cases.

8. Task Assigned to the Intern: Research for judgments on enforcement of interim award under section 36 of the Act.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 25

1. Date & Time: - January 25, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Researched on the said proposition.
8. Task Assigned to the Intern: Research under the IT Act, 2000.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 26

1. Date & Time: - January 26, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Made list of Dates
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - magnitude of the work
8. Task Assigned to the Intern: Make List of Dates

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 27

1. Date & Time: - January 27, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - ADV.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - make list of dates
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - magnitude of the work
8. Task Assigned to the Intern: make list of dates

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**
Day 28 (Holiday)

1. Date & Time: - January 28, 2021
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - NA
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - NA
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - NA
8. Task Assigned to the Intern: NA

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**
Day 29

1. Date & Time: - January 29, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - magnitude of work
8. Task Assigned to the Intern: Ratio of 35 cases mentioned in the mail.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 30

1. Date & Time: - January 30, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH COURT

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv.SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - found the cases and marked relevant portion
8. Task Assigned to the Intern: Take out all the cases from the petition and
mark relevant portion

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Day 31

1. Date & Time: - January 31, 2021, 10:00 AM
2. Name of the Court/ Law Firm/ Organisation/ Institution: JAMMU HIGH
COURT
3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv.SANDEEP SINGH

4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Found the cases and marked the relevant portion.
9. Task Assigned to the Intern: Take out all the cases from the petition and mark relevant portion

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

- √ Researched on Section 11 of the Arbitration and Conciliation Act, 1996 and also about the Singapore International Arbitration Centre (SIAC).
- √ Researched for case laws on enforcement of interim awards under section 36 of the Arbitration and Conciliation Act, 1996.
- √ Researched on the proposition of minimum charges of common area maintenance in a society.
- √ Researched on the proposition whether a construction company / infrastructure company falls within the scope of Shops and Establishments Act of Tamil Nadu.
- √ Researched on 'Patent Illegality' as a Ground to Challenge an Arbitral

- Award under Section 34 of the Arbitration and Conciliation Act, 1996.
- √□ Researched thoroughly on the Social Security Code, 2020 and prepared a presentation of the same.□
 - √□ Researched under the Information Technology Act, 2000.□

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 1

1. Date & Time: - July 27, 2020- August 2, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the Supreme Court
8. Task Assigned to the Intern: - Research on summary suit.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 2

1. Date & Time: - August 3, 2020- August 9, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU

HIGH COURT

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court.
8. Task Assigned to the Intern: - Research on grounds for divorce under the
Hindu Marriage Act and maintenance rights of the wife.

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION **Week 3**

1. Date & Time: - August 10, 2020- August 16, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU
HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA

7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on grounds for divorce under the Hindu Marriage Act and maintenance rights of the wife.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 4

1. Date & Time: - August 17, 2020- August 23, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: -Confidential
5. Nature of Assignment / Proceedings & Procedure Noted:
- Drafting work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Drafting of the divorce petition under section 13(1)(a) of the Hindu Marriage Act.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 5

1. Date & Time: - August 24, 2020- August 30, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/

work assigned: - Adv. SANDEEP SINGH

4. Name of the Parties deal with in Presence: -Confidential
5. Nature of Assignment / Proceedings & Procedure Noted:
- Drafting work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Drafting of divorce petition under section 13(1)(a) of the Hindu Marriage Act.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 6

1. Date & Time: - August 31, 2020- September 6, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH and Adv. Arnav Vidyarthi
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the custody of child and

maintenance of both the wife and the child.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 7

1. Date & Time: - September 7, 2020- September 13, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH and Adv Arnav Vidyarthi
4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the custody of child and maintenance of both the wife and the child.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 8

1. Date & Time: - September 14, 2020- September 20, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - Confidential

5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research in the matter introduced in the Supreme Court pertaining to the plight of migrant labourers during Covid-19 lockdown in the Suo-Moto Writ Petition- In Re Problems and Miseries of Migrant Labourers.

9.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 9

1. Date & Time: - September 21, 2020- September 27, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the Court
10. Task Assigned to the Intern: - Research in the matter introduced in the

Supreme Court pertaining to the plight of migrant labourers during Covid-19 lockdown in the Suo-Moto Writ Petition- In Re Problems and Miseries of Migrant Labourers.

8.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 10

1. Date & Time: - September 28, 2020- October 4, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
11. Task Assigned to the Intern: - Research in the matter introduced in the Supreme Court pertaining to the plight of migrant labourers during Covid-19 lockdown in the Suo-Moto Writ Petition- In Re Problems and Miseries of Migrant Labourers.

8.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 11

1. Date & Time: - October 5, 2020- October 11, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU

HIGH COURT

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: -Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the encounter case of Vikas
Dubey on behalf of NHRC as an intervener in the Writ Petition
(Criminal).

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION **Week 12**

1. Date & Time: - October 12, 2020- October 18, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU
HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA

7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the encounter case of Vikas Dubey on behalf of NHRC as an intervener in the Writ Petition (Criminal).

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 13

1. Date & Time: - October 19, 2020- October 25, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the encounter case of Vikas Dubey on behalf of NHRC as an intervener in the Writ Petition (Criminal).

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**

Week 14

1. Date & Time: - October 26, 2020- November 1, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU

HIGH COURT

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the Gujarat coaching center
case where fire broke out.

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION **Week 15**

1. Date & Time: - November 2, 2020- November 8, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU
HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: -Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research
work
6. Stage of the Proceedings / Case: NA

7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the Gujarat coaching center case where fire broke out.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**
Week 16

1. Date & Time: - November 9, 2020- November 15, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv. SANDEEP SINGH
4. Name of the Parties deal with in Presence: - Confidential
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research on the Gujarat coaching center case where fire broke out.

**DETAILED REPORT OF DAILY PROCEEDINGS &
OBSERVATION**
Week 17

1. Date & Time: - November 16, 2020- November 21, 2020
2. Name of the Court/ Law Firm/ Organisation/ Institution: - JAMMU HIGH COURT
3. Name of the Advocate / Industry Concern with whom case attached/

work assigned: - Adv. SANDEEP SINGH

4. Name of the Parties deal with in Presence: - NA
5. Nature of Assignment / Proceedings & Procedure Noted: - Research work
6. Stage of the Proceedings / Case: NA
7. Observation of Intern: - Inner workings of the court
8. Task Assigned to the Intern: - Research under the section 4 and section 138 of the Negotiable Instruments Act.

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

- Worked as a Research Assistant in the matter introduced in the Supreme Court pertaining to the plight of migrant labourers during Covid-19 lockdown in the Suo-Moto Writ Petition- In Re Problems and Miseries of Migrant Labourers.
- Worked as a Research Assistant in the matter introduced in the Supreme Court pertaining to the doctors accommodation during the Covid-19 lockdown.
- Under the guidance of Mr. SANDEEP SINGH, AoR, worked as a Research Assistant on the encounter case of Vikas Dubey on behalf of NHRC as an intervener in the Writ Petition (Criminal)- Peoples Union for Civil Liberties and Anr.
- Researched thoroughly about the laws pertaining to sexual harassment of women at workplaces [POSH Act, NCW Act, IPC, CrPC].
- Researched under section 37 of the Arbitration and Conciliation Act, 1996.
- Researched under section 4 of the Negotiable Instruments Act, 1881.
- Researched under section 13 of the Hindu Marriage Act, 1955.
- Researched on the proposition of maintainability of foreign divorce decrees in India.

- Prepared a research note on the summary suit.
- Prepared a research note on the Domestic Violence Act.
- Drafted a divorce petition under section 13(1)(a) of the Hindu Marriage Act, 1955.
- Assisted in drafting of applications and case notes.

**INTERNSHIP DIARY MAINTAINED BY
THE STUDENT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN**



**SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)**

**Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur**

Submitted by:-

Name :- Anmol Sharma

Class :- BBA.LLB(H)

Batch :- 2017-22

Enrollment No.:- A21521517014

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

- 1. Date & Time (Day – 1):** - 1st June 2020
- 2. Name of the Law Firm:** - Bhadauria Associates, Jaipur
- 3. Name of the Advocate with whom work assigned:** - Adv. Ajay Pratap Singh Bhadauria
- 4. Name of the Parties deal with in Presence:** - N.A.
- 5. Nature of Assignment / Proceedings & Procedure Noted:** - Introductory session explaining about the working environment of the firm and basics of Insolvency and Bankruptcy Code, 2016 was discussed.
- 6. Stage of the Proceedings / Case:** - N.A.
- 7. Observation of Intern:** - During the introduction, I found Sir to be very encouraging, and all of the partners and juniors were friendly as well. The way they explained the work that they performed was very helpful.
- 8. Task Assigned to the Intern:** - To read more about Insolvency and Bankruptcy Code, 2016

DAY- 2

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
- 3. Stage of the Proceedings / Case:** - N.A.
- 4. Observation of Intern:** -
- 5. Task Assigned to the Intern:** - finding relevant case laws in regards to Insolvency and Bankruptcy Code, 2016.

DAY- 3

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - I reported my previous day's work to sir, and sir was very helpful, while clearing my doubts in regard to the code.
5. **Task Assigned to the Intern:** - reported previous day's work, with all the relevant case laws.

DAY- 4

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, explained the work very clearly which helped me in my research. Further, he explained minor details regarding the IBC and helped me gaining better understanding of the code.
5. **Task Assigned to the Intern:** - Sir, after seeing my research work on Insolvency Code, handed me yet another research work on Summary Suits under CPC

DAY- 5

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, checked my research work, and guided me further.
5. **Task Assigned to the Intern:** - Further, I was asked to find out the case laws pertaining to Summary Suits.

DAY- 6

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, after reviewing my research, explained the realistic implications of summary suits and advised me on commercial suits and the different defenses that can be used in commercial suits.
5. **Task Assigned to the Intern:** - I submitted previous day's research work.

DAY- 7

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
- 3. Stage of the Proceedings / Case:** - N.A.
- 4. Observation of Intern:** - I was provided with standard draft notice.
- 5. Task Assigned to the Intern:** - I was asked to study and go through it.

DAY- 8

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
- 3. Stage of the Proceedings / Case:** - N.A.
- 4. Observation of Intern:** - Sir taught me how to draft a legal notice.
- 5. Task Assigned to the Intern:** - I submitted my previous day work.

DAY- 9

- 1. Name of the Parties deal with in Presence: - N.A.**
- 2. Nature of Assignment / Proceedings & Procedure Noted: -**
Drafting work
- 3. Stage of the Proceedings / Case: - N.A.**
- 4. Observation of Intern: - I learned how to draft a legal notice.**
- 5. Task Assigned to the Intern: - I was asked to draft a legal notice.**

DAY- 10

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
- 3. Stage of the Proceedings / Case:** - Notice
- 4. Observation of Intern:** - I submitted the draft prepared by me and Sir found some errors and corrected them.
- 5. Task Assigned to the Intern:** - I submitted my previous day work.

DAY- 11

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
- 3. Stage of the Proceedings / Case:** - Notice
- 4. Observation of Intern:** - Sir cleared all my doubts related to legal notice.
- 5. Task Assigned to the Intern:** - I was asked to draft legal related to a case.

DAY- 12

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
3. **Stage of the Proceedings / Case:** - Notice
4. **Observation of Intern:** - Sir, praised my work for submitted the notice on time.
5. **Task Assigned to the Intern:** - I submitted my previous day work.

DAY- 13

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** Drafting work
3. **Stage of the Proceedings / Case:** - Reply
4. **Observation of Intern:** - Sir, asked me about the problem faced by me while drafting notice and cleared them. Then sir, thought me about how to draft a reply to notice
5. **Task Assigned to the Intern:** - I was asked to draft a reply to notice.

DAY- 14

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, was impressed by my drafting skills.
5. **Task Assigned to the Intern:** - I submitted my previous day work.

DAY- 15

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
- 3. Stage of the Proceedings / Case:** - Rejoinders
- 4. Observation of Intern:** - After being impressed by my drafting skills, sir taught me how to draft a rejoinder.
- 5. Task Assigned to the Intern:** - I was asked to draft a rejoinder.

DAY- 16

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** - Drafting work
- 3. Stage of the Proceedings / Case:** - Rejoinders
- 4. Observation of Intern:** - Sir, followed up for the rejoinder. I had some doubt regarding rejoinders, sir cleared them very well.
- 5. Task Assigned to the Intern:** - I was completing my previous day work.

DAY- 17

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
3. **Stage of the Proceedings / Case:** - Rejoinders
4. **Observation of Intern:** - Sir, praised me for submitting the rejoinder and taught me major details regarding the drafting work.
5. **Task Assigned to the Intern:** - I submitted the rejoinder.

DAY- 18

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - since a research work came up on which sir needed my assistance, therefore I was asked to help sir in that
5. **Task Assigned to the Intern:** - I was assigned some research work.

DAY- 19

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, followed up the research and asked me to some more research.
5. **Task Assigned to the Intern:** - reported previous day's work, with all the relevant case laws.

DAY- 20

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Research work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, praised me for my research work.
5. **Task Assigned to the Intern:** - I submitted my previous day work.

DAY- 21

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
- 3. Stage of the Proceedings / Case:** - Notice
- 4. Observation of Intern:** - Sir taught me about the notice filed in regard to non-payment of dues.
- 5. Task Assigned to the Intern:** - I was asked to draft a notice regarding non-payment of dues.

DAY- 22

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, followed up for the legal notice work. I was facing some problems, sir cleared them and asked me to draft notice by the next day.
5. **Task Assigned to the Intern:** - I was completing previous day work.

DAY- 23

- 1. Name of the Parties deal with in Presence:** - N.A.
- 2. Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
- 3. Stage of the Proceedings / Case:** - N.A.
- 4. Observation of Intern:** - Sir, praised me for submitting the work.
- 5. Task Assigned to the Intern:** - Submitted the draft of legal notice.

DAY- 24

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
3. **Stage of the Proceedings / Case:** - N.A.
4. **Observation of Intern:** - Sir, needed my assistance in drafting a reply as he was busy in some other work.
5. **Task Assigned to the Intern:** - I was asked to drafting a reply relating to a case.

DAY- 25

1. **Name of the Parties deal with in Presence:** - N.A.
2. **Nature of Assignment / Proceedings & Procedure Noted:** -
Drafting work
3. **Stage of the Proceedings / Case:** - Reply
4. **Observation of Intern:** - Sir checked my work since it was my last day I finished all the pending work.
5. **Task Assigned to the Intern:** - I submitted the reply.

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

I was given the task of writing draft of legal notices and replies to legal notices, as well as assisting with legal analysis, affidavit preparation, and rejoinders. During this internship, I primarily learned about the Insolvency and Bankruptcy Code of 2016, as well as the Code of Civil Procedure of 1908.

Internship Certificate

BHADAURIA ASSOCIATES

Office :-43, Bhadauria Lawyer's Chamber,
Khatipura Phatak, Jaipur 302012

Ajay Pratap Singh Bhadauria

Mob. No. 9251045074

Rajesh Singh Bhadauria

Mob. No. 9251044033

Sandeep Singh Bhadauria

Mob. No. 9828634848

Advocates

RAJASTHAN HIGH COURT, JAIPUR

Date 27.8.2020

TO WHOM SO EVER IT MAY CONCERN

This is to certify that Mr. Anmol Sharma S/o Shri Rajesh Sharma Student of Semester 7th, of Amity Law School, Amity University of Rajasthan has undergone his internship with Bhadauria Associates Jaipur from 01 June to 30th June 2020.

We wish him very best for his career and future endeavors.

Jaipur
dated 27.8.2020


Signature Advocate
Ajay Pratap Singh Bhadauria
Advocate

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

FHS Law Firm , Abu Dhabi

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name: - NAMRATA SHARMA

Class: - BBA.LLB (H)

Batch: - 2017-2022

Enrollment No.:- A21521517006

Ashwini Kumar Bohra
Advocate
Rajasthan High Court, Jaipur

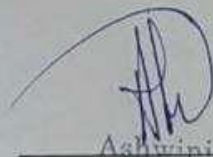
Add.- B-201, Mewar Apartment,
Haldighati Marg, Pratap Nagar,
Jaipur
Mobile No. - 9414079153

July 13, 2018

CERTIFICATE
TO WHOMSOEVER IT MAY CONCERN

It is to certify that Ms. Namrata Sharma of Amity Law School has successfully completed her summer internship from 12th June 2018 to 13th July 2018 under my guidance. During her internship she has digged deep into the criminal matters in my office and had attended court under my guidance. In my office she had been into drafting of certain bail applications for non-cognizable offences and understood the concept of free and fair trial. She had studied several files concerning murder, trespass, theft, rape and criminal misappropriation of property. She is very keen and inquisitive about the intricacies of criminal law.

I wish her for her bright future.



Ashwini Kumar Bohra
Advocate
Rajasthan High Court, Jaipur
Mobile No. - 9414079153
Add.- B-201, Mewar Apartment,
Haldighati Marg, Pratap Nagar,
Jaipur - 302 002

SANJAI KUMAR PATHAK

Advocate-On-Record

Chamber:

H-29, Jungpura Extn.,
First Floor, New Delhi-14

Email: pathaklawyer@rediffmail.com

Home Office:

I-401, Vivek Vihar
Sector- 82, Gautam Budh Nagar
Noida - 201304
Mob: 9958999737

Date: - 16/07/2019

CERTIFICATE OF INTERNSHIP

TO WHOM IT MAY CONCERN

This is to certify that Ms. Namrata Sharma, a student of 2nd year B.B.A. L.L.B. (H) Student of AMITY UNIVERSITY RAJASTHAN, has worked with us as Intern from 17th June' 2019 to 16 July' 2019.

During the course of her internship, she has exhibited excellent researching skills, her keen observing skills needs a special mention.

During her period of her internship programme with me, she was found punctual, hardworking and inquisitive.

Yours Sincerely,



SANJAI KUMAR PATHAK

(ADVOCATE)

P/205

(Permanent- Resident Member)

A.O.R. Code No. 1548

SANJAI KUMAR PATHAK

Advocate-On-Record
Supreme Court of India
Off: H-29, First Floor, Jungpura Extn.
New Delhi-110 014
Mobile : [+91 9958999737](tel:+919958999737)



FHS ||| **LAW**
FIRM

INTERNSHIP CERTIFICATE

THIS IS TO CERTIFY THAT

Ms. Namrata Sharma

has successfully completed the distance internship program which was conducted from
8 June 2020 to 23 July 2020.

During the internship, she has worked on various assignments and has assisted with productive research towards multiple areas of practice such as International Arbitration, Shipping and Maritime, Banking and Finance, Criminal Law, Family Law, and Corporate Document Drafting.

We found dedication and skill in the assignments submitted during the internship and wish her the best for all future endeavors.

Vidur Dhawan
Partner Corporate

FHS Law Firm

Sea Tower, Office No. 201, Raffay Street, Near Abu Dhabi Chamber of Commerce, Corniche Road, Abu Dhabi, UAE
Tel: +971 2 639 9921 | Mob: +971 50 992 7331 | info@fhslawfirm.com | www.fhslawfirm.com

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Namrata Sharma D/o Shri. Narendra Kumar Sharma, 4th Year student of Amity University, Rajasthan, Jaipur has meticulously undergone internship at THE LAW DESK, Jaipur office from 1st January to 30th January'2021 as a part of her training towards Five Year Law Course.

During the course of her internship, she was involved in matters of diverse fields and was exposed to issues pertaining to The Trademarks Act, The Limitations Act, The Arbitration and Conciliation Act, The Specific Relief Act, and The Indian Contract Act.

She has also assisted in drafting 4 Replies, a Complaint and a Cross Examination.

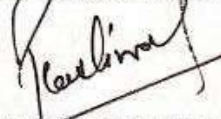
During her internship she has shown keen and genuine interest towards the work assigned to her.

I wish her all success in future endeavors.

Jaipur

Saturday, 30th January' 2021

For THE LAW DESK



PRATEEK KASLIWAL
Advocate



SHASHANK AGARWAL
ADVOCATE
RAJASTHAN HIGH COURT

President: National Law University Jodhpur Alumni Association
Ex Vice President: Rajasthan High Court Bar Association, Jaipur
Trustee: Satish Chandra Agarwal Memorial Charitable Trust

B.A.LL.B.(Hons.)
Certificate in Cyber Law
Advance Certificate in Companies Act

TO WHOMSOEVER ITMAY CONCERN

This is to certify that **Namrata Sharma**, D/O Narendra Sharma student of Fifth Year B.B.A.LLB. at Amity University, Rajasthan, was as intern at my office from September 3rd 2021 to November 17th, 2021.

During the course of her internship, she conducted useful research on various legal queries arising out of Arbitration and Conciliation Act, Consumer Protection Act, Contract Act, Negotiable Instrument Act, etc. She also observed Court proceedings before Hon'ble High Court and assisted in drafting of Writ Petitions, Arbitration matters, legal notices and vetting of Agreements.

We found her to be pleasant, sincere and hard working. She has a strong aptitude for learning and does great research along with great knowledge about Microsoft word and excel.

We wish her all the best in her future endeavors.


Shashank Agarwal
18/11/21

OFFICE: 50, Dhuleshwar Garden, C-Scheme, Jaipur-01
CHAMBER: 223, E-Block, Rajasthan High Court, Jaipur
EMAIL: shashankagarwal.15@gmail.com PHONE: 9829068505

GYANENDRA KUMAR TRIPATHI

ADVOCATE

KANPUR NAGAR

AT COURT COMPOUND

KANPUR NAGAR

Mob No :- 9839950988, 7068547771

E-mail :- gyanendrakumartripathi1067@gmail.com

Date :- 14-January-2020

Certificate of Excellency

This is certify that Ms. Shivangi Yadav, student of school of Law Amity University. Jaipur, Rajasthan of B.B.A.L.L.B. branch have completed her internship of 5th Semester of 30 days i.e. the period of 15.12.2019 to 14.01.2020 under my guidance.

I have found him to be self-starter who is motivated, duty bound and Hard-working. She perform excellent with well behaviour and she was regular and punctual at time to report before me day to day. She worked sincerely on her assignments and her performance was Par Excellence.

I wish him best of luck for her future.

Gyanendra Kumar Tripathi

Advocate



G. K. Tripathi
Advocate

Court Compound Kanpur Nagar

CHAMBERS OF ABHAS MISHRA
ADVOCATES & CONSULTANTS

DATE: 17.07.2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Shivangi Yadav**, a student of the Third Year of BBA LL.B. at *Amity Law School, Jaipur* affiliated with *Amity University, Rajasthan* was associated with my chambers from 27.06.2020 to 17.07.2020 as a trainee in a web-based internship.

During this period, she actively participated in various cases relating to *Criminal and Family Law*. She also made virtual presentations on Right to Education of Transgenders, POCSO Act and Section 13(1)(ib) of the Hindu Marriage Act, 1955 and showed aptitude in diverse aspects of research as well as understanding of cases.

She is a pleasing person and during the period of internship, she proved to be a promising and resourceful intern even though the entire internship was online and internet based.

I wish her all the best for all her future endeavours.


Abhas Mishra
Advocate



Founder: Jeevan Prakash, AOR, Supreme Court

CERTIFICATE OF INTERNSHIP

This is to certify that **SHIVANGI YADAV**, student of **Amity university** has completed his/her internship of one month commencing from **7-9-2020** under my guidance.

During the internship, he/she made himself/herself familiar with professional skills of (i) in-depth solution-based study of various legal topics to acquire problem-solving skills such as (a) rights of rape survivors, (ii) sex on false promise of marriage, (iii) various aspects of law on FIR, (iv) legal escape route from contractual obligations; (ii) Writing skills to put forward as to the true scope of the law and its interpretation, (iii) Communication skills in the least possible and most effective way; (iv) Leadership skills to grape the opportunity to lead others; (v) advising client on given problem; (vii) Making video on legal topics; (viii) attended virtual court hearing; (ix) assuming social responsibility to spread legal awareness and thereby socialize himself/herself with outside world.

During internship, I have found him/her to be motivated, duty bound, punctual and hard working. He/She has also maintained the daily diary of the task assigned and reported day to day basis.

He/She worked sincerely on his/her assignments and his/her performance was **PAR EXCELLENCE.**

We wish him/her every success and bright future in life.

Date - 8 October, 2020



Jeevan Prakash

AOR, SUPREME COURT



CERTIFICATE OF INTERNSHIP

THIS TO CERTIFY THAT

Ms. Shivangi Yadav

*of Amity Law School, Jaipur has successfully completed her tenure as a
CAMPUS AMBASSADOR from October 22, 2020, to December 22, 2020.*

In her tenure of internship, she had promoted various events. We found her very punctual and hard-working during the internship.

Mr. Sanidhya Kulshreshtha
Founder & C.E.O.
Legallyfy India



Mr. Bhavya Bihani
Co- Founder
Legallyfy India

CERTIFICATE OF INTERNSHIP

This certifies that

Ms. Shivangi Yadav, an excellent law intern, who has shown sincerity in work.

has completed the legal internship with us successfully for the month of January, 2021

Certified by S. Bhambri & Associates(Advocates), Delhi.

SOFIA BHAMBRI
MANAGING PARTNER

N. K BHAMBRI
SENIOR ASSOCIATE





Certificate of Internship

This to certify that

Shivangi Yadav

Amity Law School, Jaipur

has completed an internship at
Indian School of Law, Policy & Governance (ISLPG)
from January 04, 2021 - February 04, 2021.

During this period, she carried out all tasks assigned to her in a diligent and conscientious manner and we wish her the very best in all her future endeavours.

S. Mohanty

SASWAT MOHANTY

Chief Executive Officer
ISLPG

Aditya Singh

ADITYA SINGH

Founder & Chair
ISLPG

Certificate Number: ISLPG/0121/006



CERTIFICATE OF INTERNSHIP

THIS CERTIFICATE IS PRESENTED TO

SHIVANGI YADAV

Student of Amity University Jaipur has successfully completed one month "Content Writing Internship" i.e. from 25th January, 2021 to 25th February, 2021.

During the internship we found him/her to be regular, sincere, hardworking and appreciate his/her commitments towards work. We wish him/her a successful future.

SAI VIKRANTH

FOUNDER & PUBLISHER
JLSR JOURNAL [ISSN(O) : 2582-306X]

WAJAHAT ANSARI
Advocate & Legal Consultant
Supreme Court of India
17, Setalvad Block, Bhagwan Das Road
New Delhi-110001
advocatewajahat@yahoo.com
+919810288773

Date: 01.03.2021

TO WHOM IT MAY CONCERN

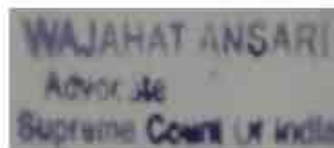
This is to certify that Ms **SHIVANGI YADAV** student of **BBA.LLB. 8th** semester in **4th year** having Enrolment No **A21521517003** of **AMITY UNIVERSITY JAIPUR, AMITY LAW SCHOOL** at **RAJASTHAN** has completed her online internship of one month i.e. the period of **01.02.2021** to **01.03.2021** under my guidance.

During the span of online internship, he/she has participated in the legal group discussion, lectures, webinars, and arguments as well as studied various case files, case laws and judgements for the same. The other parts of her online internship included drafting of various documents, research work and translation of documents.

He/She performed excellently with well behaviour and she is punctual at time to report before me day to day. He/she worked sincerely on her assignments and her performance was **Par Excellence**.

I wish him/her best of luck for his/her future.

YOURS



(WAJAHAT ANSARI)
New Delhi
BCD No. D/1102/98/R

ALL LEGAL SOLUTIONS ADVOCATE AND ASSOCIATES
ALL LEGAL SOLUTIONS ADVOCATE AND ASSOCIATES

CHANDARPAL SINGH SUJAWAT

VIKAS MASSEY



DR. ABHISHEK CHOUDHARY

BHARAT SINGH BHATI

Office : C1 - MOHIT COTTAGE, RAINI VIHAR, AIMER ROAD, JAIPUR 302021

CONTACT : 9462308060, 8107227060

DATE – 09/07/2021

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Miss. Shivangi Yadav** D/o Shri Ramesh Singh Yadav, of BBA.LL.B. (H.) Amity University Rajasthan, (batch 2017-2022) has worked with this association from 08-06-2021 to 08-07-2021 as an intern.

As an intern she was given the responsibility of preparing case note for the seniors and for the purpose of ready reference material while advancing the arguments of the case before different courts in Jaipur on Civil and various miscellaneous matters.

It may be noted that she has also contribute in the area of legal research which included but not limited to finding appropriate case laws, relevant sections and arranging the files besides attending the courts as a learner with seniors to assist them in the areas of criminal, banking and other matters.

We have found her sincere and hard working with rare qualities of mingling with team and complying with the decision of managements and seniors.

Sincerely,

Bharat Singh Bhati

Associate Advocate

All Legal Solutions Advocates

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Raj Laxmi

Class:- 2nd year

Batch:-BBA/LLB 2020-2025

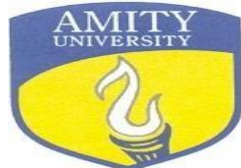
Enrollment No.:- A21521520017

Certificate of Internship (At the end of Report)



INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Rabab Kutbuddin Nawab

Class 3rd sem

Batch:- 2020-2025

Enrollment No.:- A21521520025

Certificate of Internship (At the end of Report)



INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name: - Shubhangi Sharma

Class – BBALLB (H), Third semester

Batch: - 2020-2025

Enrolment No.:- A21521520031

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

1. Date & Time (Day – 1): -

1st June 2021

2. Name of the Court/ Law Firm/ Organisation/ Institution: -

Lawyers Gyan

3. Name of the Advocate / Industry Concern with whom case

Attached/ work assigned: -

Pringle Singh

4. Name of the Parties deal with in Presence: -

5. Nature of Assignment / Proceedings & Procedure Noted: -

Intense Research. Content Writing, summarising cases

6. Stage of the Proceedings / Case: -

7. Observation of Intern: -

I as an intern learned about how a case is to be analysed, format of writing a case summary, how to write a case summary, how research work is to be carried out.

8. Task Assigned to the Intern: -

Research work, understanding cases that were assigned, writing summary of the cases.

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

Research work, understanding cases that were assigned, writing summary of the cases.

Intense Research. Content Writing, summarising cases

Certificate of Internship (At the end)



TILA ONLINE NATIONAL INTERNSHIP PROGRAM 2020

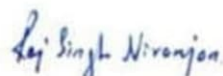
This is to certify that

Shubhangi Sinha

has successfully completed her 1
month internship from 2nd May 2020
to 1st June 2020, here at Trans-India
Law Associates.



Dr. Rajni Patel
President
Dr. Gopal Energy Foundation



Adv. Raj Singh Niranjana
Managing Partner
Trans India Law Associates

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- **Purva Singh**

Class **1st year (2nd semester)**

Batch:- **2020-2025**

Enrollment No.:- **A21521520039**

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

1. Date & Time (Day – 1): - **08/04/2021 to 08/07/2021**

2. Name of the Court/ Law Firm/ Organisation/ Institution: -
Questcrest leading india pvt. Ltd.

3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - **Mr. Apoorv Aggarwal, Mr. Achal Aggarwal**

4. Name of the Parties deal with in Presence: - **Mr. Achal Aggarwal**

5. Nature of Assignment / Proceedings & Procedure Noted: -
Legal Ambassador (legal intern and campus ambassador)
Responsible for generating leads as campus ambassador and did legal research .. as researcher.. created content for company and made 6 research papers. Made sales.

6. Stage of the Proceedings / Case: -

7. Observation of Intern: - **Gained several learnings. Learned about new topics. Good experience.**

8. Task Assigned to the Intern: -

Made Research Paper

Research papers detail:-

1 DOMAIN NAME Total page 19

2 Fashion Law Total page 9

3 Space Law Total page 28

4 RERA Total page 31

5 Maritime Law Total page 14

6 Drone Law Total page 25

All were sent to qcli.internship@gmail.com

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

**Worked with the organization for 3 months. Made research 1 topic
For 2 weeks.**

Certificate of Internship (At the end of Report)

cash or any other means except the payment gateways & the QR CODE (WIP) provided by the company as described on company's portal. Any default with customers may lead to FIR against LEGAL ABASSADORS and company is not liable for any extent of loss or Damage caused to customer.

14. You will be provided with a stipend of Rs. 1500 strictly on target basis.(Target : Successful completion of 20 Enrollments for Law Certified Courses having value greater or equal to Rs.249 and above) Further star performers will be appreciated with special rewards apart from stipend.

Tel. 9311653065
Info: questcrestleadingindia@gmail.com
www.questcrestleadingindia.com



ANNEXURE A

15. QCLI reserves the right to take a strict action against all those interns who would be leaving the internship in between. Those interns would be strictly reported to their respective college & on employer's portal without any fail. In such case, The stipend part will be declared NULL & VOID. Medical Emergencies & Genuine Personal Reasons are exempted from above mentioned.

I hereby declare that, I have negotiated, agreed, read and understood all the terms and conditions of this Internship letter as well as Annexure A hereto and affix my signature in complete acceptance of the terms of the letter.

NAME Pura Singh

PLACE Bundi

DATE 08-04-2021

(Sign Aggarwal)
NAME & SIGNATURE

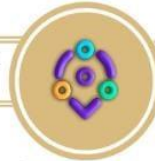
CONTACT DETAILS 9079718244

EMAIL ID purva1019@gmail.com

Tel. 9311653065
Info: questcrestleadingindia@gmail.com
www.questcrestleadingindia.com



QUESTCREST LEADING INDIA
PVT. LTD.



QCLI LEARNINGS

LEARN BETTER

WWW.QUESTCRESTLEADINGINDIA.COM

Dated : 13th July, 2021

INTERNSHIP CERTIFICATE

This is to certify that **Pura Singh**, has successfully completed her Internship of **Three Month** from **08/04/2021** to **08/07/2021** at Questcrest Leading India Pvt. Ltd. She has worked as a **Legal Ambassador** Intern under the supervision and guidance of **Mr. Achal Aggarwal**.

During the tenure of her internship, She has gained several learnings such as Legal research on several Legal Contemporary issues as well as some Legal Static Issues, Strategic Planning of Moot memo and developed multiple skills including leadership and relationship management. She has performed her duties in a diligent manner and was found hardworking, dedicated and punctual.

We wish her all the best for her future endeavors.

Sincerely,

Apoorv Aggarwal
Apoorv Aggarwal
Director
Questcrest Leading India Pvt. Ltd.



REFERENCE NO: INT/QCLI B-5666

HR@QUESTCRESTLEADINGINDIA.COM
KH NO.-90 HAIDERPUR, NORTH WEST DELHI -110085
+919311653065

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

SUMMER/WINTER INTERNSHIP REPORT DIARY (INTERNSHIP REPORT)

Submitted before the Internship & Placement
Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Nitika Goyal

Class:- Semester 3 BBA LLB (H)

Batch:- 2020-2025

Enrollment No.: A21521520026

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

1. Date & Time (Day – 1):-

= 27 June, 8 A.M

2. Name of the Court/ Law Firm/ Organisation/ Institution: -

= Hariyali NGO

3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: -

= Rakesh Raushan

4. Name of the Parties deal with in Presence: -

=

5. Nature of Assignment / Proceedings & Procedure Noted: -

= Content writing internship.

6. Stage of the Proceedings / Case: -

= I have to write one article on any given lists of topics on their portal.

7. Observation of Intern: -

= Working with Hariyali NGO was very helpful for me. I learned how to write various articles on various topics. They also provided the video link to learn content writing and also they provided videos to learn wordpress techniques.

8. Task Assigned to the Intern:

= I have to write one article on any topic. They provided us with a list of various topics from which we can choose the topics to write articles on their portal. In order to complete the internship we have to write at least 30 articles on their portal.

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

I was selected for the content writing internship in Hariyali NGO. The work assigned to me was to write articles on their portal. They provided us with a list of various topics to write articles like legal news, current affairs, law, government schemes, government policies, important days, history and cultural, social issues, etc. I have to write articles according to their writing guidelines. To complete the internship one has to write at least 30 articles on their portal. Working at Hariyali NGO was very helpful and I learned a lot about content writing, article writing, etc. It was a very great experience.

Certificate of Internship



Eduindex News - (A News Media Organisation)
in Association with Hariyali NGO (www.hariyali.net)

Experience Certificate

July 27, 2021 (Date of Issue) Certificate Ref. no. EduINDEX000597

To Whomsoever It May Concern

This is certified that Nitika Goyal (Pursuing degree in Amity University Jaipur, Rajasthan SP-1, Kant Kalwar, RITCO Industrial Area, NH-11C, Jaipur, Rajasthan) has worked with us (Hariyali NGO with Training Support from Eduindex News) on the "Track2Training" Content writing project undertaken by our organization from 10th June 2021 to 10th July 2021

Intern has contributed intern time and expertise in researching and writing on selected topics. And intern content writing work can be viewed from

<https://www.hariyali4all.org/2021/07/21/quasi-contracts/>

Intern has undertaken the assigned responsibility with due care and dedication. We wish intern grand success in future.

HR Team, EDUINDEX News (career@eduindex.org)

<https://eduindexnews.com> For News and Editorial news@eduindex.org & HR team career@eduindex.org

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Saket Kabra

Class BBA LLB(h)

Batch:- 2020-2025

Enrollment No.:- A21521520038

Certificate of Internship (At the end of Report)

Certificate of Internship - Kindness Challenge



Thank You

Saket Kabra

Thank you for volunteering in
Team Everest NGO 'Kindness Challenge' from
June 13, 2021, to July 12, 2021.

Keep Spreading Kindness!

A handwritten signature in black ink that reads "Karthee Vidya".

KARTHEE VIDYA
Founder & CEO, Team Everest

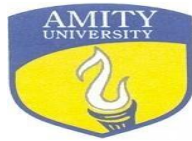


www.teameverest.ngo

Our Vision: Inspiring **everyone** to volunteer

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Krisha Sinojia

Class BBA LLB(h)

Batch:- 2020-2025

Enrollment No.:- A21521520029

Certificate of Internship (At the end of Report)

Certificate of Internship - Kindness Challenge



Thank You

Krisha Sinojia

Thank you for volunteering in
Team Everest NGO 'Kindness Challenge' from
June 13, 2021, to July 12, 2021.

Keep Spreading Kindness!

A handwritten signature in black ink that reads "Karthee Vidya".

KARTHEE VIDYA

Founder & CEO, Team Everest



www.teameverest.ngo

Our Vision: Inspiring everyone to volunteer

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



**SUMMER/WINTER
INTERNSHIP REPORT DIARY**

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Srishti Soni

Class BBA LLB(h)

Batch:- 2020-2025

Enrollment No.:- A21521520033

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

1. Date & Time (Day – 1): -

12 June 2021, 5pm

2. Name of the Court/ Law Firm/ Organisation/ Institution: -

Team Everest.

3. Name of the Advocate / Industry Concern with whom case attached/
work assigned: -

Karthee Vidya.

4. Name of the Parties deal with in Presence: -

5. Nature of Assignment / Proceedings & Procedure Noted: -

Kindness activities.

6. Stage of the Proceedings / Case: -

7. Observation of Intern: -

Easy 25 kindness activities were given .

8. Task Assigned to the Intern: -

50 kindness activities were assigned out of 25 should be done.

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

Kindness activities to be done for a cause and awareness and to bring change in the society.

Certificate of Internship (At the end of Report)

Certificate of Internship - Kindness Challenge



Thank You

Srishti Soni

Thank you for volunteering in
Team Everest NGO 'Kindness Challenge' from
June 13, 2021, to July 12, 2021.

Keep Spreading Kindness!

A handwritten signature in black ink that reads "Karthee Vidya".

KARTHEE VIDYA

Founder & CEO, Team Everest



www.teameverest.ngo

Our Vision: Inspiring everyone to volunteer

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Yash Patwari

Class:- BBA LLB (H.)

Batch:- 2020-2025

Enrollment No.:- A21521520027

Certificate of Internship (At the end of Report)



INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of

Amity Law School, AUR, Jaipur

Submitted by:-

Name:- MEGHNA TAILORN

Class Batch:-BBA LL.B SEM 3

Enrollment No.:- A21521520005

Certificate of Internship (At the end of Report)



Registration Number: MAH/88/2000-F6875

TO WHOMSOEVER IT MAY CONCERN

Date: - June 10th, 2021

This is to certify that Ms. Meghna Tailor has successfully completed her internship with JMES during the period One Week (31st May– 07th June).

During the period, she was assigned as Business Development (Fund Raising & Strategies Development) Intern.

During the course of internship, Ms.Meghna has shown great amount of responsibility, sincerity and a genuine willingness to learn and zeal to take on new assignments & challenges. In particular, her coordination skills and communication skills are par excellence and her attention to details is impressive.

We wish her all the very best for her future.

With regards,

Mrs. Manisha Barapatre
Secretary
JMES, Nagpur
manisha.jmes@gmail.com





SHEFALI SHARMA

Advocate

RAJASTHAN HIGH COURT, JAIPUR

E-mail: advshetalisharma@gmail.com

Mob.: 9414255666

3rd February, 2022

CERTIFICATE FOR INTERNSHIP

This is to certify that Ms. Akshita Bajaj D/O Mr. Ashok Kumar Bajaj, Pursuing B.B.A LL.B (Hons) from the Amity Law School, Amity University, Rajasthan and is currently in the sixth semester. She has successfully completed her internship with the firm from 3rd January 2022 to 3rd February 2022.

During her internship period, Ms. Akshita was involved in Drafting of will, application and list of witnesses, Agreement, case briefing, preparation of case analysis, case citation index and research on several issues pertaining various laws like Arbitration and conciliation act, Constitution of India, Contract Act, commercial laws, Civil and Criminal procedure code, RERA, Rent Control Act. She also attended the court proceedings.

Ms. Akshita was found to be very sincere towards the work assigned to her. She was regular and spend long hours in office to finish assigned work. The performance of Ms. Akshita Bajaj was found to be excellent. She is hardworking, soft spoken and always eager to learn.

We wish her all the best for all her future endeavours.

SHEFALI SHARMA

(ADVOCATE)

Court: Chamber No. 31, 'B' Block, Ambedkar Bhawan Raj. High Court Bench, Jaipur

Office: House No. 1638, S.M.S Highway, Jaipur

REKHA BORANA

Additional Advocate General
Government of Rajasthan



RAJASTHAN HIGH COURT, JODHPUR

Tel : 0291-2888156

Cell : 94142-95887

Ref:43/2021

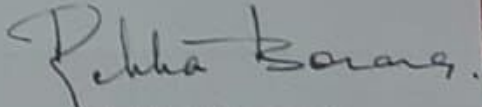
Date: 16.09.2021

CERTIFICATE OF INTERNSHIP

It is to certify that Anirudh Vyas, 5th semester student of Amity Law School, Jaipur has attended my Office as well as the court proceedings with me as an intern for a period 30 days from 28th June 2021 to 28th July 2021.

He bears a good moral character; He is hardworking, dedicated and inquisitive towards his work. He has also done research on various current law topics.

I wish him all the luck for his future.


(Rekha Borana)

Additional Advocate General



A. K. Legal & Associates

CERTIFICATE OF INTERNSHIP

TO WHOMSOEVER IT MAY CONCERN

This is to Certify that **Mr. Harsh Lodha**, a student of 3rd year BBA.LLB from Amity University Rajasthan has successfully completed his one-month internship remotely (20.06.21 to 20.07.21) with our firm.

During his internship period, he displayed a good work ethic and was found to be dedicated and inquisitive. He has performed some good research work in some Hon'ble Supreme Court & Hon'ble Bombay High Court judgments on Criminal laws, IPR laws, Family Laws and has also written an article on the topic of "Corporate Veil" during his tenure.

We are sure that this internship has provided him a rich learning experience, and we have benefitted from his internship work.

We wish him all the success in life.

In solidarity,

A handwritten signature in black ink, appearing to read 'Aameer V. Kale', written over a diagonal line.

A.K. Legal & Associates

Adv. Aameer Vishwas Kale

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

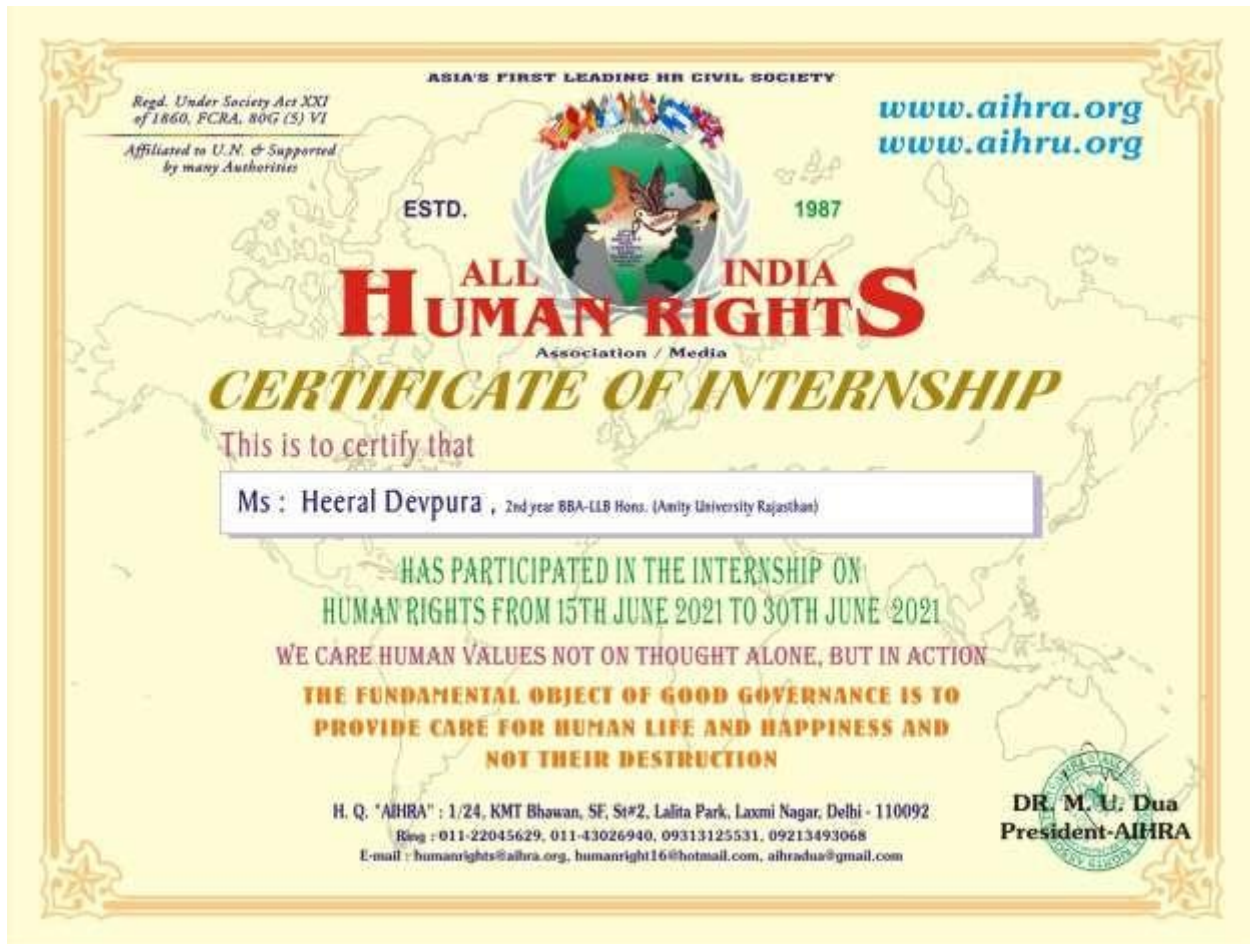
Name:- Heeral Devpura

Class:- BBA-LLB hons.

Batch:- 2019-2024

Enrollment No:- A21521519015

Certificate of Internship (At the end of Report)





The Philomath

Knowledge through Action

TO WHOM IT MAY CONCERN

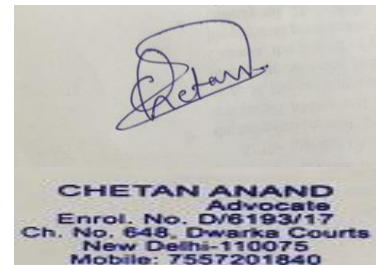
THIS IS TO CERTIFY THAT Isha patel PURSUING BALLB (2ND Year) FROM Amity University Jaipur Rajasthan HAS COMPLETED AN ONLINE INTERNSHIP UNDER THE GUIDANCE OF ADV.CHETAN ANAND, DIRECTOR, CHETAN ANAND & ASSOCIATES FROM 26th June 2021 to 23rd July 2021. THIS INTERNSHIP WAS PROVIDED BY THE PHILOMATH IN ASSOCIATION WITH ADV.CHETAN ANAND. DURING THIS INTERNSHIP YOU HAVE BEEN ACTIVELY INVOLVED IN THE VARIOUS LIVE SESSIONS ON RTI APPLICATION, PIL, DRAFTING, PUBLIC SPEAKING ON LEGAL TOPICS, DIVROCE MATTERS, BAIL, CHARGESHEET & OTHER ASPECTS OF LAW & COURTROOM. WE APPRECIATE YOUR SINCERE LEARNING & WE OBSERVED THAT YOU HAVE COMPLETED THE INTERNSHIP WITH HIGH ENERGY AND ENTHUSIASM.

WE WISH ALL THE BEST FOR ALL YOUR FUTURE ENDEAVOURS.

Sincere Regards,

Trivickram Jee

Founder, The Philomath



☎ 9792154419 / 7557201840

✉ tphilomath@gmail.com

🌐 www.thephilomath.info

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



**SUMMER/WINTER
INTERNSHIP REPORT DIARY**

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Kaushiki Sharma

Class: BBA LL.B

Batch:- 2019-2024

Enrollment No.:- A21521519013

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

1. Date & Time (Day – 1): - 5th June 2021
2. Name of the Court/ Law Firm/ Organisation/ Institution: - The Indian legal solution.com
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - Adv Raghvendra Kumar
4. Nature of Assignment / Proceedings & Procedure Noted: - It was an online internship program to enhance the practical field of law.
5. Observation of Intern: - Doing internship with Indian legal solution has given the basic knowledge of practical aspects of law.
6. Task Assigned to the Intern: - drafting various legal notices and plaints, drafting bails, drafting franchisee agreements and article writing.

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

- First task given was article writing on various different topics such as competition law, how divorce can be filed in india, and cyber law which has increased then research and writing skills.
- Secondly, the task was given for drafting legal notices for various real life issues.

- Thirdly, the task was given to draft plaint regarding various issues (under district consumer disputes redressal forum).
- Fourth, During the internship there were 2 webinars on drafting memorial and how to write research paper.

All internship program was done under the guidance of Adv Raghvendra kumar, which has enhanced the knowledge of various practical field of law, legal research and drafting.

Certificate of Internship (At the end of Report)

Certificate of Internship

This is presented to

MS. KAUSHIKI SHARMA

has undergone online Internship with us for one month (June - July) 2021

This Online Internship has been organized by indianlegalsolution.com (MSME Registered), (A unit of Raghvendra Kumar and Associates LLP, Recognised by StartupIndia, MCI, Government of India) .

Raghvendra Kumar

Founder

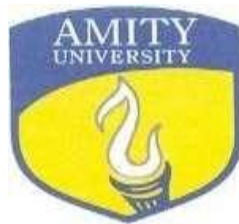
indianlegalsolution.com



INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITYLAW SCHOOL

AMITYUNIVERSITYRAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted by for The Internship & Placement Committee
of Amity Law School, AUR, Jaipur

Submitted by:-

Name:-

Class B

atch:-

Enrollment No.:-

Keshav dadhich

BBA LLB 5th semester

2019-2024

A21521519010

Certificate of Internship(Attheend ofReport)



SDSA LAWYERS

Office :
203, II Floor, Sunny Paradise, Near Gopalpura Flyover, Tonk Road, Jaipur - 302 018
23, B-Block, Lawyers Chamber Rajasthan Highcourt, Jaipur

Tel. : 01
e-mail : of
website : w

SDSA/IC/21/08

Dated: 27.07

Internship Certificate

This is to certify that **KESHAV DADHICH** student of 3rd Year **LL.B.** at **AMITY UNIVERSITY, RAJASTHAN** has undertaken internship from **25.06.2021 to 26.07.2021** in my office.

He attended court proceedings before Rajasthan High Court, Bench. During his internship, he worked in the office on matters related to Civil, Criminal, Service as well as Constitutional Law. He as a member of the working team, helped in researching many case laws.

Enthusiastic and always ready to help, Keshav Dadhich was an asset to our chambers. He was hard working, consistently friendly and had a positive presence in our Chambers, even when dealing with deadlines and juggling multiple time sensitive projects. We wish him a very bright career and success in all his future endeavours.


(DEEPAK SHARMA)

For S.D.S.A.

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Muskan Gupta

Class:- BBA LL.B (H)

Batch:- 2019-2024

Enrollment No.:- A21521519025

Certificate of Internship (At the end of Report)



KULDEEP PATHAK AND ASSOCIATES

Advocates, Attorneys and Solicitors

Mobile: 098260-88010, E-mail: adv.kpathak@gmail.com

Ref. No: Certificate/037/2021

Date: 30/07/2021

TO WHOMSOEVER IT MAY BE CONCERN

This is to certify that **Ms. Muskan D/o Rakesh Gupta** from Amity University, Rajasthan has completed her one month full time Virtual Internship on regular basis from **28/06/2021** till **28/07/2021** under my guidance through virtual platform.

She is a hard working student and carried out all tasks assigned to her in diligent and conscientious manner. I am sure that she will do well in her course of study.



Digitally signed by
Kuldeep Pathak
Date: 2021.08.04
10:28:41 +05'30'

KULDEEP PATHAK

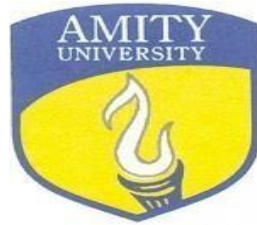
ADVOCATE

Office: 209, Silver Estate Minal Shri Apt, 19/1 Y.N. Road Opp. Bombay Motors, Indore (M.P.) Ph: 0731-7960418 **Chamber:** Advocate Chamber No. 104, High Court Campus, M.G. Road, Indore (M.P.)

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- *Radhika Singhal*

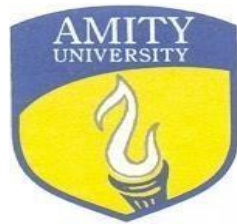
Year:- *3rd year 5th semester*

Batch:- *2019-2024*

Enrollment No. :- *A21521519029*

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



**SUMMER/WINTER
INTERNSHIP REPORT
DIARY**

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- **Ragini Agarwal**

Class 5th semester

Batch:- 2019-24

Enrollment No.:- A21521519016.

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN

SUMMER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

AMITY LAW SCHOOL, AUR, JAIPUR

SUBMITTED BY

Name - Rahul sharma

Class - BBA LLB 5th sem

Batch - 2019-2024

Enrollment Number- A21521519030

DETAILED REPORT OF DAILY
PROCEEDINGS AND OBSERVATION

1. Date and Time - Start from 10/05/2021
to 9/07/2021

CERTIFICATE OF INTERNSHIP



INTERNSHIP COMPLETION CERTIFICATE

This is to certify that

DATE: 09/07/2021

Rahul sharma

has successfully completed internship as **Content Writer**

from 10/05/2021 to 09/07/2021 at Samagra Foundation.

A handwritten signature in blue ink, appearing to read "Ms. Sabale", is written over a horizontal line.

MAYURI SABALE

Intern Program Manager



A handwritten signature in blue ink, appearing to read "SK", is written over a horizontal line.

SANKET KAPOLE

Chief Managing Officer



SHEFALI SHARMA

Advocate

RAJASTHAN HIGH COURT, JAIPUR

E-mail: advshfalisharma@gmail.com

Mob.: 9414255666

3rd February, 2022

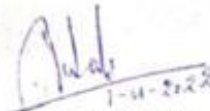
CERTIFICATE FOR INTERNSHIP

This is to certify that Ms. Rinku Chauhan, D/O Mr. Hukum Singh Chauhan, Pursuing B.B.A LL. B (Hons) from the Amity Law School, Amity University, Rajasthan and is currently in the sixth semester. She has successfully completed her internship with the firm from 3rd January 2022 to 3rd February 2022.

During her internship period, Ms. Rinku was involved in Drafting of will, application and list of witnesses, Agreement, case briefing, preparation of case analysis, case citation index and research on several issues pertaining various laws like Arbitration and conciliation act, Constitution of India, Contract Act, commercial laws, Civil and Criminal procedure code, RERA, Rent Control Act. She also attended the court proceedings.

Ms. Rinku was found to be very sincere towards the work assigned to her. She was regular and spend long hours in office to finish assigned work. The performance of Ms. Rinku Chauhan was found to be excellent. She is hardworking, soft spoken and always eager to learn.

We wish her all the best for all her future endeavours.


1-11-2022
SHEFALI SHARMA
(ADVOCATE)

Court: Chamber No. 31, 'B' Block, Ambedkar Bhawan Raj. High Court Bench, Jaipur

Office: House No. 1638, S.M.S Highway, Jaipur

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



**SUMMER/WINTER
INTERNSHIP REPORT DIARY**

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

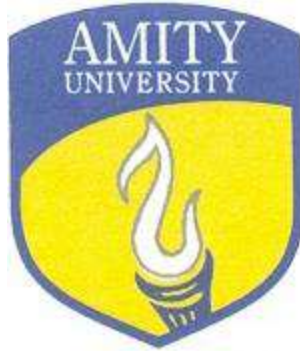
Name:- Srishti patwal

Class 4 semester BBA LLB (H)

Batch:- 2019-2024

Enrollment No.:- A2152151902

INTERNSHIP DIARY MAINTAINED BY THE STUDENT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Vivek Khandelwal

Class:- BBA.LL.B(Hons.), 4th Semester

Batch:- 2019-2024

Enrollment No.:-A21521519003

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

1. Date & Time (Day – 1): - 1st July 2021, 4.00 P.M
2. Name of the Court/ Law Firm/ Organisation/ Institution: - *Juhi Arora Advocate and Associates*
3. Name of the Advocate / Industry Concern with whom case attached/ work assigned: - *Adv. Juhi Arora*
4. Name of the Parties deal with in Presence: - *Adv. Juhi Arora*
5. Nature of Assignment / Proceedings & Procedure Noted: - *legal drafting*
6. Stage of the Proceedings / Case: - *Civil, Family Court Matter*
7. Observation of Intern: - *learned various thing, cleared my doubt, help me understand various topics like presentation skills, cross examination, drafting skills etc. Overall it was a great experience.*
8. Task Assigned to the Intern: - *legal Drafting, Drafting of Antisuit Injunction(Legal Notice)*

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

In, this internship I have been attended the session on various topics such as intricacies of family law, arguments and presentation skills, art of cross examination, drafting skills. Also I was involved in legal drafting.

In this period of internship I was assigned with case analysis of Civil Matter of family Court, legal drafting of Anti-suit Injunction, drafting legal notice, attended many session on various topics and in last there is a workshop of family Law.

Certificate of Internship (At the end of Report)



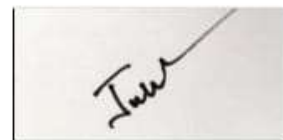
Legal Trendsetters in association with Juhi Arora & Associates

CERTIFICATE OF VIRTUAL INTERNSHIP

This is to certify that *Vivek Khandelwal*, a 2nd year student of Amity University Jaipur, has successfully completed the virtual internship with Advocate Juhi Arora & Associates for a period from *1st July 2021 to 31st June 2021* and has researched actively on various aspects and subjects of Law.

During this internship, Vivek Khandelwal attended the session on various topics such as Intricacies of Family law, Arguments & Presentation Skills, Art of cross-examination, and Drafting Skills. Also, He was involved in legal drafting.

He was found hardworking, duty bound and inquisitive. On the basis of this He is marked with Excellent. We wish Vivek Khandelwal good luck for his future endeavours



Adv. Juhi Arora
(Advocate)

Juhi Arora Advocate & Associates

Add : Chamber No-622, 6th Floor, Lawyers's Chamber Block, Saket Court Complex, Saket, Delhi - 110017, Delhi

INTERNSHIP DIARY MAINTAINED BY THE STUDENT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN



SUMMER/WINTER INTERNSHIP REPORT DIARY

(INTERNSHIP REPORT)

Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur

Submitted by:-

Name:- Yash

Class:- Law

Batch:- 2020-2025

Enrollment No.:- A21511120006

DETAILED REPORT OF DAILY PROCEEDINGS & OBSERVATION

1. Date & Time (Day – 1): - 4 July 2021 at 12:00 am

2. Name of the Court/ Law Firm/ Organisation/ Institution: -
Muskurahat Foundation

3. Name of the Advocate / Industry Concern with whom case
attached/ work assigned: - Internshala

4. Name of the Parties deal with in Presence: - No one

5. Nature of Assignment / Proceedings & Procedure Noted: -
Fundraising

6. Stage of the Proceedings / Case: - Consultant

7. Observation of Intern: - How to Approach and Convince a
person

8. Task Assigned to the Intern: - Convinced the people's on social media

SUMMARY OF THE WORK ASSIGNED IN COMPLETE INTERNSHIP

I learned that how to Convince people's and how to talk with them like a professional.

Certificate of Internship (At the end of Report)



Certificate of Selection

Yash

from **Amity University Jaipur** has successfully secured **Fundraising** internship at **Muskurahat Foundation** through Internshala.

A handwritten signature in blue ink, appearing to read "Sarvesh".

Sarvesh Agrawal
Founder & CEO, Internshala

Date of certification: July 04, 2021

Certificate Number: F79DAC41-BBA4-3C46-2F6C-15AF8E56302D
For certificate authentication please visit https://internshala.com/verify_certificate

Certificate

Payal Jhorar <jhorarpayal@icloud.com>

Thu 8/5/2021 11:09 PM

To: Keshav Jha <kjha@jpr.amity.edu>

Yogesh Kr. Modi

Advocate

B.A., LL.B.

Punjab & Haryana High Court

Enrolment No.P-1212/2003

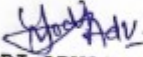
Justice for Humanity



Chamber no.209-210,
New Lawyers' Chamber Complex,
Sirsa
Off: 1st Floor, Modi Plywood,
Kathmandi, Sirsa.
Mob. 94161-06007
Email: yogeshmodiadv@gmail.com

TO WHOM IT MAY CONCERN

Payal Jhorar daughter of Shri Parveen Jhorar student of Amity University, Jaipur being the student of LL.B. Honors 3rd year (Enrolment No.A/21521519009) has attended the training period from 01-07-2021 to 31-07-2021 at my seat and office, under my guidance. She knows her responsibility towards the client. I have minutely observed her working and her dedication to learn, during this period and have found her most efficient. She is able and well conversant with the ethics of professional etiquettes.


YOGESH MODI ADVOCATE,
DISTT. COURTS, SIRSA.

Date: 19.10.2021

TO WHOM IT MAY CONCERN

This is to certify that Ms. Yashvee Singhal, D/o Mr. Rakesh Kumar Bhoot, a student of 7th Semester, BA.LL.B (2018-2023) Amity Law School, Amity University Rajasthan, has successfully completed 2 months (**from 01.08.2021 to 01.10.2021**) long internship program at this law firm. She assisted in legal research work exploring pertinent judgments and preparation of summaries for the litigation. During the period of her internship program with us she was found punctual, hardworking and inquisitive.

We wish her every success in life.

Regards

A handwritten signature in blue ink that reads 'Kapil'.

**KAPIL MADAN FOR
KMA LAW OFFICES
SOLICITORS & ADVOCATES**

20th July, 2021

TO WHOM SO EVER IT MAY CONCERN

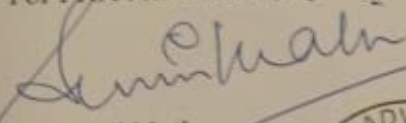
This is to certify that *Mr. Sakasham Soni*, 3rd year student of Amity university Jaipur (Rajasthan), has meticulously undergone internship with our firm from 1st March, 2021 to 21st March, 2021 furthering his practical training during his Five -Year Law Course.

During his internship, he was involved in various legal matters and was exposed to work relating to litigation, corporate laws and arbitration. He reflects immense capabilities of doing research in various areas of law. He has worked on various matters under different heads of law such as Companies Act, 2013, Insolvency & Bankruptcy Code, 2016, Employee Provident Fund Act, 1952, Code of Criminal Procedure, 1973, Rajasthan Excise Act, 1950, Rajasthan Foreign Liquor (Grant of Wholesaler Trade & Retail off Licenses) Rules, 1982, Central excise Act, 1994, etc.

He has also prepared briefs and has assisted in drafting notices, applications and replies. During his Internship, his performance and level of knowledge has been excellent. It was a pleasure working with him.

We wish him a bright future ahead.

For PKA Advocates, Jaipur



Mr. Sunil Nath

Partner





SHARMA & ASSOCIATES
Advocates, Legal Advisors & Consultants
(Delhi High Court)

CH. NO. B-136, B.G.S. BLOCK, TIS HAZARI COURTS, DELHI-110054

Email Id- anilduttsharma.ads.as@gmail.com.

Contact Number - +91 92114 95945, +91 95827 27277



CERTIFICATE OF INTERNSHIP

This Is To Certify

MS. KASHVI KATEWA

D/o Mr. Alok Katewa, a 3rd-year B.B.A.LL.B. (Hons.) student of Amity Law School, Rajasthan has successfully completed her online internship under my guidance from 1st June to 30th June for the year 2021.

During the internship session, she was found hardworking and inquisitive. She worked sincerely on her assignments and actively participated in group discussions, debates, and other activities.

We wish her 'ALL THE BEST' for her future endeavors.

Riya Goel

Riya Goel

(Internship coordinator)



Anil Dutt Sharma
ANIL DUTT SHARMA
Enr. No. D/1700/07 Advocate
(Advocate & Legal Consultant)
Delhi High Court
Ch. No.-B-136, 1st Floor, B.G.S. Block
Tis Hazari, Delhi-110054
Mob. : +91-9211495945

Adv. Anil Dutt Sharma
(DELHI HIGH COURT)

Adv. Samiksha Gupta
LL.M., BBA LL.B. (Hons.)
Founder, Leagle Samiksha

Contact Number: 91720-60387
Email: samiksha.n.gupta@gmail.com

Date: July 31, 2021

LETTER OF APPRECIATION

This is to certify that **Mr. Ayush Malik**, student of **III Year** at **Amity University, Jaipur**, has successfully completed the Online Research Internship with Leagle Samiksha from **July 1 to 31, 2021**.

During this period, he has studied, observed and understood the application of Human Rights law. He has written and submitted qualitative research articles, which will be published on the Blog.

He has completed the assignments dutifully and zealously. I am impressed by his legal acumen, precise writing skills, sharp observation and quick grasping power.

He will surely go a long way in his legal career. I wish him all the best for his bright future!



Samiksha Gupta
Founder, Leagle Samiksha



Date: 15.05.2021

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Pulkit Joshi, a student of Amity University, Rajasthan, has successfully completed his internship from April 12, 2021 to May 12, 2021 in the Insolvency Department with us.

During his internship, he was assigned various tasks related to research and preparation of briefs, each of the tasks were accomplished successfully within the given time frame.

His inquisitive and self- motivated attitude will pave way to his success.

We wish him all the best for future endeavors.



Sagar Aggarwal
Partner
Areness Attorneys



Certificate of Internship

This to certify that

Sarika Baloda

Amity Law School, Jaipur

has completed an internship at
Indian School of Law, Policy & Governance (ISLPG) from
February 15, 2021 - March 15, 2021.

During this period, she carried out all tasks assigned to
her in a diligent and conscientious manner and we wish
her the very best in all her future endeavours.

S. Mohanty

SASWAT MOHANTY

Chief Executive Officer
ISLPG

Aditya Singh

ADITYA SINGH

Founder & Chair
ISLPG

Certificate Number: ISLPG/0121/074



Jus Commune

CERTIFICATE OF INTERNSHIP

This is to certify that **Gaurav Purohit** student of **Amity University, Rajasthan** is being awarded the certificate of internship for the successful completion of the internship from 1st December 2020 to 4th January 2021. Throughout the internship, he/she was found to be punctual, hardworking and sincere.

He/she furnished 4 articles through the period of one month. The articles were well researched and intricately written.



Lavanya Rai

Lavanya Rai
FOUNDER

A. Mishra

Aditi Mishra
CO-FOUNDER



Oil and Natural Gas Corporation Limited

Skill Development Centre

SI. No. SDC-MUM/37/WINTER-TRG/2020-21

Work Centre: Mumbai

CERTIFICATE

This is to certify that Ms. Stuti Sanghamitra a student of Amity Law School, Jaipur pursuing BBA, LLB -(HONS) has successfully undergone Winter Training w.e.f 1.12.2021 to 31.12.2021 at Legal Section under the mentorship of Saumya Raj, DCLA.

She has completed her Project work on Nuances & Applicability of arbitration & Conciliation Act, 1996 under various matters & cases and Succession Laws in India

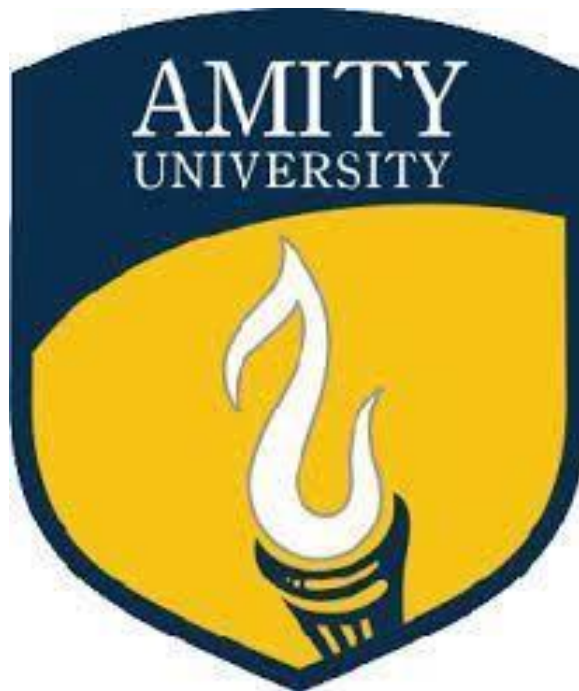
We wish her all success in her academic endeavours and life.

Date: 08.02.2022

Place : Mumbai

Training Co-ordinator

**INTERNSHIP DIARY MAINTAINED BY
THE STUDENT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN**



**SUMMER/WINTER INTERNSHIP REPORT DIARY
(INTERNSHIP REPORT)
Submitted before the Internship & Placement Committee of
Amity Law School, AUR, Jaipur**

Submitted by:-

Name :- Anmol Sharma

Class :- BBA.LLB(H)

Batch :- 2017-22

Enrollment No.:- A21521517014

Internship Certificate

BHADAURIA ASSOCIATES

Office :-43, Bhadauria Lawyer's Chamber,
Khatipura Phatak, Jaipur 302012

Ajay Pratap Singh Bhadauria

Mob. No. 9251045074

Rajesh Singh Bhadauria

Mob. No. 9251044033

Sandeep Singh Bhadauria

Mob. No. 9828634848

Advocates

RAJASTHAN HIGH COURT, JAIPUR

Date 27.8.2020

TO WHOM SO EVER IT MAY CONCERN

This is to certify that Mr. Anmol Sharma S/o Shri Rajesh Sharma Student of Semester 7th, of Amity Law School, Amity University of Rajasthan has undergone his internship with Bhadauria Associates Jaipur from 01 June to 30th June 2020.

We wish him very best for his career and future endeavors.

Jaipur
dated 27.8.2020


Signature Advocate
Ajay Pratap Singh Bhadauria
Advocate

Date: 16.7.2018

Ref.:

TO WHOMSOEVER MAY CONCERN

This is to certify that Mr. Yash Vardhan Rathore student of IInd semester pursuing his B.A., LL.B. (Hons.) course from Amity University Rajasthan Enrollment No. A21511117009 has been associated with me as an intern and has worked with us in our office for four weeks i.e. from 15th June 2018 to 15th July 2018

During this period of internship, he has actively assisted us in cases related to Indian Penal Code of Criminal Procedure POSCO Act, Domestic Violence Act, Rajasthan Excise Act, Hindu Marriage Act, Hindu Adoption and Maintenance Act, Customs Act and other laws related to criminal as well as civil matters.


He has assisted me in drafting various case summaries, pleadings and many other documents. He has also attended and observed the proceeding during his period before Hon'ble Rajasthan High Court (Jaipur Bench) and District Court, Jaipur under me.

I found him to be diligent, competent, sincere, hardworking, efficient, energetic and disciplined with regards to the work assigned to him. He has contributed positively as a valuable member of the team in the varied discussions by combining logic and initiative. He works well in a team and has the ability to get along with different people. He will be an asset to any organization that he works with. I wholeheartedly recommend him for internships in future.

We wish him a successful rewarding legal career and the very best for his future.

Dated - 16.7.18

Place : Jaipur


(Ashish Chauhan)

Advocate

Telephone: (0141) 2981914

Mail ID: roc.jaipur@mca.gov.in



भारत सरकार / GOVERNMENT OF INDIA
कारपोरेट कार्य मंत्रालय / MINISTRY OF CORPORATE AFFAIRS
कार्यालय कम्पनी रजिस्ट्रार राजस्थान एवं शासकीय समापक
OFFICE OF THE REGISTRAR OF COMPANIES, RAJASTHAN CUM OFFICIAL LIQUIDATOR
अधीनस्थ राजस्थान उच्च न्यायालय, जयपुर बेंच जयपुर
ATTACHED TO THE HIGH COURT OF RAJASTHAN, JAIPUR, BENCH AT JAIPUR
"कॉरपोरेट भवन" जी/6-7, रेजीडेन्सी एरिया, सिविल लाईन्स, जयपुर-302001
" CORPORATE BHAWAN", G/6-7, RESIDENCY AREA, CIVIL LINES, JAIPUR -302001

No. E/Law-Student/ 2957

Dated 19/07/2019

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Mr. Yashvardhan Rathore** of **B.A.LL.B (Hons.)** studying at **Amity University, Jaipur, Rajasthan** has worked as an intern with the office of Registrar of Companies-cum-Official Liquidator, Government of India, Ministry of Corporate Affairs, Jaipur, Rajasthan from **17 June 2019 to 19 July 2019**.

During his internship he actively participated in the working of cases related to Company Law & Rules and Insolvency and Bankruptcy Law and learnt about the filing of E-Forms. He focused mainly on drafting of replies, letters, notices for defaults, complaints, preparing questionnaire for evidence and scrutiny of balance sheets of the companies.

He proved to be a promising, meticulous and recourseful intern. I have found his receptive of new ideas and concept which he absorbs and adopts effortlessly. His ability to settle comfortably within this short stint and work with dedication is impressive.

He will be an asset to any organization that he works with. My best wishes are with him in his carrier and academic pursuit.

Belum

(U.S.PATOLE)

ROC-CUM-OL

RAJASTHAN, JAIPUR.



Office : 0291-2545066
0291-2545251

THE BAR COUNCIL OF RAJASTHAN

Ghan Shyam Singh Rathore
Member

HIGH COURT BUILDINGS
JODHPUR - 342 001
e-mail : secretary@barcouncilofrajasthan.org
website : www.barcouncilofrajasthan.org

Ref. No. BCR/

Dated. 13-01-2020

TO WHOMSOEVER MAY CONCERN

This is to certify that Mr. Yashvardhan Rathore student of B.A. LL.B.(Hons.) course from Amity University Rajasthan Enrollment No. A21511117009 has been associated with me as an intern and has worked with us in our office i.e. from 15 December, 2019 to 13 January, 2020.

During this period of internship he has actively assisted us in cases related to Code of Civil Procedure-I, Company Law-I and Corporate Law and other law related to criminal law as well as corporate law matters.

He has assisted me in drafting various case summaries, pleadings and many of this documents. He has also attendant and observed the proceeding during his period before Hon'ble Rajasthan High Court(Jaipur Bench) under me.

I found his to be diligent, competent, sincere, hardworking, efficient, energetic and disciplined with regards to the work assign to his. He has contributed positively as a valuable member of the term in the varied discussions by combining logic and initiative. He works well in a team and has the ability to get along with different people. He will be an asset to any organization that he works with. I whole heartedly recommend his for interships in future.

We wish him a successful rewarding legal career and the very best for his future.

(Ghan Shyam Singh Rathore)

Dated:- 13-01-2020

Place:- Jaipur

Advocate

Ashish Chauhan

Advocate

Rajasthan High Court, Jaipur



Office :

A-27, "Shiv Kripa"
Flat No. G-2, Sundar
Singh Bhandari Nagar,
Swej Farm, Sodala,
Jaipur

Mob : 9829700706
0141-2294449

TO WHOMSOEVER MAY CONCERN

This is to certify that Mr. Yashvardhan Rathore student of BA. LL.B. (Hons.) course from Amity University Rajasthan enrollment no. A21511117009 has been associated with me as an intern and has worked with us in our office for eight weeks i.e. from 15th June 2021 to 15th August 2021.

During this period of internship, he has actively assisted us in cases related to Indian Penal Code, Code of Criminal Procedure, NI Act, Evidence Act and other laws related to criminal as well as civil matters.

He has assisted me in drafting various case summaries, pleadings and many other documents. He has also attendant and observed the proceeding during his period before Hon'ble Rajasthan High Court (Jaipur Bench) and District Court, Jaipur under me.

I found his to be diligent, competent, sincere, and hardworking. Efficient, energetic and disciplined with regards to the work assign to him. He has contributed positively as a valuable member of the term in the varied discussions by combining logic and initiative. He works well in a team and has the ability to get along with different people. He will be an asset to any organization that he works with. I whole heartedly recommend his for internships in future.

We wish him a successful rewarding legal career and the very best for his future.

J. P. DHANOPIA

M.A., L.L.B.
Advocate

Phone : Office : 2587323
Resl. : 2591965
Mobile : 98260 58732

Office : G-11, Commercial Complex,
D. K. Tower, J. K. Road, Indrapuri,
Bhopal (M. P.)

10.07.2018

CERTIFICATE OF INTERNSHIP

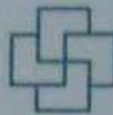
This is to certify that **SHUBHI BHATNAGAR**, studying in 1st year, B.B.A, L.L.B. (Hons.) at Amity University, Rajasthan has successfully completed her internship at our firm from 10.06.2018 to 10.07.2018.

He attended various NCLT sessions and High Court proceedings and worked on cases in the lower courts such as Assistant Courts, City Civil Courts and Small Causes Courts. He was diligent in carrying out legal research at the firm and also ably assisted in drafting notices and affidavits.

I found him quite efficient, observant and hardworking and he showed great interest on the work assigned to him.

Authorised Signatory


(J.P Dhanopia)



LNU

LAXMI NARAYAN UPADHYAY & ASSOCIATES LLP

ADVOCATES & SOLICITORS

BHOPAL OFFICE : UGF-4, Alakhnanda Complex, (Near Vishal Mega Mart) Zone-I, M.P. Nagar, Bhopal - 462011, Ph.: 0755-4274855

BHOPAL OFFICE : M-204, IInd Floor, Vijay Stambh, Zone-1, M.P. Nagar, Bhopal - 462011, Ph.: 0755-4944440

DELHI NCR OFFICE : F-803, Vivek Vihar, Sector-82, Noida - 201305

Contact : 09717578698, 09826424040 | email : mayankupadhyay@lnu.co.in, email : priyankupadhyay@lnu.co.in | Website : www.lnu.co.in

TO WHOMSOEVER IT MAY CONCERN

This is to acknowledge that Ms. Shubhi Bhatnagar, currently pursuing her 2nd year in B.B.A. LL.B. (Hon's) from Amity University, Rajasthan has successfully completed her internship with Trial Courts in Bhopal and High Court of Madhya Pradesh. During her stay she was engaged in various activities.

During this period i.e. from 10.06.2019 to 01.07.2019 she was engaged in the following activities-

1. Witnessed the court procedure.
2. Studied case files.
3. Learnt the nuances of the interlocutory orders in civil cases like Injunction, Substitution of parties, etc. and in criminal cases like Bail, Discharge, etc.
4. Learnt how to file a case in civil and criminal side along with procedural filing.
5. Understood the techniques of writing judgment.
6. Did research for various cases.
7. Mediation Proceedings.

Throughout her internship, Shubhi worked with dedication and enthusiasm, displaying a keen desire to learn and contribute to the work. She has displayed a high level of team spirit during her work. She has very effectively carried out directions and has taken up additional responsibilities readily. She is sincere and hardworking.

I wish her all the best in the future.

Laxmi Narayan Upadhyay & Associates LLP

(PRIYANK UPADHYAY)

Designated Partner



LAW OFFICES OF MITHU JAIN

ADVOCATE ON RECORD
SUPREME COURT OF INDIA

10, TANSEN MARG (FIRST FLOOR)
BENGALI MARKET,
NEW DELHI, 110001, INDIA

EST. 2020

MJ/IC/04/2020

17th December, 2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Ms. Shubhi Bhatnagar, a 4th year BBA. LL.B. (Hons.) student at Amity University Rajasthan, Jaipur was associated with my office, as an Intern for 30 weeks that is between 25.04.2020 till 21.11.2020.

During this period, she has attended the cases listed before the Hon'ble Supreme Court of India and other Tribunals as well as conducted legal research on various branches of law. During this period, she **assisted my office in Drafting Petitions relating to the following areas of law:**

- Plight of migrant labourers during COVID-19 lockdown. (*In Re Problems and Miseries of Migrant Labourers*; SMW(C) No. 6/2020)
- Re-imbursement of Salaries to Doctors front lining COVID-19 (*Dr. Arushi Jain v. Union of India*; W.P. (C) No. 759/2020)
- Consumer Complaint for deficiency of services/medical negligence. (*Dr. Arushi Jain v. Dr. Lal Pathlabs Ltd. & Ors.*)
- The encounter case of Vikas Dubey on behalf of NHRC as an intervener. (*Peoples Union for Civil Liberties and Anr. V. Union of India and Ors*; W.P (Crl) 118/2018)
- Bail application of Atul Gorsawala in the Surat's Coaching centre fire case. (*Dinesh Premjibhai Kevadiya v. Atul Vinodkumar Gorsawala*; SLP(Crl) No. 3534/2020)

Shubhi also researched on:

- The concept of laws pertaining to sexual harassment of women at workplaces [POSH Act, NCW Act, IPC, CrPC].
- The section 34 and 37 of the Arbitration and Conciliation Act, 1996.
- Delhi Special Police Establishment Act (DSPE), 1946.
- Decree of divorce granted by a foreign court and its maintainability in India.

Shubhi is an extremely dedicated and hardworking law student, who has displayed exemplary responsiveness, sincerity and met with deadlines. She will be an asset to any office she joins. I wish her all the best for her future endeavors.

(MITHU JAIN)
Advocate on Record

DESAI & DIWANJI

ADVOCATES, SOLICITORS AND NOTARIES
B – 195, LAJPAT NAGAR PART – I
NEW DELHI – 110 024.
TEL.: +91 (11) 4506 6255/ 2982 5578

24 March 2021

TO WHOMSOEVER IT MAY CONCERN

This certificate of internship is being given to Ms. Shubhi Bhatnagar, 4th year, BBA.LL.B (Hons) from Amity University Rajasthan. Ms. Shubhi has successfully completed her internship at Desai & Diwanji, New Delhi from January 1, 2021 to January 31, 2021.

Ms. Shubhi was primarily involved in research under the Arbitration and Conciliation Act, 1996. Other researches performed by her were related to:

- Anti-arbitration orders and intervention of courts under Section 11 of the Arbitration and Conciliation Act, 1996;
- Validity of foreign awards in India;
- Redaction of confidential portion in a document;
- Unilateral appointment of sole arbitrator;
- Patent illegality, limitation period of appeal and intervention of courts in arbitral awards;
- Orders pronounced by Justice Arun Mishra on BS4 Vehicles;
- Common area maintenance charges in a residential area;
- Nature of offences committed u/s 66 A, 66 C and 67 A, 67 B of the Information Technology Act, 2000. Would the compounding under section 63 of the Information Technology Act, 2000 apply or is it limited to compliance part only?
- Sections 67A and 67B of the Information Technology Act, 2000 relating to bail matters;
- Interim awards under the Arbitration and Conciliation Act, 1996; and
- Whether a construction company / infrastructure company falls within the scope of Shops and Establishments Act of Tamil Nadu.

She was also involved in preparation of a presentation on the Social Security Code, 2020; and preparation of list of dates in various matters.

During the period of her internship she performed her assignments with diligence and we found her sincere and hardworking.

We wish her all the best for her future endeavors.

For Desai And Diwanji



**For Aslam Ahmed
Partner**



Jaipur Office
201, Second Floor,
Coral Studio One,
Lal Kothi, Sahkar Marg,
Jaipur-302015, Rajasthan
Tel: +91-141-22744101
Email: info@tribuslegal.in

Ref: JPR/2021/02/COI-02

Dated: 19th, March, 2021


CERTIFICATE OF INTERNSHIP

This is to certify that **MS. SHUBHI BHATNAGAR**, Enr. no. A21521517017, Amity University Jaipur has successfully completed her 4 weeks of internship period, starting from 15th, February, 2021, under the guidance of undersigned.

During the internship period, she was found to be diligent and motivated. She has interned with our Commercial Dispute & Litigation Practice team.

We wish her all the best.

For Tribus Legal,


HANS HONEY KHARI
ADVOCATE,
RAJASTHAN HIGH COURT, JAIPUR





26.07.2021

TO WHOSOEVER IT MAY CONCERN

THIS IS TO CERTIFY THAT Ms. SHUBHI BHATNAGAR D/O MR. VIRENDRA BHATNAGAR WHO IS PURSUING HER BBA LLB (Hons) (8th SEM.) FROM AMITY UNIVERSITY RAJASTHAN, AMITY LAW SCHOOL, JAIPUR HAS INTERNEED WITH OUR OFFICE FROM 05th JULY, 2021 TO 26th JULY, 2021.

DURING THE COURSE OF HER INTERNSHIP, SHE HAS BEEN INVOLVED IN DIFFERENT AREAS OF LAW PRACTICE INCLUDING THE ARBITRATION AND CONCILIATION ACT, 1996, BANKING LAWS, AS WELL AS, SHE HAS DONE EXTENSIVE RESEARCH AND DRAFTING WORK IN DIFFERENT AREAS.

SHE EXHIBITED STRONG ETHICAL VALUES AND COMMITMENT TOWARDS THE PROFESSION. DURING HER INTERNSHIP SHE HAS SHOWN KEEN AND GENUINE INTEREST TOWARDS THE WORK ASSIGNED TO HER. WE WISH HER SUCCESS IN ALL HER FUTURE ENDEAVORS.

AKHIL MODI

ADVOCATE

AKHIL MODI

51-52, VIJAY NAGAR

KARTARPURA PHATAK

JAIPUR-302006 (RAJ.)

AKHIL MODI AND ASSOCIATES

Akhil Modi & Associates

Corp. Off. : 51-52, Vijay Nagar, Kartarpura, Jaipur - 302 006, India. Tel.: 0141 2500384, Fax: 0141 2504201

www.akhilmodi.com

Internship Letter

Strictly Private and Confidential

17 Feb 2022

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Dhruv Khurana** has successfully completed his internship with **Inhouse legal in Legal Department** under the guidance of Rashi Sethi- Head of Inhouse Legal

The period of his internship was from **15th Nov'21 to 15th Feb'22**. He was found sincere during the entire tenure.

We wish him all the best for future endeavours.

Thanking you,

Yours faithfully,

For IIFL



Rashmi Priya
Human Resources



RENAISSANCE

THE HISTORY RESEARCH INTERNSHIP

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Pooja Kriplani successfully completed a month long History Research Internship by Think India Tribal Rights Forum and Maharana of Mewar Charitable Foundation, with researching on the topic "*Childcare & Education of Mewar Tribes*" from 15th January 2021 to 15th February 2021.

During this period Pooja acted as an enthusiastic and dedicated individual along with completing her work on time. She further came up with various ideas and suggestions that improvised the submission.

Pooja has been a punctual and disciplined intern. Her detailed research articles reflected the diligent work she put in during the internship. She is an indispensable asset to any organization that works with her.

We wish her a great future ahead.

Bhupendra Singh Auwa

Administrator in Chief
MMCF, The City Palace Museum, Udaipur

Pradhumna Malpani

Incharge
Think India Tribal Rights Forum

Jaganath Patnaik
Senior Advocate
Orissa High Court

Off. : 0671-2301065
Resi. : 0671-2300555
Mobile : 9437021555
Fax : 0671-2300555
E.mail : jaganathpatnaik@gmail.com
Resi : Shreevihar, Tulasipur
Cuttack -753008 (INDIA)

Date :

TO WHOM SO EVER IT MAY CONCERN

Certified that Abhijit Mohanty S/o-Ramani Ranjan Mohanty of Plot No.B-1457, Sector-6, CDA, P.s-Markatnagar, Town/Dist-Cuttack, Odisha worked as an intern under my guidance from 17th day of December, 2019 to 14th day of January, 2020. He is a student of Amity University Rajasthan, Jaipur, belonging to the batch of 2017-2022. He showed much interest to study law and sincerely went through case files given to him and discussed facts and law, manifesting his eagerness to prepare cases.

To the best of my knowledge, he is very sincere, punctual and hard working.

I wish him all the best in life.

Patnaik
(JAGANATH PATNAIK)

JAGANATH PATNAIK
SENIOR ADVOCATE

Ramakant Mohanty

Senior Advocate
ORISSA HIGH COURT



Tala Telenga Bazar, Cuttack - 753009, Odisha
Ph. : +91 6712419542, Mob. : +91 9437029542
Fax : +91 6712428542
e-mail : mohantyramakant@gmail.com

Ref.....

Date.....

CERTIFICATE OF INTERNSHIP

This is to certify that **Abhijit Mohanty**, a student of 2nd year, B.B.A. LLB at AMITY Law School, AMITY University Rajasthan, Jaipur, has successfully completed his summer internship of 4th Semester from 22.06.2019 to 22.07.2019 under my guidance.

During the course of his internship he was dedicated, disciplined and well behaved. He diligently performed all the tasks entrusted upon him and sincerely submitted all the assignments on time. He was punctual and reported daily on time to attend the court proceedings.

I wish him best of luck for his future endeavours.

(RAMAKANT MOHANTY)
SENIOR ADVOCATE
ORISSA HIGH COURT, CUTTACK

SOURA CHANDRA MOHAPATRA

Advocate
Orissa High Court, Cuttack

RESI-CUM-OFFICE :

"SATYALAYA", Plot No.-D/1087, Sector-6,
Markat Nagar, CDA, Cuttack-753014
Ph. : 0671-2364087 (R/C), 6524208 (C)
Mobile : 94370 04466

Ref. No.

Date 12.07.18

CERTIFICATE OF INTERNSHIP

This is to certify that Mr. Abhijit Mohanty a student of 1st year BBA.LL.B(H) of Amity Law School, Amity University, Jaipur, Rajasthan has successfully under gone and completed his Internship in my Office from 18th June 2018 to 11th July 2018 for a period of 24 days. During the period of Internship he has attended my chamber each day morning and evening regularly. He has also attended the Court and remained present at the time of client consultation. He has undertaken a study of different case laws sincerely in my chamber during his internship.

I wish him all success in his career.

Soura
12.07.18

(Soura Chandra Mohapatra)
Advocate

Soura Chandra Mohapatra
Advocate
Orissa High Court, Cuttack
Mob-9437004466

ASIA'S FIRST LEADING HR CIVIL SOCIETY

Regd. Under Society Act XXI
of 1860, FCRA, 80G (5) VI

Affiliated to U.N. & Supported
by many Authorities

www.aihra.org
www.aihru.org

ESTD.

1987



ALL INDIA HUMAN RIGHTS

Association / Media

CERTIFICATE OF INTERNSHIP

This is to certify that

Mr. : Abhijit Mohanty, BALLB(H) 4TH YEAR (Amity University Rajasthan, Jaipur)

HAS PARTICIPATED IN THE INTERNSHIP AND TRAINING & WORKSHOP ON
HUMAN RIGHTS FROM 15TH 2020 TO 30TH JULY 2020

WE CARE HUMAN VALUES NOT ON THOUGHT ALONE, BUT IN ACTION

THE FUNDAMENTAL OBJECT OF GOOD GOVERNANCE IS TO
PROVIDE CARE FOR HUMAN LIFE AND HAPPINESS AND
NOT THEIR DESTRUCTION

H. Q. "AIHRA" : 1/24, KMT Bhawan, SF, St#2, Lalita Park, Laxmi Nagar, Delhi - 110092

Ring : 011-22045629, 011-43026940, 09313125531, 09213493068

E-mail : humanrights@aihra.org, humanright16@hotmail.com, aihradua@gmail.com

DR. M. U. Dua
President-AIHRA



Nitish Rai Parwani
Director



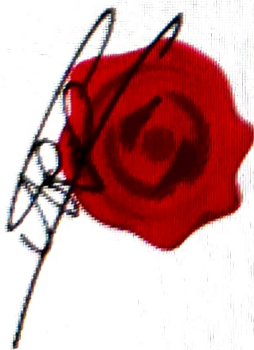
Niti Manthan
93, South Avenue
New Delhi, India
+91-9810294756
nitimanthan@gmail.com
nitimanthan.in

Certificate of Internship

Legal Content Writing/2020/August/005

This is to certify that **Abhijit Mohanty** of **Amity University, Rajasthan** interned at Niti Manthan for a period of one month from 27th July 2020 to 22nd August 2020. He worked as a legal content-writer and displayed a sense of quality articulation and keen interest in learning.

During his tenure as an intern he has written well researched articles. He has shown sincerity while working & completed all tasks assigned. Niti Manthan wishes him all the very best and hopes for a continued association.



Nitish Rai Parwani
26/08/2020

CERTIFICATE OF INTERNSHIP

WPL Research

Web | Privacy | Law

This certificate is awarded to

MR. ABHIJIT MOHANTY

This is to certify that Mr. Abhijit Mohanty, Amity Law School, Amity University, Rajasthan has successfully completed the 2 Months Web Freedom Internship program with WPL Research during the period from August 2020 to October 2020.

While interning with WPL Research Abhijit worked on Cyber Laws, Cybercrime awareness, and Tech Policy issues. In the short duration of his internship, Abhijit with his understanding produced good research work which can definitely be taken forward by WPL Research. His analytical skills are exemplary and we want him to continue with research work in the chosen area.

Abhijit's performance has been noteworthy, he developed an in-depth understanding of assignments allotted to him. We value his contribution and wish him luck in all future endeavors.

WPL RESEARCH

GAUTAM MISHRA
Founder, WPL Research
Email- gautam.mishra@wplresearch.in
www.WPLResearch.in

October 27, 2020

Certificate No.: B01/2020/001


10.08.2021

CERTIFICATE OF INTERNSHIP
TO WHOMSOEVER IT MAY CONCERN

This is to certify that **MR. ABHIJIT MOHANTY**, (Enrolment No. **A21521517016**), student of Amity Law School, Amity University Rajasthan, Jaipur, who is in the 9th semester of B.B.A. LL.B. (HONS.) commenced his internship from 20.07.2021 to 10.08.2021. During his internship he worked over the following legal aspects relevant to the ongoing cases:

1. Compliances and provisions for compulsorily convertible preference shares, as per the Company Laws
2. Researched on right of rape victim to engage private counsel
3. Drafting non-disclosure agreement
4. Researched on mutual consent divorce
5. Assisted in Property Laws and Co-Operative Society Laws cases
6. Researched over compliances of Infrastructure Investment Trust.
7. Researched over Data Privacy and Privacy Laws for FinTech Companies in China, India, United States, United Kingdom, and Europe.
8. Analyzing compulsorily convertible preference shares investment term-sheet
9. Drafted Equity shares investment term-sheet with all required clauses.

He rendered help in research work in various fields of law during his internship. He took a keen interest and put serious efforts into the work assigned to him. He exhibited remarkable sincerity, commitment, and perseverance in his approach. I wish him success for his career and bright future ahead.



VAPIKA MALIK
Advocate

Partner- TSV Advocates Legal Network

TRINA BANERJEE
Advocate
E. No.: D/2201/19
+91 9899160561

SHIKHA DHASMANA
Advocate
E. No.: D/7920/19
+91 7838731162

VAPIKA MALIK
Advocate
E. No.: D/5898/19
+91 9958914188

GYANENDRA KUMAR TRIPATHI

ADVOCATE

KANPUR NAGAR

AT COURT COMPOUND

KANPUR NAGAR

Mob No :- 9839950988, 7068547771

E-mail :- gyanendrakumartripathi1067@gmail.com

Date :- 14-January-2020

Certificate of Excellency

This is certify that Ms. Shivangi Yadav, student of school of Law Amity University. Jaipur, Rajasthan of B.B.A.L.L.B. branch have completed her internship of 5th Semester of 30 days i.e. the period of 15.12.2019 to 14.01.2020 under my guidance.

I have found him to be self-starter who is motivated, duty bound and Hard-working. She perform excellent with well behaviour and she was regular and punctual at time to report before me day to day. She worked sincerely on her assignments and her performance was Par Excellence.

I wish him best of luck for her future.

Gyanendra Kumar Tripathi

Advocate



G. K. Tripathi
Advocate

Court Compound Kanpur Nagar

CHAMBERS OF ABHAS MISHRA
ADVOCATES & CONSULTANTS

DATE: 17.07.2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Shivangi Yadav**, a student of the Third Year of BBA LL.B. at *Amity Law School, Jaipur* affiliated with *Amity University, Rajasthan* was associated with my chambers from 27.06.2020 to 17.07.2020 as a trainee in a web-based internship.

During this period, she actively participated in various cases relating to *Criminal and Family Law*. She also made virtual presentations on Right to Education of Transgenders, POCSO Act and Section 13(1)(ib) of the Hindu Marriage Act, 1955 and showed aptitude in diverse aspects of research as well as understanding of cases.

She is a pleasing person and during the period of internship, she proved to be a promising and resourceful intern even though the entire internship was online and internet based.

I wish her all the best for all her future endeavours.


Abhas Mishra
Advocate



Founder: Jeevan Prakash, AOR, Supreme Court

CERTIFICATE OF INTERNSHIP

This is to certify that **SHIVANGI YADAV**, student of **Amity university** has completed his/her internship of one month commencing from **7-9-2020** under my guidance.

During the internship, he/she made himself/herself familiar with professional skills of (i) in-depth solution-based study of various legal topics to acquire problem-solving skills such as (a) rights of rape survivors, (ii) sex on false promise of marriage, (iii) various aspects of law on FIR, (iv) legal escape route from contractual obligations; (ii) Writing skills to put forward as to the true scope of the law and its interpretation, (iii) Communication skills in the least possible and most effective way; (iv) Leadership skills to grape the opportunity to lead others; (v) advising client on given problem; (vii) Making video on legal topics; (viii) attended virtual court hearing; (ix) assuming social responsibility to spread legal awareness and thereby socialize himself/herself with outside world.

During internship, I have found him/her to be motivated, duty bound, punctual and hard working. He/She has also maintained the daily diary of the task assigned and reported day to day basis.

He/She worked sincerely on his/her assignments and his/her performance was **PAR EXCELLENCE.**

We wish him/her every success and bright future in life.

Date - 8 October, 2020



Jeevan Prakash

AOR, SUPREME COURT



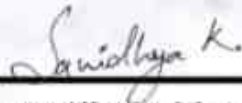
CERTIFICATE OF INTERNSHIP

THIS TO CERTIFY THAT

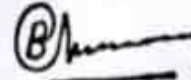
Ms. Shivangi Yadav

*of Amity Law School, Jaipur has successfully completed her tenure as a
CAMPUS AMBASSADOR from October 22, 2020, to December 22, 2020.*

In her tenure of internship, she had promoted various events. We found her very punctual and hard-working during the internship.



Mr. Sanidhya Kulshreshtha
Founder & C.E.O.
Legallify India



Mr. Bhavya Bihani
Co- Founder
Legallify India

CERTIFICATE OF INTERNSHIP

This certifies that

Ms. Shivangi Yadav, an excellent law intern, who has shown sincerity in work.

has completed the legal internship with us successfully for the month of January, 2021

Certified by S. Bhambri & Associates(Advocates), Delhi.

SOFIA BHAMBRI
MANAGING PARTNER

N. K BHAMBRI
SENIOR ASSOCIATE





Certificate of Internship

This to certify that

Shivangi Yadav

Amity Law School, Jaipur

has completed an internship at
Indian School of Law, Policy & Governance (ISLPG)
from January 04, 2021 - February 04, 2021.

During this period, she carried out all tasks assigned to her in a diligent and conscientious manner and we wish her the very best in all her future endeavours.

S. Mohanty

SASWAT MOHANTY

Chief Executive Officer
ISLPG

Aditya Singh

ADITYA SINGH

Founder & Chair
ISLPG

Certificate Number: ISLPG/0121/006



CERTIFICATE OF INTERNSHIP

THIS CERTIFICATE IS PRESENTED TO

SHIVANGI YADAV

Student of Amity University Jaipur has successfully completed one month "Content Writing Internship" i.e. from 25th January, 2021 to 25th February, 2021.

During the internship we found him/her to be regular, sincere, hardworking and appreciate his/her commitments towards work. We wish him/her a successful future.

SAI VIKRANTH

FOUNDER & PUBLISHER
JLSR JOURNAL [ISSN(O) : 2582-306X]

WAJAHAT ANSARI
Advocate & Legal Consultant
Supreme Court of India
17, Setalvad Block, Bhagwan Das Road
New Delhi-110001
advocatewajahat@yahoo.com
+919810288773

Date: 01.03.2021

TO WHOM IT MAY CONCERN

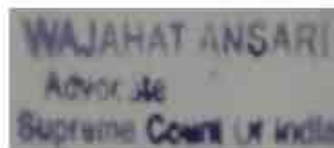
This is to certify that Ms **SHIVANGI YADAV** student of **BBA.LLB. 8th** semester in **4th year** having Enrolment No **A21521517003** of **AMITY UNIVERSITY JAIPUR, AMITY LAW SCHOOL** at **RAJASTHAN** has completed her online internship of one month i.e. the period of **01.02.2021** to **01.03.2021** under my guidance.

During the span of online internship, he/she has participated in the legal group discussion, lectures, webinars, and arguments as well as studied various case files, case laws and judgements for the same. The other parts of her online internship included drafting of various documents, research work and translation of documents.

He/She performed excellently with well behaviour and she is punctual at time to report before me day to day. He/she worked sincerely on her assignments and her performance was **Par Excellence**.

I wish him/her best of luck for his/her future.

YOURS



(WAJAHAT ANSARI)
New Delhi
BCD No. D/1102/98/R

ALL LEGAL SOLUTIONS ADVOCATE AND ASSOCIATES
ALL LEGAL SOLUTIONS ADVOCATE AND ASSOCIATES

CHANDARPAL SINGH SUJAWAT

VIKAS MASSEY



DR. ABHISHEK CHOUDHARY

BHARAT SINGH BHATI

Office : C1 - MOHIT COTTAGE, RAINI VIHAR, AIMER ROAD, JAIPUR 302021

CONTACT : 9462308060, 8107227060

DATE – 09/07/2021

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Miss. Shivangi Yadav** D/o Shri Ramesh Singh Yadav, of BBA.LL.B. (H.) Amity University Rajasthan, (batch 2017-2022) has worked with this association from 08-06-2021 to 08-07-2021 as an intern.

As an intern she was given the responsibility of preparing case note for the seniors and for the purpose of ready reference material while advancing the arguments of the case before different courts in Jaipur on Civil and various miscellaneous matters.

It may be noted that she has also contribute in the area of legal research which included but not limited to finding appropriate case laws, relevant sections and arranging the files besides attending the courts as a learner with seniors to assist them in the areas of criminal, banking and other matters.

We have found her sincere and hard working with rare qualities of mingling with team and complying with the decision of managements and seniors.

Sincerely,

Bharat Singh Bhati

Associate Advocate

All Legal Solutions Advocates

DATE: 31ST JANUARY 2022

TO WHOM IT MAY CONCERN

This is to certify that **Ms. Harshvi Chaumal**, daughter of Mr. Atul Chaumal, student of Amity Law School, Amity University, Rajasthan, pursuing BBA LL.B.(Hons) IX Sem has interned under the guidance of **CA Prashant Agrawal, Insolvency Professional** registered with IBBI with registration number **IBBI/IPA-001/IP-P00053/2017-18/10127** from **1st October 2021 - 31st January 2022** for a period of 4 months.

During the internship, Harshvi helped the insolvency professional and her team and was actively involved with the client matters of the team. The undersigned is an Insolvency Professional who is Interim Resolution Professional, Resolution Professional and Liquidator in several companies who are undergoing CIRP and Liquidation and as well as representative in MSME facilitation centre for many companies and firms.

During her internship so far, Harshvi's tasks included, amongst others:

- Assisted in the CIRP/Liquidation process with the perspective from IRP/RP/Liquidator of which included but not limited to various task as per the CIRP/Liquidation Timeline with respect to the provisions of the Insolvency and Bankruptcy Code,2016 (IBC).
- Assisted in drafting and filing various petitions and reports under provisions of IBC, 2016 before the Hon'ble National Company Law Tribunal.
- Assisted in selection of various valuers, forensic auditors in CIRP
- Assisted in drafting petitions in MSME cases

Harshvi completes all task entrusted to her thoroughly and at all times to our full satisfaction. She has a very quick comprehension. In particular, her very high motivation, high diligence and her initiative with which she completes the task assigned to her should be emphasized.

Harshvi has a very good legal and insolvency awareness, which allows her to quickly grasp the concept of the Insolvency and Bankruptcy. Therefore, she is able to apply her legal knowledge accurately and in a directly usable manner also in complex cases. We have found Harshvi to be very polite, friendly and always pleasant to work with.

I find Harshvi to be a very hardworking, intelligent, and fervent man who is industrious and resourceful. I am of the view that she will be an asset to the legal profession.

I wish her all the best for her future endeavours.

CA Prashant Agrawal
Insolvency Professional
IBBI/IPA-001/IP-P00053/2017-18/10127



Ref. No.

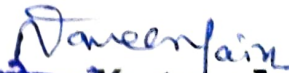
Date.....

TO WHOMSOEVER IT MAY CONCERN

This is to certify that MS. Smriti Bansal D/o Shri Sanjay Bansal student of BBA, LL.B. Second Semester from AMITY University, Jaipur underwent an Internship with me for a period of Four Weeks, i.e. from 15th June 2018 to 15th July, 2018.

During these period she actively participated in the team working on cases which are listed before various courts. She has worked on various aspects of Legal Drafting and assisted in Research Work, Inspections of Files and Proof Readings. She is disciplined, competent, diligent, hardworking, sincere and enthusiastic student. During the Internship she dealt with the cases relating to Civil, Criminal, Family Matters, MACT matters and Negotiable Instruments Act etc.

She has contributed positively and enthusiastically her work as an Intern and will be an asset, where ever she goes. I wish her all the best for the future endeavors.


(Naveen Kumar Jain)

93, लवकुश नगर-1, टोंक फाटक
जायपुर Ph. N. 2591541 O 702865

Registration No.: R/8/1998

Anurag Kulshrestha Advocate

240 Lawyer's Chamber, Rajasthan High Court, Jaipur-302 005
201, Block 'B' District & Session Court, Bani Park, Jaipur-302 002
B-14 (A), 'SHASHI ANAND' S-2, Shanti Nagar, Ajmer Road, Jaipur-302 006
Mob: 9314415430, 9929778883

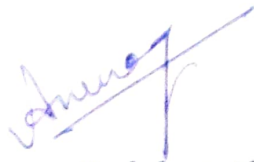
July 20, 2019

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Ms. Smriti Bansal daughter of Shri Sanjay Bansal student of BBA, LLB (H) fourth semester from AMITY University, Jaipur underwent internship with me for a period of time i.e. from 25th June, 2019 to 19th July, 2019. During this period, she actively participated in the team working on cases which are listed before various courts. She worked on various aspects of legal drafting and also assisted in research work, inspections of files and proof readings. She is disciplined, competent, diligent, sincere & punctual. During the internship she dealt with the cases relating to civil, criminal, family matters, MACT matters, consumer and Negotiable Instruments Act.

Ms. Smriti Bansal contributed positively and enthusiastically work as an intern and will be an asset, where were she goes.

I wish her all the best for the future endeavours.



Anurag Kulshrestha

Advocate.



Dr. Vibhuti Bhushan Sharma (Ph.D.)

M.A., LL.B., B.J.M.C., P.G.D.T.L., P.G.D.L.L., P.G.D.H.E.

Additional Advocate General, Government of Rajasthan
Rajasthan High Court Jaipur Bench Jaipur

High Court - 0141-2227248, Mobile No.- 94140-46242, Residence- 0141-2791242, e-mail : aag.vibhuti@gmail.com

Ref. :

Date :

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Ms. Smriti Bansal, d/o Shri. Sanjay Bansal, student of 3rd Year, B.B.A. LL.B. (5 Years Course) from Amity Law School, Amity University, Jaipur (Raj.), INDIA has successfully completed her internship in my office from 16.12.2019 to 10.01.2020.

During her internship, she studied various cases pending before the Rajasthan High Court wherein the subject matter included Service Law, Arbitration Law and Contractual Law. She also attended the court hearings and sincerely followed the cases of this office which were listed before the Court.

I wish her a successful and rewarding legal career and all the very best for future.

DR. VIBHUTI BHUSHAN SHARMA



JLJ LAW OFFICES

Date: 9th July 2020

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Ms. Smriti Bansal, Student at Amity University, Rajasthan has successfully completed our Online Internship Program at JLJ LAW OFFICES for the period of 1 month from 2nd June 2020 to 2nd July 2020.

During the association with our firm, she has discharged her work with full commitment and dedication. She was entrusted with various legal and research work, which she attended quite efficiently and diligently.

In the course of Internship, she had worked on "Increase in Cyber Crime after the outbreak of Covid-19" along with "Digital Signatures, E-commerce, Intellectual Property issue and Cyberspace. She further proactively attended all the online meetings that were regularly organized by us.

She has the motivation to take initiative and professionally sound and hardworking. We wish her All the Best for all her future endeavors.

Manish Jain
Managing Partner

Sougata Ganguly
Senior Partner



FHS ||| **LAW**
FIRM

INTERNSHIP CERTIFICATE

THIS IS TO CERTIFY THAT

Ms. Smriti Bansal

has successfully completed the distance internship program which was conducted from
8 June 2020 to 23 July 2020.

During the internship, she has worked on various assignments and has assisted with
productive research towards multiple areas of practice such as International Arbitration,
Shipping and Maritime, Banking and Finance, Criminal Law, Family Law, and Corporate
Document Drafting.

We found dedication and skill in the assignments submitted during the internship and
wish her the best for all future endeavors.

Vidur Dhawan
Partner Corporate

FHS Law Firm

Sea Tower, Office No. 201, Raffay Street, Near Abu Dhabi Chamber of Commerce, Corniche Road, Abu Dhabi, UAE
Tel: +971 2 639 9921 | Mob: +971 50 992 7331 | info@fhsfirm.com | www.fhsfirm.com

Sangeeta Sharma

Advocate

Rajasthan High Court, Jaipur

Mob. 9828365783

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Smriti Bansal** D/o Shri Sanjay Bansal, student of IV year VIII Semester, B.B.A., LL.B. (5 Years Course) from **Amity Law School**, Amity University, Jaipur (Raj.) India has successfully completed her internship in my office from 15.03.2021 to 15.04.2021.

During her internship, she studied various cases pending before the Rajasthan High Court wherein the subjected matter included Service Law, Arbitration Law, Contractual Law. She has worked on various aspects of Legal Drafting and assisted in Research Work, Inspections of Files and Proof Readings. She is disciplined competent, diligent, hardworking, sincere and enthusiastic student.

She has contributed positively and enthusiastically her work as an Intern and will be an asset, where ever she goes. I wish her all the best for the future endeavors.



(SANGEETA SHARMA)

Advocate

Rajasthan High Court, Jaipur

DYNAMICS OF MODERN CORPORATE CRIME & ITS CONTROL IN COMPANIES ACT 2013

A Dissertation Report

Submitted by
ADITYA SHARMA

In partial fulfillment for the award of degree

Of

B.A., LL.B.(H.)

**IN
LAW**



AT

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

Submitted by
ADITYA SHARMA
B.A., LL.B.(H.)
2016-2021
A21511114049

Supervised By
MR. VEDANSH SHARMA
ASSISTANT PROFESSOR
AMITY LAW SCHOOL

GUIDE'S CERTIFICATE

This is to certify that work titled Dynamics of modern corporate crime & its control in companies act 2013; need to be reformed is a piece of research work done by Mr. Aditya Sharma of batch 2016-2021 under my guidance & supervision for the degree of B.A., LL.B.(Hons.) at Amity Law School, Amity University, Rajasthan, Jaipur. The candidate has put in attendance of more than 20 days with me.

- 1) To the best of my knowledge & according to her declaration belief the thesis.
- 2) Embodies the candidate herself.
- 3) Has duly being completed.
- 4) Fulfils the requirements of the ordinance relating to the B.A., LL.B.(Hons.) degree of the University.
- 5) Is up to the standard both in respect of content & language for being referred to the examiner.

Aditya Sharma
B.A., LL.B.(H.)
2016- 2021

Mr. Vedansh Sharma
Assistant Professor
Amity Law School

**“ANALYSIS OF THE LEGAL REGIME CONCERNING
COMPARATIVE AND SURROGATE ADVERTISING
IN INDIA”**

Submitted towards the partial fulfilment of grading for the 10th semester of

B.A.LL.B. (H) in (INTELLECTUAL PROPERTY RIGHTS)

At

Amity University Rajasthan

SUBMITTED BY

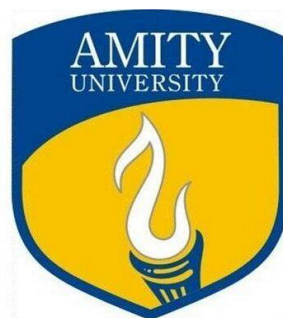
Ms. Anuniti Pandey

A2151116028

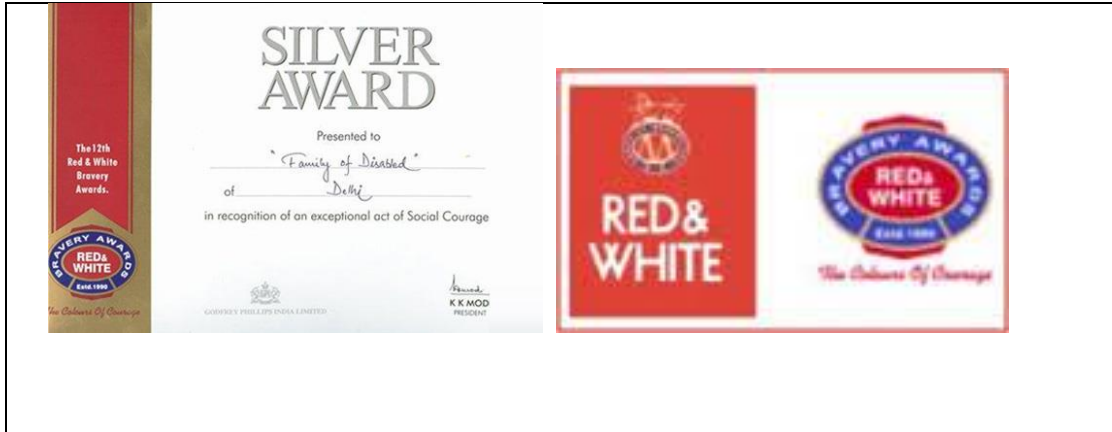
UNDER THE SUPERVISION OF

Mr. Hemant Singh

Assistant Professor



**AMITY UNIVERSITY, SP-1 KANT KALWAR, NH11C, RIICO
INDUSTRIAL AREA, JAIPUR, RAJASTHAN 303007**



Dissertation submitted in partial fulfilment for the academic requirement of Degree of
Bachelor of Law [B.A. LL. B (H)] in (Law)

SUBMITTED BY

Abey Kuruvila

A21511116050

Batch – 2016- 2021

UNDER THE SUPERVISION OF

Asst. Prof. Dr. Abhishek Baplawat



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

AMITY UNIVERSITY RAJASTHAN

JAIPUR



CERTIFICATE

This is to certify that **Abey Kuruvila** enrollment number: **A21511116050** is a student of Amity Law School, Amity University Rajasthan has completed his dissertation, to be submitted in partial fulfilment of the requirement for the degree of Bachelors of Law bearing the title “**LEGAL REGULATIONS GOVERNING THE INDIAN FILM INDUSTRY: A COMPARATIVE STUDY**”. To the best of my knowledge the dissertation is a result of his research, is an original work carried out by my student under by supervision.

Dr. Abhishek Baplawat

Assistant Professor,

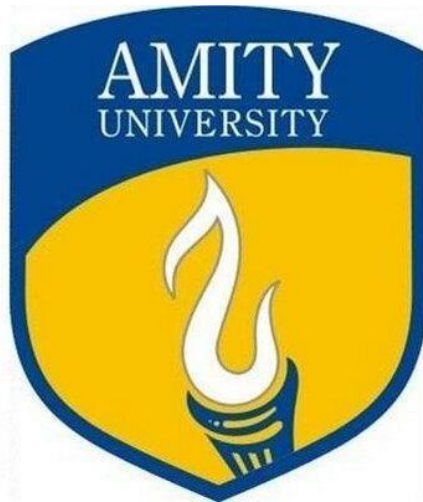
Amity Law School

Amity University Rajasthan

**THE PHENOMENON OF CYBER CRIME AND FRAUD
VICTIMIZATION OVER INTERNET**

**Dissertation SUBMITTED TO THE AMITY UNIVERSITY, JAIPUR
IN PARTIAL FULFILMENT OF THE REQUIREMENTS**

**FOR THE AWARD OF THE DEGREE OF
Bachelor of Laws**



Signature of the Supervisor:-

Submitted by:-

Ajay Singh Rathore

B.A.LL.B(H)

2016-2021

Submitted to:-

Dr. Vinod Kumar

Assistant Professor

AMITY UNIVERSITY , JAIPUR, 303007

**[ESTABLISHED UNDER AMITY UNIVERSITY RAJASTHAN ACT
2008]**

Professor

Date

Amity University

Place

SUPERVISOR'S CERTIFICATE

This is to certify that dissertation on: "The Phenomenon of Cyber Crime and Fraud Victimization over Internet", given to Amity University, Jaipur in fulfillment of the B.A.LL.B(H) 10th semester, course requirements is an original and bona fide research work done by _____ in my supervision. Hence, this is an ideal piece of work for being evaluated. This Dissertation has never been submitted at any other platform for the purpose of fulfilling degree requirements.

Supervisor's Signature

AMITY UNIVERSITY , JAIPUR, 303007

**[ESTABLISHED UNDER AMITY UNIVERSITY RAJASTHAN ACT
2008]**

**DATE:
PLACE: JAIPUR**

CERTIFICATE BY CANDIDATE

I, the candidate, hereby declare that the Dissertation : “**The Phenomenon of Cyber Crime and Fraud Victimization over Internet**”, submitted to Amity University, Jaipur, in partial fulfillment of the requirement of the B.ALL.B(H) course, 10th semester, is a plagiarism free work. I anticipate that this research will aid in the enhancement of the reader's awareness and the formulation of policies. To the highest possible standard, all of the mentioned information here is accurate.

Ajay Singh Rathore

ANTI DUMPING AGREEMENT IN INDIA: AN IMPERATIVE STEP TO PRESERVE DOMESTIC INDUSTRY

A Dissertation Report

Submitted by

AMBIKA TOMAR

*In partial fulfilment for the award of degree
Of*

B.A.LL.B. (HONS)

IN

LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By

**AMBIKA TOMAR
B.A.LL.B. (HONS)
2016-2021
A21511116029**

Supervised By

**Dr. ASHU MAHARSHI
ASSOCIATE PROFESSOR
AMITY LAW SCHOOL**

APRIL, 2021

CERTIFICATE

This is to certify that the project Ambika Tomar student of B.A LL.B. (H), 10th Semester has prepared a Dissertation report entitled “***ANTI DUMPING AGREEMENT IN INDIA: AN IMPERATIVE STEP TO PRESERVE DOMESTIC INDUSTRY***” for the partial fulfillment for the award degree of aforesaid course at Amity Law School under my guidance. She has carried out the work at department of Amity Law School at Amity University Rajasthan.

Date:

Signature:

**Dr. ASHU MAHARSHI
ASSOCIATE PROFESSOR
AMITY LAW SCHOOL**

IMPACT OF EMERGENCY ON FEDERALISM – A COMPARATIVE STUDY OF INDIA & USA

A Dissertation Report

Submitted by

ANUJ SINGH RATHORE

In partial fulfillment for the award of degree

Of

B.A. LL.B (Hons.)



AT

**AMITY LAW SCHOOL,
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

Submitted By:

ANUJ SINGH RATHORE

B.A.LL.B (Hons)

2016-2021

Supervised By:

Dr. GOVIND RAJPAL

Amity Law School

April,2021

ACKNOWLEDGEMENT

It is my privilege to acknowledge the contribution of each and every one who has been instrumental in completion of this dissertation towards course requirement for award of degree of **BALL.B(Hons.)** at **AMITY UNVIVERSITY RAJASTHAN**.

I take the opportunity to express my profound gratitude and deep regards to my guide **Dr. Govind Rajpal** for his exemplary guidance, monitoring and constant encouragement throughout the course of this thesis. The blessing, help and guidance given by him time to time shall carry me a long way in the journey of life on which I am about to embark.

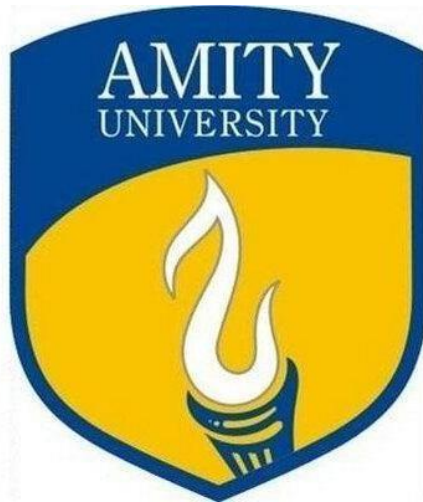
I owe my indebtedness towards my family member for relieving me from family responsibilities without which the dissertation could not have become a reality. I would like to extend my sincere thanks to each and every one who has been instrumental in completion of this dissertation, either directly or indirectly.

Sincere thanks to each and every one.

A study on efficiency of The Indian Agricultural Acts of 2020 with special reference to Farmer's financial status and Indian economy.

**Dissertation SUBMITTED TO THE AMITY UNIVERSITY,
JAIPUR IN PARTIAL FULFILMENT OF THE REQUIREMENTS
FOR THE AWARD OF THE DEGREE OF**

Bachelor of Laws IN 2021



Signature of the Supervisor:-

Mr. Shobhitabh Srivastava

SubmittedBy:-

Archit Batra

B.A.,LL.B.(H)

10th Semester

Enrollment no.

A21511116045

DECLARATION OF THE CANDIDATE

It declare that the dissertation title “A study on efficiency of The Indian Agricultural Acts of 2020 with special reference to Farmer's financial status and Indian economy., commerce and economic development” is a new and innovative topic for dissertation and study in the best of my knowledge.

Submitted by

Archit Batra

Genocide and Humanitarian Law- An analysis in International Law

A Dissertation Report

Submitted By

ARYA KUMARI

BA LL.B (H)

In partial fulfillment for the award of degree

Of

B.A .LLB (H)

IN

LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By:-

Arya kumari

BA LLB (H)

2016-2021

A21511116008

Supervised By:-

Mr.keshav jha

Assistant Professor

APRIL 2021

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Arya kumari**, B.A.LL.B (Hons.), X Semester, student of Amity Law School, Amity University Rajasthan has done this Dissertation paper work on the topic **GENOCIDE AND HUMANITARIAN LAW- AN ANALYSIS IN INTERNATIONAL LAW** under the guidance of **Mr Keshav jha**, Assistant Professor, Faculty of Law, Amity Law School.

Mr. Keshav jha
Assistant Professor
Amity Law School,
Amity University Rajasthan

WITNESS PROTECTION IN INDIA: SAFEGUARDING THE EYES AND EARS OF JUSTICE

Dissertation submitted in partial fulfilment of the academic requirement of degree of Bachelor of laws (B.A.LL.B. Hons.) in Criminal law

At

Amity University, Rajasthan

Submitted by

CHIRAG SAINI

A21511116042

Under the supervision of

DR. ABHISHEK BAPLAWAT

Assistant professor, Amity Law School, Jaipur



SP-1 Kant Kalwar, NH 11 C,

RIICO Industrial Area

Jaipur, Rajasthan

Certificate

AMITY LAW SCHOOL, AMITY UNIVERSITY RAJASTHAN



This is to certify that the dissertation report titled “**WITNESS PROTECTION IN INDIA – SAFEGUARDING THE EYES AND EARS OF JUSTICE**” carried out by **CHIRAG SAINI** for the partial fulfilment for the degree of **BA. LLB (H)** at **AMITY LAW SCHOOL, AMITY UNIVERSITY RAJASTHAN, JAIPUR**, is a bonafide record of work done by the candidate in this department. To the best of my knowledge, this work has not been submitted for the award of any other degree at Amity or elsewhere. The work is completely authentic and genuine and has been duly reviewed and approved by the supervisor.

Dr. Abhishek Baplawat

Asst. professor

Amity Law School

CONTINUING THE COLONIAL LEGACY OF
REPRESSION:
A CRITICAL STUDY OF SEDITION LAWS IN
DEMOCRATIC INDIA

A Dissertation Report

Submitted by

DISHANT MAHESHWARI

In partial fulfillment for the award of degree of

B.A.LL.B(H)



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN (JAIPUR)

Submitted By:

Dishant Maheshwari
B.A.LL.B(H)
2016-2021

Supervised By:

Mr. Vedansh Sharma
Assistant professor
Amity Law School, jaipur

April,2021

CERTIFICATE

This is to certify that **Dishant Maheshwari** Enrolment no. **A21511116032** has submitted his dissertation titled **“CONTINUING THE COLONIAL LEGACY OF REPRESSION:SEDITION LAWS IN DEMOCRATIC INDIA”** in partial fulfillment of the requirement for the award of degree of **B.A.LL.B(H)** in the **Amity University, Rajasthan** under my guidance and supervision. It is affirmed that the dissertation submitted by his is original, bonafide and genuine.

Date:

Place: Jaipur

Name of Guide:

Mr. Vedansh Sharma

**PROTECTION FROM COMMUNAL VIOLENCE IN INDIA:
A CRITICAL STUDY**

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of
Bachelor of Laws (B.A LL.B.(H.) in Corporate Law

At

AMITY UNIVERSITY RAJASTHAN

SUBMITTED BY

GARIMA SHEKHAWAT

A21511116012

UNDER THE SUPERVISION OF

MISS. SONALI BHATNAGAR



**SP-1, Kant Kalwar, RIICO Industrial Area,
NH-11C, Jaipur, Rajasthan**

AMITY LAW SCHOOL

CERTIFICATE

I have the pleasure to certify that **A21511116012**, a student of **Amity Law School, Jaipur** has pursued her research work and prepared dissertation entitled “**PROTECTION FROM COMMUNAL VIOLENCE IN INDIA: A CRITICAL STUDY**” under my supervision and guidance. To the best of my knowledge, the dissertation is the result of her own research.

This is being submitted to **Amity law school** for the degree of bachelors of law in partial fulfilment of the requirements of the said degree.

Miss Sonali Bhatnagar

Assistant Professor

Amity Law School

CHAPTER-1

INTRODUCTION

Women are physically weak by nature which has resulted discrimination and crimes against women, in their parental house, matrimonial house, society and workplace. Secondly from ancient times the female has been considered an object of enjoyment or beauty. She has never been treated a human being equivalent to man. Woman herself has presented a token of delicacy, beauty, enjoyment and had never tried to serve and satisfy the man as per male-dominated society that is why the woman has been placed at the status of 'sub-ordinate' to man or human being of second class. Woman lives under the protection of her parents in her childhood, of husband in her youth and of sons in her old age. Manu Smriti enumerates that in childhood the parents, in youth the husband in old age the sons are the guardian of woman and the woman should never be free. Not only in Hindu religion, in Islamic way of life, a woman is commanded to observe strict *pardah*. Her beauty and elegance are only to be exposed to her husband. If she applies perfumes, the smell should not reach the sundry, the clink of her ornaments should not be heard by others.¹ Christian thought is also similar to it. The Bible explains woman having been made out of cut of a rib taken from man.

In every society the features of a gentle lady are shyness, non-questioning a man. She can do sacrifice, serve the man and even to commit suicide for maintaining the gentle picture of a gentle lady. Simultaneously some great words are also attributed to the lady in Hindu society for example, she is creator of man. Her importance is much greater than man because she brought up him at the cost of her self control that is why whenever addressed as 'Radha Kishan', 'Sita Ram' etc., the female counterpart is called first and the male counterpart second. But it had ever been the status of woman in spiritual sphere

¹ Imtiaz, "Crimes Against Women", C.I.L.Q Vol.XII, p.466,1999

only and not in real world. In physical world the woman had been treated with contempt.²

All over the world the woman belongs to a class which is by and far exploited even one goes through the chequered history of mankind, one finds that different and desperate cultures though distant in time and space have one thing in common – contempt for woman. This contempt seems to manifest itself in the form of crime against woman which has escalated the world over.

The word ‘Sexual Harassment’ of woman is very much in focus now-a-days. The conduct and behaviors it describes are centuries old but the word itself is said to have emerged in the mid 1970s in North America and consequently adopted in the U.K in the early 1980s. In the U.K., the actions of sexual harassment have been founded on claims of discrimination and largely confined to law relating to employment. In United States, however, effort is to find sexual harassment beyond discrimination.³ It is directly related to the modesty of women. The modesty is to woman what fragrance is to flower. If any person with an intention to insult the modesty of a woman uses any word or picture or gesture or sound, then he is said to have committed an offence of sexual harassment of the woman, punishable with imprisonment upto one year.⁴ Sexual harassment includes all forms of conduct designed to vex, annoy or bother person by means that falls short of serious injury or threat thereof. According to a rough estimate, out of total crimes against the woman in a year, 10% are sexual or gender harassment. This offence is of cognizable type and the police is empowered to investigate such cases without being permitted by the magistrate.

² Justice V.R.Krishna Iyer, Crime Against Women “A Sage of Victimology sans Penology”

³ Sanjay Parikh & Manoj Kumar Sinha “Sexual Harassment: A Wrong beyond discrimination” 41 J.I.L.I. Pp.478 (1999)

⁴ Section 509 IPC 1860

An act of sexual harassment of woman at workplace only because of her being an opposite sex may be held tortious act as it causes headache, sleeplessness, anxious restlessness and fatigue in the woman employee. Every woman has constitutional right to participate in public employment and this right is denied in the process of sexual harassment which compels her to keep away from such employment. Besides, the working capacity of a woman is considerably reduced on being regularly harassed sexually. In many cases they become sick and leave jobs. Along with denying the constitutional right to privacy and live with dignity are also invaded. It is also a case of exclusion of women from the areas which were traditionally occupied by women. Sexual harassment is a complex issue involving women, their perceptions and behavior, and the social norms of the society. It may be an expression of power or desire or both. It is the policy of all work places that all employees will enjoy a work environment free from all kinds of discrimination, including sexual harassment. In order to understand the issue of sexual harassment at the workplace, attention must be paid to prevalent socio-cultural issues, of gender and sexuality, and how it impacts upon the status of women.⁵

Sexual harassment, an insidious form of violence against women, is common to all cultures. The stories are strikingly similar from country to country; only the names and the places change. Women in workplaces around the world are routinely subjected to hostile and demeaning work conditions and are forced to endure discrimination, humiliation, sexual assault, sexual blackmail, and in the most extreme cases, rape. Research indicates that sexual harassment is a serious and pervasive problem in countries around the world.⁶ For example, in a survey conducted by Bonn's ministry for women affairs in 1991, 93% of the almost 2,000 women surveyed reported that they had been sexually harassed at work.⁷

⁵ Hutokshi Rustomfram, Sexual harassment at the workplace established, From The Lawyers Collective, 1996

⁶ International Labour Office, Combating sexual Harassment at Work, 11 Conditions Of Work Digest 160 (1992)

⁷ German survey shows 90% working women sexually harassed, Reuter Library Rep., Oct. 16, 1991

Sexual harassment must be understood to exist on the continuum of sexual violence against women.⁸ Sexual harassment is personal attack on women's minds and bodies, instilling fear and violating a women's right to bodily integrity, education and freedom of movement. It is utilized as a powerful mechanism of control and intimidation, through which woman's subordinate social is maintained.⁹ Sexual harassment frequently occurs in all walks of life- on the street, on public transportation, in educational institutions and at the workplace.

It seems that the term 'sexual harassment' came to be used in the public media only from the year 1975 onwards.¹⁰ Till then no term existed to describe what is now universally called 'sexual harassment', though the phenomenon itself was well known to women. The term sexual harassment 'in a legal sense' seems to have been first coined in the U.S.A. and subsequently 'exported' from there to other industrialized countries including Australia, Canada, New Zealand, Japan and a number of countries in Western Europe.¹¹ These other countries had their first brush with the term sexual harassment in 'a formal legal sense' only in the 1980s or at the beginning of the 1990s. The term sexual harassment 'as a legal concept' gained meaningful application in the United States only in the mid- 1970s when the US courts held it to be a form of sex discrimination prohibited under Title VII of the Civil Rights Act of 1964.

In India the term 'sexual harassment was first defined in a formal legal sense in the year 1997 by the Supreme Court in **Vishaka v. State of Rajasthan**¹². Other terms used to describe this malady are 'unwanted intimacy' in the Netherlands, 'sexual molestation' in Italy, 'sexual blackmail' in France and 'sexual solicitation' in some states of Canada like Ontario and Newfoundland. In

⁸ UN Report of the Special Rapporteur on 'Violence against Women, Its Causes and Consequences', Ms Radhika Coomaraswamy, 1997, p 11

⁹ UN Report of the Special Rapporteur on 'Violence against Women, Its Causes and Consequences', Ms Radhika Coomaraswamy, 1997, p 11

¹⁰ ILO, Conditions On Work Digest, Vol. 11, 1/1992, "Combating Sexual Harassment at Work", p. 160

¹¹ ILO, Conditions On Work Digest, Vol. 11, 1/1992, "Combating Sexual Harassment at Work", p. 53

¹² (1997)6 SCC 241

Malay, words like *gatal* or *miang* (literally meaning ‘itchy’) are employed to describe the phenomenon. Many reports on the working conditions of women also refer to ‘lie down or lay off’ practices.

However, it is the term ‘sexual harassment’ that has acquired the largest acceptance as it more fully denotes the malady than other terms.¹³

Sexual harassment may take diverse and varied forms. It is not limited to demands for sexual favors made under threats of adverse job consequences should the recipient refuse to comply with such demands. Victims of sexual harassment need not establish that they were not hired, were denied a promotion or dismissed from service as a result of their refusal to participate in sexual activity. “This form of harassment, in which the victim suffers concrete economic loss for failing to submit to sexual demands, is simply one manifestation of sexual harassment, albeit a particularly blatant and ugly one. Sexual harassment also encompasses situations in which sexual demands are groping, propositions, and inappropriate comments, but where no tangible economic rewards are attached to involvement in the behavior”.¹⁴ Sexual harassment may be subtle and may even involve what would otherwise constitute normal sexual or social activity. Conduct constituting sexual harassment encompasses both the physical and the psychological. Milder form of sexual harassment include verbal innuendos and affectionate gestures that are inappropriate in the circumstances, repeated social invitations for dinner and drinks, or unwelcome flirting where the implicit message is that sexual favors are anticipated or expected. Normal sexual or social activity may become sexual harassment where a power differential exists between the parties. In most cases of sexual harassment the perpetrator is a person in a position of authority who abuses that power, both economically and sexually.¹⁵

¹³ ILO, Conditions On Work Digest, Vol. 11, 1/1992, “Combating Sexual Harassment at Work”, p. 10; *Janzen v. Planty Enterprises Ltd.*, (1989)1 SCR 1252

¹⁴ *Janzen and Govereau Vs. Platy Enterprises*(1989)59 DLR(4th)352: (1989) 10 CHRR6205, Supreme Court of Canada, per Dickson, CJ.

¹⁵*Dutton v. British Columbia Human Rights Tribunals*, 2001 BCSC 1256(2001) 41 CHRR10:Location:www.canlii.org

Speaking generally, sexual harassment is behavior with a sexual connotation that is abusive, injurious and unwelcome. For the victim, sexual harassment has direct consequences for the maintenance or improvement of his or her living conditions and/or places him or her in an atmosphere of intimidation, humiliation or hostility.¹⁶

‘Sexual harassment’ is both sexual and unwelcome. “It may be constituted by many or a single act and, broadly speaking, the intention of the harasser is not relevant.”¹⁷

¹⁶ Quebec (Commission des droits de la personne) v. Habachi, (Date of decision:29-3-1992)

¹⁷ Jones v. Armas Nominees (P) Ltd., 59 IR 61, per Judicial Registrar, Millane, quote in Foster and Woolworths Ltd.,[2000] NSWIRC 208. Location:www.austlii.org

CHAPTER-2

CONCEPT OF SEXUAL HARASSMENT

The UN Declaration on Elimination of Violence Against women 1993 describes sexual harassment as a glaring instance of violence against women which not only violates the rights of women to life, liberty and equality but also completely negates women's rights to have equal opportunities in terms of employment thereby causing severe detrimental consequences in terms of her economical independence and participation in economic activities of the society. Sexual harassment at workplace, a more pernicious form, strikes at the heart of women's economic self-sufficiency, disrupting women's earning capacity by forcing them out the workplace or educational institution.

Claire Safran describes sexual harassment as 'sex that is one sided, unwelcome or comes with strings attached'.¹⁸

In the words of Catherine A Mackinnon, 'sexual harassment is coercion, unwanted sex under threat or sex that is economically enforced'.¹⁹

According to Lin Farley, sexual harassment is best described as 'unsolicited, non-reciprocal male behavior that asserts a woman's sex roles over her function as a worker'.²⁰

Sexual harassment is sometimes described as 'little rapes' by feminists.²¹ Andrea Media and Kathleene Thompson comment that a gradual erosion of

¹⁸ Ibid quoting Claire Safran, 'What Men Do to Woman on The job: A Shocking look at sexual harassment', Red Book 1976

¹⁹ Catherine A Mackinnon, 'Sexual Harassment: The Experience' in The Criminal Justice System And Women- Offenders, Victims, Workers, Barbara Raffel (ed), 1982, p 353.

²⁰ Lin Farley, sexual Shakedown- The Sexual Harassment of Women In The Working World, 1980, p 14.

²¹ Rosemarie Tong, Women, Sex and the Law, 1994, p 65.

self respect and privacy of the victim begins when she is subjected to sexual harassment.²²

2.1 SEXUAL HARASSMENT OF WOMEN – MEANING

Sexual harassment is any sexually-oriented practice that endangers an individual's continued employment, negatively affects her work performance or undermines her sense of personal dignity.²³

“Sexual harassment can manifest itself both physically and psychologically. In its milder forms it can involve innuendo and inappropriate affectionate gesture. It can, however, escalate to extreme behavior amounting to attempted rape. Physically the recipient may be the victim of pinching, grabbing, hugging, patting, leering brushing against and touching. Psychological harassment can involve a relentless proposal of physical intimacy, beginning with subtle hints which may lead to overt requests for dates and sexual favors”.

Sexual harassment is all about expression of male power over woman that sustain patriarchal relations. It is used to remind women of their vulnerability and subjugated status. In a society where violence against women, both subtle and direct, is home out of the patriarchal values operating in society, face women conformity to gendered roles.

Sexual harassment can be termed as behavior intended or unintended to hurt or embarrass a woman in a sexual manner through various forms of verbal and non-verbal communication. It is a form of sexual attention which can act as pressurizing influence to make the object of sexual attention comply with the aggressor's wishes or intentions. Sexual harassment reflects the inequitable gender status quo in society, unequal power relationship between men and

²² Ibid. Quoted Andrea Media and Kathleen Thompson, *Against Rape*, 1974, p 65.

²³ Sexual Harassment in the workplace by Arjun P. Aggarwal

women being the product of socialization patterns which adhere to a rigid code of gender roles and behavior, where conformity is the rule then the exception.

National Commission for Women in its Publication year of Endeavour 2002, New Delhi 2002, lists the contents of sexual harassment. Sexual harassment will include such determined behavior by any person either individually or in association with other persons or by any person in authority whether directly or by implication such as:-

- (i) Eve – teasing
- (ii) Unsavory remarks.
- (iii) Jokes causing or likely to cause awkwardness or embarrassment.
- (iv) Innuendoes and taunts.
- (v) Gender – based insults or sexist remarks.
- (vi) Unwelcome sexual overtone in any manner such as over telephone etc.
- (vii) Touching and brushing against any part of the body and the like.
- (viii) Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings.
- (ix) Forcible physical touch or molestation and
- (x) physical confinement against one's will and any other act likely to invade one's privacy and includes any act or conduct by or person in authority and belonging to one sex which denies or would deny equal opportunity in pursuit of career development or otherwise making the environment at the workplace hostile or intimidating to a person belonging to the other sex, only on the ground of sex.

The word sexual harassment relates only to the working ladies of any age. In other words the woman who do some works either in public or private undertaking in lieu of monetary consideration and attempt is made on her for

satisfying the sex instinct of some male person (may be a superior employee or any employee) she is called sexually harassed. Sexual here means the intention to enjoy opposite sex by the male. 'Harassment' means any conduct which results annoyance, physical or mental cruelty, threat, outrage of modesty, headache, sleeplessness, anxious restlessness unwilling intercourse, defamation etc. In short, to do an act or commission which she does not want to accept but she is compelled to accept for saving herself from employment hardships or the domestic or social hardship or victimized to do for some sex entertainments.²⁴

2.2 SEXUAL HARASSMENT OF WOMEN-DEFINITION

According to the Oxford English Dictionary, the word 'harass' comes from the ancient French word 'harer', which means 'to set a dog on'.²⁵

The American Heritage Dictionary defines 'harass' as 'to disturb or irritate persistently' and states further that 'harass' implies systematic persecution by besetting with annoyances, threats or demands.²⁶

Black's Law Dictionary defines 'harassment' as a term used to describe words, gesture and action which tend to annoy, alarm and abuse (verbally) another person.²⁷

Thus, sexual conduct, such as words, physical contact or the display of sexually explicit materials, is used in a workplace or an educational institution, etc., to bully, intimidate or for other similar negative and aggressive purposes, the behavior constitutes sexual harassment.

Rosemarie Tong takes the feminists' definition of non-coercive sexual harassment to that which denotes 'sexual misconduct that merely annoys or

²⁴ P.J.Murray, "Employer Beware of Hostile Environment, Sexual harassment" 26, Dug. L.R. 461 (1988)

²⁵ Oxford English Dictionary quoted in Anita M Superson, 'A Feminist Definition of Sexual Harassment' in Sexual Harassment as an Ethical Issue in Academic Life, Leslie Pickering Francis (ed), 2001, p 180

²⁶ Ibid, quoted American Heritage Dictionary at 180. Synonyms for harass include: bully, intimidate, threaten, badger, irritate, disturb, persecute, oppress, humiliate and degrade.

²⁷ Ibid, quoted Black's Law Dictionary, p 180.

offends the person to whom it is direct'.²⁸ Wise and Stantley focus on the idea of intrusion, that is sexual harassment as 'an unwanted intrusion on a woman or women by man or men, and therefore as 'sexism' or 'sexual politics' under another name'. Elizabeth A Stanko sees all violations of women by men in terms of 'intimate intrusions'.²⁹

Sexual harassment is any sexually-oriented conduct that may endanger the victim's job, negatively affect the victim's job performance or undermine the victim's personal dignity. It may manifest itself physically or psychologically. Its milder and subtle forms may apply verbal innuendo, inappropriate gestures or propositions for dates and sexual favours. However, it may also assume blatant and ugly forms like leering, physical grabbing and sexual assault or sexual molestation.³⁰

Any definition of sexual harassment should be broad enough to encompass both 'sexual' conduct or behavior as well as 'sex-based' behavior. "Disparaging comments on the role of women, their place in the labor market, or their skills and capabilities", "inaccurate criticisms of job performance, obstruction, etc.," could all constitute sex-based harassment. In contrast, sexual conduct refers forms of behavior that are explicitly sexual, as for example, inappropriate touching, sexual comments or jokes, as also sexual violence.³¹

Sexual harassment is both a legal and psychological phenomenon. There is no simple or universally accepted definition of sexual harassment. Different attempts have been made to discuss the concept of sexual harassment from a different perspective. For this purpose, sexual harassment includes such unwelcome sexually determined behavior, whether directly or indirectly, as:

- a. physical contact and advances;
- b. a demand or request of sexual favors;

²⁸ Rosemarie Tong, 'women, Sex and the Law' 1994, p 68

²⁹ Elizabeth A Stanko, 'Reading Danger: Sexual Harassment, Anticipation and Self Protection' in Women, Violence and Male Power, Marianne Hester, Lez Kelly and Jill Radford (ed), 1996, p 50, at p 56.

³⁰ Alok Bhasin, Sexual Harassment at workplace, First Edition, 2007

³¹ ILO, Sexual Harassment at work: National and International responses, 2005, Deirdre McCann, p. 20.

- c. sexually colored remarks;
- d. showing pornography;
- e. any other unwelcome physical, verbal or non verbal conduct of sexual nature.

Where any of these acts are committed in circumstances where the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work, whether she is drawing salary, or honorarium or voluntary, whether is government, public or private enterprise, such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or works including recruitment or promotion or when it creates a hostile works environment. Adverse consequences might be visited if the victim does not give consent to the conduct in question or raises any objection thereto. Therefore, while describing sexual harassment we feel that how a woman perceives an action is more significant than the stated intent of the man.

2.2.1 INTERNATIONAL PERSPTIVE DEFINING SEXUAL HARASSMENT

(i) EEOC, U.S.A.

In 1980 the American Equal Employment Opportunity Commission produced one of the first set of guidelines dealing with sexual harassment.³² The commission took the position that sexual harassment was a violation of Title VII of the Civil Rights Act of 1964. U.S. courts including the U.S. Supreme Court have approvingly referred to the EEOC guidelines while deciding Complaints of discrimination on ground of sex under Title VII. The EECO guidelines have been quoted with approval even by courts and human rights

³² EEOC, Guidelines on Discrimination Because of Sex, 29 CFR 1604. 11(a) (1985).

tribunals in Canada. The EECO guidelines defined “Sexual Harassment” as follows:-

“(a) Harassment on the basis of sex is a violation of sections 703 of Title VII. Unwelcome sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature constitute sexual harassment when (i) submission to such conduct is made either explicitly or implicitly on term or condition of an individual’s employment. (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or(3) such conduct has the purpose or effect of unreasonable interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.”

(b) In determining whether alleged conduct constitutes sexual harassment, the commission will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the content, in which the alleged incident occurred. The determination of the legality of a particular action will be made from the facts, on a case by case basis.³³

In California, the Fair Employment and Housing Act³⁴, defines the terms ‘harassment’ as employment in the Act, thus:

Harassment includes but is not limited to:

(A) Verbal Harassment, e.g. epithets, derogatory comments or slurs...

(B) Physical harassment, e.g. assaults impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual...

(C) Visual forms of harassment, e.g. derogatory posters, cartoons or drawings...

(D) Sexual favors, e.g. unwanted sexual advances which condition an employment benefit upon an exchange of sexual favors...”³⁵

³³ 45 Federal Register 74, 677 (10th November, 1980), codified in 29 code of Federal Regulations (CFR), Section 1604.11

³⁴ [The Californian Administrative Code, Title 2, Regulation 7287.6 (1988)]

(ii) U.K.

In the U.K courts have held sexual harassment to be a conduct prohibited by Sex Discrimination Act, 1975. However the term ‘Sexual Harassment’ is not found in the 1975 Act; nor is such conduct expressly dealt with therein. The 1975 Act is essentially designed to deal with the mischief of discrimination “on the ground of sex” i.e. gender specific discrimination.

Section 1(1)(a) of the Sex Discrimination Act, 1975 provides:-

“A person discriminates against a woman in any circumstances relevant for the purposes of any provision of this Act if:

(a) On the ground of her sex he treats her less favorably than he treats or would treat a man.”

The courts have defined ‘sexual harassment’ in cases arising out of the Sex Discrimination Act, 1975. They have held it to be a detriment within the meaning of Section 6(2) of the Act.³⁶

(iii) CANADA

In Canada, the Canada Labor code defines ‘Sexual Harassment’ as follows:

“Section 247-1, ‘sexual harassment’ means any conduct, comment gesture or contact of a sexual nature.

(a) That is likely to cause offence or humiliation to any employee; or

(b) That might, on reasonable grounds, be perceived by the employee as placing a condition of a sexual nature on employment or any opportunity for training or promotion.”³⁷

³⁵ ILO, Conditions of Work Digest, Vol. 11, 1/1992, “combating Sexual Harassment at Work”, p. 161.

³⁶ Strathclyde Regional Council v. Porcelli, 1986 SC 137: [1986] ICR 564

(iv) INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU) 1986

The ‘union guide on sexual harassment at works’ published by the Women’s Bureau of the International Confederation of Free Trade Unions (ICFTU) 1986 defines ‘sexual harassment’ as under:

“What is sexual harassment?”

Sexual harassment is any repeated and unwanted verbal, physical or gestural sexual advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone in the workplace, which are offensive to the worker involved, which cause the worker to feel threatened, humiliated, patronized or harassed or which interfere with the worker’s job performance, undermine job security or create a threatening or intimidating works environment.

Sexual Harassment encompasses a wide range of unwanted sexual advances including unnecessary physical contact, touching, patting, suggestive or unwelcome remarks, jokes, comments about appearance and deliberate verbal abuse, leering and compromising invitations; use of pornographic pictures at the workplace; demands for sexual favors or physical assault.”³⁸

(v) UNITED NATIONS

The committee on the elimination of discrimination against women constituted by the United Nations in its General Recommendation No. 19(Jan.1992) titled “Violence against women” said that “sexual harassment” is a form of gender based violence. It is gender based because “it is directed against a woman

³⁷ Canada Labour Code, Part III, Standard Hours, Wages, Vacations and Holidays, Division XV. 1, R.S., 1985, c. 9 (1st Supp.), S. 17. Source: www.canlii.org

³⁸ Source ILO, Conditions of Work Digest, Vol.11, 1/1992 “combating Sexual Harassment at Work” p. 275.

because she is a woman or which affects women disproportionately”. This includes “acts which inflict physical mental or sexual harm or suffering threats of such acts and coercion”. The recommendation defined the terms ‘sexual harassment’ as follows:-

‘Sexual Harassment’ includes such unwelcome sexually determined behavior as physical contacts and advances, sexually colored remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and constitute a health and safety problem. It is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruiting or promotion or when it creates a hostile working environment”.³⁹

2.2.2 INDIAN PERSPTIVE DEFINING SEXUAL HARRASSMENT

In India, is the absence of any statutory definition of the terms ‘sexual harassment’, it was left to the Supreme Court to do the needful.

Relying on International connection and norms, particularly general recommendation No.19(Jan,1992) of the Committee on the Elimination of Discrimination Against Women (CEDAW) constituted by the U.N, the Supreme Court of India defined the terms sexual harassment for the first time in the year 1997 in **Vishaka V/s. State of Rajasthan**.⁴⁰ The definition is almost in pari materia with the one proposed by the CEDAW, U.N and reads:-

“Sexual Harassment includes such unwelcome sexually-determined behavior, whether directly or by implication, as:

- a) physical contact and advances

³⁹ Source: U.N. Committee on the Elimination of Discrimination Against Women:General Recommendations No.19: Violence Against Women(11th session New York,Jan. 1992) Document No. CEDAW/1992/L.1/Add. 5

⁴⁰ (1997) 6, SCC 241

- b) A demand or request for sexual favors
- c) Sexually –coloured remarks
- d) Showing pornography
- e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Where any of these acts is committed in circumstances where under the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or works whether she is drawing salary or honorarium or voluntary, whether in Govt., public or private enterprise such conduct can be humiliating and may constitute a healthy and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or works including recruiting or promotion or when it creates a hostile works environment. Adverse consequences might be incited if the victim does not consent to the conduct or raises any objections thereto.”

In Apparel Export Promotion Council V/s A.K. Chopra⁴¹, DR. A.S. ANAND, C.J. said, “An analysis of the above definition shows that sexual harassment is a form of sex discrimination projected through unwelcome sexual advances, request for sexual favours and other verbal or physical conduct with sexual overtones, whether directly or by implication, particularly when submission to or rejection of such conduct by the female employee was capable of being used for affecting the employment of the female employee and unreasonable interfering with her works performance and had the effect of creating an intimidating or hostile working environment for her”.

The judgment of the Mumbai High Court in **Saudi Arabian Airlines, Mumbai V/s. Shehnaz, Mudbhalkal⁴²** illustrates how a typical case of sexual

⁴¹ (1999) 1 SCC 759 : AIR 1999 SC 625

⁴² (1999) 2 LLJ 109 (Bom.)

harassment may include both **quid pro quo** and **hostile environment elements**. In this case lady, employed with the Saudi Arabian Airlines as Secretary to the Station Manager, a male was constantly sexually harassed by the same station manager.

The labour court, Mumbai, concludes that the victim had been sexually harassed by her male officer and also victimized for not yielding to his improper sexual advances by dismissal from service on false and trumped up allegations. The labour court, therefore, directed reinstatement of the victim with full back wages and continuity of services and attendant benefits.

Refusing to interfere with the labour court's award, and awarding costs of Rs.1000 to the victim, a single judge of Mumbai High Court (B.M Srikrishna J.) said "An overall view of the case.....brings out that (the victim), a lady was subjected to continuous sexual harassment by her official superior..... The victim has been victimized for her refusing to submit herself to the sexual demands of her superior. The conduct of the male officer would squarely fit in with the concept of 'sexual harassment' as defined by the Supreme Court in the case of **Vishaka v/s. State of Rajasthan**.⁴³

In appeal, a Division Bench of the Mumbai High Court comprising, A.V. Sawant and R.J.Kochar, .J. declined to interfere with the judgment of the single judge. The Division Bench concurred with the observation of the single judge that the male officer's conduct constituted 'sexual harassment' in terms of the Supreme Court's decision in **Vishaka V/s State of Rajasthan**.⁴⁴ While dismissing the letters patent appeal, the Division Bench also imposed costs of Rs.1000 on the appellant company.

2.3 SEXUAL HARASSMENT OF WOMEN – KINDS

⁴³(1997) 6 SCC 241.

⁴⁴(1997) 6 SCC 241.

Sexual harassment can chiefly be classified into two categories:-

- (i) Quid-pro-quo
- (ii) Hostile Environment Harassment.

(i) **QUID-PRO-QUO**:- Quid-pro-quo is a Latin phrase which means 'something for something'. Quid-pro-quo sexual harassment refers to a demand of sexual favour and the threat of adverse job consequences if the demand is refused. This is when the employer makes sex a pre-requisite to getting something in the workplace. For example, saying, "If you sleep with me, your works will be done". This also occurs when an employee's submission to unwelcome sexual conduct becomes an explicit condition of employment, or when personal actions such as promotion and transfers are determined on the basis of an employee's response to such conduct.

"Quid-pro-quo sexual harassment" consists of sexual demands accompanied by the threat of adverse job consequences if the demands are refused. It is implicit in the second element that the perpetrator has to be in a position to create adverse job consequences for the woman. Typically such a person would have to be in a position of authority over the victim, although a Quid-pro-quo sexual harassment situation may also exist vis-à-vis a colleague of the same works, e.g. where works evaluation takes into account comments from co-workers, or when a co-worker makes a sexual demand a condition for co-operating on a team project. Adverse works consequences may be tangible such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, a decision to cause a significant change in benefits, a demotion evidenced by a decrease in wage or salary, a less distinguished title, a material loss of benefits and significantly diminished material responsibilities.

Specific examples of Quid-pro-quo sexual harassment includes:-

1. Requiring submission to a supervisor's request for sexual favours as a condition of continued employment.

2. Granting specific job benefits such a salary increase or promotion in exchange for sexual favors.

3. Withholding job benefits such as a wage increase or promotion or assigning more arduous tasks to an employee who has rejected a supervisor's request for sexual favors. A refusal to hire a job applicant or outright termination of employment would, of course be actionable in this content.

To establish a prima facie case of Quid-pro-quo sexual harassment, a plaintiff must show that:

- (i) The employee belongs to a protected class.
- (ii) The employer subjected the employee to unwelcome conduct in the form of sexual advances or request for sexual favors
- (iii) The harassment was based upon sex.
- (iv) The employee's acceptance or rejection of the harassment was an express or implied condition to the receipt of a job benefit or the cause of a tangible job detriment.

If a plaintiff in a sexual harassment case is able to establish each of the above elements, the burden of proof otherwise shifts to employer. If the employer is able to provide a legitimate reason for its actions, the employee must then establish that the reasons provided by the employer are not real reasons for the employment decision are merely a pretext for unlawful discrimination.

(ii) HOSTILE ENVIRONMENT HARASSMENT

This is an environment where an employer (a superior or a colleague) does or says things that are uncomfortable and offensive to her as an individual sexual harassment does not need to only include a demand for an exchange of sex for job benefit. It is the creation of an uncomfortable environment. If two employees are sharing sexual jokes and both of them are enjoying it then it may not be termed as sexual harassment. But, if one of the two desires to

terminate the relationship and the other uses the unequal relative terms and conditions of employment of the work place to further the relationship, this would be sexual harassment. The conduct can be unwelcome even if the employee does not specifically demand that the conduct stops. This kind of works environment can affect the performance of the employee. This determination of whether a particular act is sexual harassment or not depends on the specific facts, contents of the situation and how the person has been affected by it. Sexual harassment can be possible between two co-workers of the same or different sex an employee and his client. It can be physical, visible or verbal.

Examples of sexual harassment could include various behaviors and are not limited to some of the examples given below:

- (i) Acts from male to female, female to male and between or among individuals of the same sex which are sexual in nature and unwelcome sexual harassment may be directed against a particular person, persons or group.
- (ii) Non verbal behavior which is sexual in nature and unwelcome, e.g. staring, leering, lewd gestures.
- (iii) Verbal behavior which is sexual in nature and unwelcome. For examples epithets, jokes, comments, or slurs, repeated requests for dates which are unwelcome.
- (iv) Physical conduct which is sexual in nature and unwelcome, e.g, assaults, sexual advances such as touching, patting, pinching, impeding or blocking movement or any physical interference with normal works or movement.
- (v) Visuals which are sexual in nature e.g. posters or signs, letters, poems, graffiti, cartoons or drawings, pictures, calendars, e-mail and computer programmes.

The most important aspect of workplace sexual harassment is of how the person takes it i.e. if she is mentally affected because of an act which actually would not be so serious in nature, it still would be called sexual harassment. So it is all to say of how she sees the situation.

The following principles may be used to determine if an act is sexual harassment.

(1) To determine if an act or series of acts of the defendant an offence of sexual harassment against the Complainant (the Plaintiff) is caused but for causation test is used. Though this test is ascertained whether plaintiff has suffered discrimination or harassment only because of being a different sex. Answers to some supplementary questions may also be of great help to accurate the findings like (a) would the employer have said or done what he said or did before his wife, parents or colleagues of same sex (b) would he like his behavior to be reported in media and (c) is it necessary to be said or done at all.

(2) In order, to determine if the Plaintiff has been harassed only because of being a different sex and standard adopted should be that of objective test, meaning thereby there must be an objective standard from a reasonable person in the similar circumstances, view point.

(3) To determine if an act or speech of the Defendant has subjected the Plaintiff to sexual harassment, it is also important that the character of the Plaintiff (Complainant) or her sexual history must not have been made an issue.

(4) The workplace cannot be taken as a forum for exchange of ideas and so in order to determine the construction of sexual harassment only requested speech is permissible and not a free speech.⁴⁵

To establish a prima facie case of sexual harassment based on a hostile work environment, a plaintiff must show that:

- i) The Plaintiff belongs to a protected class.
- ii) The Plaintiff was subjected to unwelcome sexual harassment.
- iii) The harassment was based on sex.
- iv) The harassment affected a term, condition, or privilege of employment: and
- v) The employer knew or should have known the conduct was occurring.⁴⁶

Much of the litigation in the United States has centered on whether conduct was “unwelcome” and whether the harassment was sufficiently severe and persuasive that it affected a term, condition or privilege of employment.

In 1986, the United States Supreme Court addresses the issue of hostile environment sexual harassment under Title VII for the first time in *Meritor Savings Bank v/s Vinson*.⁴⁷ In *Meritor*, the Supreme Court held that a Plaintiff may establish a violation of Title VII by proving that discrimination based on sex created a hostile works environment.

⁴⁵ Article by Srinivas Gupta on “ Sexual harassment of Women at Workplace :In India and abroad” *Academy Law Review* Vol. 24.

⁴⁶ *Cram Vs. Lamson & Sessions Co.* 49 F. 3d 466, 473 (8th Cir 1995)

⁴⁷ 477 U.S. 57.

2.4 REASONS WHICH MAKE SEXUAL HARASSMENT SUCH A BIG PROBLEM

2.4.1 Social factors

Multiple factors are responsible for the problem. First the foremost factor is status of second class human being ever treated by the male dominated society since centuries, feeble bodily power in women is another cause, centuries old conception that woman is an object of enjoyment only and is created to serve the man. Social set up which includes customs are also in this favor to the woman. The social attitude had ever been passive to the female problems rather it had been suggested that for the sake of prestige of woman as well as her family, the crimes against women should be suppressed. Women themselves are also responsible for the problem because they do not unite and support the female victim. Down grading of moral standards, deteriorating law and order situation, unwillingness to be a witness against such incident, fast life in which there is a shortage of time to initiate any legal action, unemployment which advises the victim to be silent against any harassment because the hunger is more painful than the harassments are several elements which do maintain the problem. Inaction of the police or other authority is another considerable factor. Lastly, reported cases compromised due to political, social, bureaucratic and family pressures which is the ultimate death of a ray of hope.

2.4.2 Other factors

Sexual harassment is an issue that affects all of us at the workplace, when it occurs many individuals who experience sexual harassment suffer physically and psychologically from harassment. Many are forced to quit their jobs or take sick leave to escape from the harassment. Not only is the individual harmed, but all of her co-workers are harmed either by the pervasive feeling that one cannot get ahead in the workplace without giving sexual favors or by

creating an environment where co-workers are forced to tolerate offensive conduct and their works suffers.

Reported sexual harassment greatly represents the extent of the difficulty because most individuals are afraid to report the harassment. The very fear of retaliation or being labeled a troublemaker keeps many individuals from reporting such an incident. Added to it is the fear of offending the harasser, who is either a boss or a colleague. This keeps a great majority of both men and women from directly confronting the harasser.

The cases of sexual harassment of woman at work place are alarmingly increasing because of several factors including:

- (1) Increasing number of working woman.
- (2) Poor knowledge of human relations and values.
- (3) Fast deterioration of social and moral standards of people.
- (4) Poor and polluted family atmosphere.
- (5) More talks on feminism and masculinism than on humanism.
- (6) Poor sense of wrong and right in the people.
- (7) Poor law and order position in the society
- (8) No adequate provisions of law to deal with the subject efficiently.
- (9) What we eat, what we see and what our parents do or have been doing are very important in this connection, as such things directly or indirectly affect our thinking and in turn actions.

CHAPTER-3
SEXUAL HARRASSMENT: INTERNATIONAL
PERSPECTIVE

**3.1 INTERNATIONAL ATTEMPTS ON SEXUAL
HARRASSMENT**

The United Nations and other international organizations have all recognised that women's rights are human rights, and that violence against woman is a violation of human rights of women. These organizations have specifically condemned sexual harassment in a series of international instruments as a prohibited form of violence against woman as sexual harassment violates their right to dignity. The United Nations has emphasized the responsibility of member states to create conditions that protect the human rights of individuals in both public and private life and has acknowledged that governments may be responsible for inaction in the face of human rights abuses private actors just as they for abuses committed by state actors. This express condemnation of human rights violations commonly experienced by women reflects a growing recognition in the international community that the traditional human rights work of international organizations and nongovernmental organizations, by focusing mainly on violations of civil and political rights, largely ignored the experiences of women.⁴⁸

3.1.1 UNIVERSAL DECLARATION OF HUMAN RIGHTS, 1948

Human rights jurisprudence based on the universal Declaration of Human Rights, 1948 has acquired recognition as the "Moral Code of Conduct", having

⁴⁸ Hillary Charlesworth, what are "women's International Human Rights?" in Human Rights of women 58 (Rebecca Cook ed., 1994);

been adopted by the General Assembly of the United Nations⁴⁹ Before advertng to domestic jurisprudence, it would therefore be pertinent to consider the principles and objects behind the Universal Declaration of Human Rights as adopted and proclaimed by the United Nations General Assembly by its resolution dated 10-12-1948. The Preamble, inter alia, sets out as under:

“WHEREAS recognition of the INHERENT DIGNITY and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human being shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

WHEREAS it is essential to promote the development of friendly relations between nations

WHEREAS the people of the United Nations have in the charter affirmed their faith in fundamental human rights, IN THE DIGNITY AND WORTH OF THE HUMAN PERSON AND IN THE EQUAL RIGHTS OF MEN AND WOMEN and have determined to promote social progress and better standards of life in larger freedom.

WHEREAS member states have pledged themselves tpo achieve , in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.”

⁴⁹ Chairman, Railway Board v. Chandrima Das, (2000) 2 SCC 465: AIR 2000 SC 988

Therefore, the Declaration provides, inter alia, in various articles the following:

1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.
2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, NATIONAL OR SOCIAL PRIGIN, PROPERTY, BIRTH OR OTHER STATUS

Furthermore, NO DISTINCTION SHALL BE MADE ON THE BASIS OF THE POLITICAL, JURISDICTIONAL OR INTERNATIONAL STATUS OF THE COUNTRY OR TERRITORY to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

3. Everyone has the right to life, liberty and security of person.
4. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.
5. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violence of this declaration and against any incitement to such discrimination.
6. No one shall be subjected to arbitrary arrest, detention or exile.⁵⁰

⁵⁰Considered by the Indian Supreme Court in *Chairman, Railway Board v. Chandrima Das*, (2002) 2 SCC 465

3.1.2 THE NAIROBI FORWARD LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN

The Nairobi Forward Looking Strategies for the Advancement of Women adopted in July 1985 at the Third World conference on Women in Nairobi and Kenya, was the first United Nations document to directly address the issue of sexual harassment.⁵¹ It states that the working conditions of women should be improved in all formal and informal areas by the public and private sectors. Occupational health and safety and job security should be enhanced and protective measures against work-related health hazards effectively implemented for women and men. Appropriate measures should be taken to prevent sexual harassment on the job or sexual exploitation in specific jobs. Appropriate measures for redress should be provided by government and legislative measures guaranteeing these rights should be enforced. In addition, governments and the private sector should put in place mechanisms to identify and correct harmful working conditions. (Paragraphs 139 and 287)

3.1.3 THE CONVENTIONS ON ELIMINATING OF ALL FORMS OF DISCRIMINATION AGAINST WOMAN (CEDAW).

Pertaining to gender equality and protection of woman at workplace we find that the international community has so far exhibited sufficient concern. The convention on elimination of all forms of discrimination against woman, 1979 provides, in Article II, that “States parties shall take all appropriate measures to eliminate discrimination against woman in the field of employment in order to ensure, on a basis of equality of men and woman, the same rights in particular:

- (a) The right to work as an inalienable right of all human beings:

⁵¹ A/CONF. 116/28/Rev.1 (85.IV.10), 1986.

- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment.
- (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retaining, including apprenticeships, advanced vocational training and recurrent training:
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of works of equal value as well as equality of treatment in the evaluation of the equality of works.
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to works as well as the right to paid leave; and
- (f) The right to protection of health and to safety in working conditions including the safeguarding of the function of reproductions.

Regarding sexual harassment of woman at workplace in respect of above mentioned provisions of Art.-11, the convention has following as general recommendations in Para. 22, 23, 24.

PARA 22: Equality in employment can be seriously impaired when woman are subjected to gender specific violence such as sexual harassment in the work place.

PARA 23: Sexual harassment includes such unwelcome sexually determined behavior as physical contacts and advances, sexually coloured remarks. Showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and a safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her

employment, including recruitment or promotion or when it creates a hostile working environment. Effective complaints, procedures and remedies, including compensation should be provided.

PARA 24: States should include in their reports information about sexual harassment and on measures to protect woman from sexual harassment and other form of violence or coercion in workplace.

3.1.4 VIENNA DECLARATION AND PROGRAMME OF ACTIONS.

At the world conference on human rights in Vienna in 1993, immense progress was made in the recognition of woman's human rights with the adoption of the declaration and programme of action. The programme of action recognizes that the "human rights of woman and of the girl child are inalienable, integral and indivisible part of universal human rights". This document articulates that the full and equal participates of woman in political, and economic social and cultural life, at the national, regional and international levels and eradications of all forms of discrimination on grounds of sex" are priorities of the Int. Community (para 18)

The Vienna declarations, 1993, recognizes that sexual harassment is a practice incompatible with human dignity. It stresses the importance of working towards the elimination of violence against woman in "public and private life".

The Vienna Declaration thus reflects a new understanding that violence against woman, including sexual harassment is a violations of woman's human rights and that this violence should be examined within the context of human rights standards and gender discriminations.

3.1.5 DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN.

Subsequent to the Vienna Declaration, the General Assembly adopted the Declaration on Elimination of violence against women (DEVAW). DEVAW condemns harassment, as a violation of the fundamental human rights of woman.

Violence against woman is defined broadly to include all forms of private and public violence. Article 2 of DEVAW states that violence against woman encompasses:-

“Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at works, in educational institutions and elsewhere, trafficking to woman and forced prostitution”.

Article 3 of the Declaration enumerates the human rights and fundamental freedoms to which woman are entitled. Some of these are:

- (a) The right to equal protection under the law.
- (b) The right to be free from all forms of discrimination.
- (c) The right to the highest standard attainable of physical and mental health:
- (d) The right to just and favorable conditions of work.
- (e) The right not to be subjected to torture, or then other cruel, is humans or degrading treatment or punishment.

At the time of adoption, DEVAW contained the strongest language ever used by General Assembly to condemn violence against women, including sexual harassment. It, however, fails to define sexual harassment or provide specific recommendations for addressing this problem.

3.1.6 BEIJING DECLARATION AND PLATFORM FOR ACTION

The Beijing declaration and platform for action, adopted in 1995 at the United Nations fourth world conference on woman, also condemns sexual harassment of woman. It defines violence against woman in a language similar to the DEVAW.

I was recommended inter alia to formulate and operationalise a national policy on women, to set up a commission for woman's rights and to institutionalize a national level mechanism to monitor the implementation thereof. It was also declared that violence against woman is an obstacle to the achievement of the objectives of equality, development and peace as it violates and imparts or nullifies the enjoyment by women of their human rights and fundamental freedoms.

3.1.7 I.L.O. SEMINAR AT MANILA IN 1993

The sexual harassment of woman at workplace was recognized at I.L.O seminar held in 1993 at Manila as a form of 'gender discrimination against woman' – besides, the provision contained in Art.7 of the International covenant on Economic, Social & Cultural Rights recognizes the rights of woman to fair conditions of work and states that the woman shall not be subjected to sexual harassment at the place of work.

3.2 PROTECTION AGAINST SEXUAL HARASSMENT IN DIFFERENT COUNTRIES

3.2.1 POSITION IN U.S.A.

Under Federal law in the U.S.A., a cause of action for sexual harassment arises out of the provisions prohibiting discrimination in employment under Title VII of the 1964 Civil Rights Act. This section provides:

“It shall be an unlawful employment practice for an employer 1)to fail or refuse to hire or to discharge any individual or otherwise to discriminate against any individual with respect to his compensation, terms, conditions or privileges of employment because of such individual’s race, colour, religion, sex or national origin: or 2)to limit, segregate or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual’s race, colour, religion, sex or national origin.”⁵²

In 1976 the federal courts first recognized sexual harassment as a form of sex discrimination prohibited under Title VII, *Williams Vs. Saxbe*⁵³ (the court found that the retaliatory action of male superior for taken because a female employee declined his sexual advances constitute to sex discrimination under Title VII of the Civil rights Act, 1964).

The early cases decided under Title VII involved blatant examples of Quid-pro-quo sexual harassment in which employers used the terms and conditions of employment as a means to extort sexual favors.⁵⁴

In 1980, the Equal employment opportunity commission (EEOC)⁵⁵ published guidelines on sexual harassment on the basis of sex as a violation of Title VII and identified two separate forums of sexual harassment: Quid-pro-quo sexual harassment and hostile environment sexual harassment. The guidelines defined sexual harassment as “unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature” where

⁵² 42 USC, 200e- 2(a) (1) (1994)

⁵³ 4Bf supp. 654 (DC. 1976)

⁵⁴ *Williams v/s Civiletti* 487 F.Supp.387 (DDC 1980) Susan Estrich, ‘Sex at works’ 43 stan C Rev.813 822 (1991)]

⁵⁵ The EEOC was created by the United States congress to enforce the Civil Rights Act of 1964, 42, USC 2000 e-2

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of our individual's employment.
- (2) Submission to our rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

This definition has been applied by federal courts in the U.S.A. to cases of sexual harassment brought under Title VII in *Henson v/s city of Dundae*⁵⁶ and *Bundy v/s Jackson*.⁵⁷

Federal courts in the U.S.A. have applied a similar analysis to sexual harassment in educational institutions, *Alexander v/s Yale University*⁵⁸ and *Movire v/s Temple University*⁵⁹

Sexual harassment in educational institutions that receive public money is prohibited as improper discrimination based on sex under Title IX of the 1964 Civil Rights Act. in *Highlander V/s F.F.C. Nat'l Management Co.*⁶⁰

In 1986 the United States Supreme Court addressed the issue of hostile environment sexual harassment under Title VII for the first time in *Meritor Savings Bank v/s Vinson*.⁶¹ In *Meritor*, the Supreme Court held that a Plaintiff may establish a violation of Title VII by proving that discrimination based on sex created a hostile works environment. The court also addressed the standard for determining whether sexual advances are 'unwelcome'.

⁵⁶682 f.2d.897, 903 (11th AIR 1982)

⁵⁷641 F.2d 934, 947 (D.C. cir. 1980)

⁵⁸459 F.Supp. 1(D Conn 1977)

⁵⁹800 f.zd.1136 (3d. Cir 1986)

⁶⁰805 f.zd 644, 64/8 (6th Cir 1986)

⁶¹477 U.S. 57 (1986) .

In the 1990s, the United States experienced the beginnings of a sexual harassment revolution, as the number of cases increased, the average profile of victims changed and more laws were created in order to set new precedents and protect individuals against sexual predators. Since then, people from all backgrounds, cultures and social positions have found themselves involved in sexual harassment cases, from presidents to church leaders to professional sports players.

It is important to be aware of sexual harassment laws and precedents when dealing with this sensitive topic in the workplace while some of the examples below are truly bizarre, they are representative of just how widespread, damaging and seemingly subjective some of these cases can be. Treat every complaint of sexual harassment with respect, but make sure to hear both sides of the story before making any conclusions.

CALIFORNIA

In California, the Fair Employment Housing Act was enacted with objectives similar to Title VII objectives. The statute seeks to eradicate and compensate for discrimination against certain classes of people. In the context of sexual harassment, FEHA operates to prevent and remedy harassment of an employee, where such harassment is due to the individual's membership in protected group. Consistent with Title VII Federal rulings, judgments under FEHA preclude individual liability for non-employers.

Many tort actions for negligence fall under the umbrella of duties and obligations created by FEHA provisions and other statutes. It is also important to note that if harassment transpires that does not meet Title VII requirements, e.g. if it is arbitrary harassment there is a potential cause of action in tort.

3.2.2 POSITION IN UNITED KINGDOM

In the United Kingdom the main statute which outlaws sexual harassment is the Sex Discrimination Act, 1975 (SDA). Under the SDA, employers are responsible not only if they break the law themselves but also if their staff do it in the course of their jobs even if the employer did not know about it. The employer could be held liable if they were informed about it. Damages may be awarded and compensation can cover both financial loss and injury to feelings.

The law in the U.K. is divided into the law of England and Wales, of Scotland and of Northern Ireland. Broadly speaking similar legislation protects against sexual discrimination all over the U.K.

Actually sexual harassment is not specifically mentioned in any U.K. law. However, sexual harassment has been held to be prohibited conduct in court cases interpreting the Sex Discrimination Act, 1975, which forbids discrimination on the basis of Sex, and the Employment Protection (consolidation) Act, 1978, which provides protection against unfair dismissal for employees having two years or more of continuous service with their employer. The first court decision in the U.K. to interpret sexual harassment as a form of sex discrimination was in 1986. [Strathdjde Regional Council Vs Parcelli (1986), Industrial Relations Law reports (IRLR) 144].

In this case, the situation of harassment and sexual harassment was distinguished. In this case campaign to drive Mrs. Parcelli to leave the school was started. The court held that it is a case of more harassment because sex factor is missing to it. The European Economic Community has adopted sexual instruments to fare exploitation of women.

LEGAL PROTECTION

SEX DISCRIMINATION ACT, 1975

In 1986, “court decision of interpreted sexual harassment to be an unlawful form of sex discrimination which it must have been the intention of Parliament to restrain” under the Act.

The Act prohibits sex discrimination (interpreted) to include sexual harassment directed at job applicants during recruitment and hiring activities; regarding the terms and conditions of employment, including promotion, transfer training or any other benefits, facilities or services; in terms of dismissal; or subjecting an employee to any other detriment section 60...

The Act, as applied in court case, forbids sexual harassment by the employer and by colleagues. The bar’s for the prohibition against colleague harassment in section 41(1), which states that “*anything done by a person in the course of his employment shall be treated.....as done by his employer as well as by him, whether or not it was done with the employer’s knowledge or approval*”. The Act also applies to non-employee agents of the employer [section 41(2)]. The Act does not address sexual harassment by clients, but potentially if the employer or a supervisor intentionally or negligently put an employee in a position where the employee would be sexual harassed by clients, then the employer could possibly be liable for subjecting the employee to a detriment based on his or her sex.

THE SEXUAL OFFENCES ACT 1956

In the United Kingdom, till 2003, the sexual Offence Act 1956 was the main consolidating legislation and contained various provisions relating to sexual offences. The Act penalized sexual harassment occurring in general community

under the heading of ‘Indecent Assault. It was an offence punishable with two years imprisonment under s. 14 of the 1956 Act

The Sexual Offences Act 2003 is the most recent legislation and uses the expression ‘sexual assault’ to describe sexual touching by the accused without the victim’s consent.⁶² Under section 3 of the act, on summary conviction, the imprisonment for a term not exceeding than six months or a fine not exceeding the statutory maximum or both is provided for commission of sexual assault.⁶³ In case of conviction on indictment, imprisonment for a term not exceeding 10 years can be imposed on the accused.⁶⁴

EMPLOYMENT PROTECTION (CONSOLIDATED) ACT, 1978.

In 1978, a court stated that “persistent and unwanted advances by an employer to a female member of his staff” would be grounds for constructive dismissal under the Employment Protection (consolidated) Act, 1978. Protection against unfair dismissal does not apply to employers who have been employed for a period of less than two years.

CRIMINAL LAW.

No criminal law explicitly mentions the terms “sexual harassment” and criminal laws are not typically used to deal with sexual harassment in the workplace. Criminal statutes prohibiting common assault or battery, assault occasioning actual or grievous bodily harm, indecent assault or false imprisonment could potentially be applied against alleged harassers for workplace related offences.

⁶² Section 3 of sexual Offences act 2003

⁶³ Section 3(4) (a) of Sexual Offences Act2003 .

⁶⁴ Section 3(4)(BS) of Sexual Offences Act2003

COMMON LAW.

Under the common law, employers have a duty to provide a safe workplace. Tort claims for negligently permitting sexual harassment to take place have been brought against employers. However, these claims were settled and no case has actually come to trial. Actions can also be based on the breach of contract, provided that the complainant can show a tangible economic loss as a result of the breach of contract. Cases have been filed and settled based on tort and contract to claims, but no case has brought to trial.

3.2.3 POSITION IN AUSTRALIA

Under the Australian Sex Discrimination Act, 1984, sexual harassment is defined as an unwelcome request for sexual favors and encompasses unwelcome conduct of sexual nature. “Here, a “reasonable nature’ standard is used to determine whether in the particulars circumstances, a reasonable person would have known that the victim would be offended, humiliated or intimidated.

According to section 2 of the Act, “conduct of a sexual nature” can be the making of an oral or written statement of a sexual nature. The Act also prohibits employers and employees from sexual harassing other employees or persons seeking employment with the same employer.

The Act further prohibits “workplace participants” from sexual harassing each other in the workplace. A “workplace participants” is defined as an employer or employee, a commission agent or contract worker, or a partner in a partnership. Section 105 of the Act disallows any form of aiding or causing SHW. Section 106 holds employers vicariously liable for the employee’s harassment unless the employer took all reasonable steps to prevent the unlawful actions,

Individuals can bring complaints under the Act to the Human Rights and Equal opportunities commission. The complaints handling powers articulated in the Human Rights and Equal Opportunity Commission Act (1986) are follows:-

“If a Complaint is made to the commission, it must be referred to the president of the commission, who undertakes the complaint handling functions as contained in the Act. If the complainant wished to take the matter further than an investigation and conciliation, an application may be made to the federal court or the federal Magistrate’s court for a hearing. Criminal offence provisions in relation to discriminatory advertisements and victimizing a person who has taken action under the Act are contained in ss.86 and 94 of the Sex Discrimination Act, 1984.

Sexual harassment complainants may also bring claims under section 170 ck of the Workplace Relations Act (1996) which prohibits termination of employment on the basis of family circumstances and responsibilities.....

In **Aldridge v/s Booth**⁶⁵, a leading case on sexual harassment in the workplace, the Human Rights and Equal Opportunity Commission (HRECO) held that consent to sexual advances is invalid if obtained through threat or coercion. In Aldridge, the Complainant was a woman who was 19 when she took up employment with the Respondent, on sexual occasions; the Respondent approached the Complainant and made sexual advances towards her. When she refused, he indicated that she might lose her job if she did not acquiesce. Eventually, the Complainant agreed to have sexual intercourse with the Respondent. The commission noted that, over time, the Complainant began to exhibit an ambivalent attitude towards the Respondent sexual advances, but nevertheless found that the advances were unwelcome and violated the Sex Discrimination Act. In so deciding, the commission emphasized the fact that the Complainant was young and is experienced. It also noted that the

⁶⁵(1986) HREOCA;

Complainant, having been unemployed for some 12 months prior to taking employment for some 12 months prior to taking employment with the Respondent, was very eager to keep her job, a fact which was known to the Respondent.

3.2.4. POSITION IN DENMARK.

Sexual harassment is defined as, when an verbal, non-verbal or physical action is used to change a victim's sexual status against the will of the victim and resulting in the victim feeling inferior or hurting the victim's dignity. Man and woman are looked upon as equal, and any action trying to change the balance in status with the differences in sex as a tool, is also sexual harassment. In the workplace, jokes, remarks etc. are only deemed discriminatory if the employer has stated so in their written policy. Woman is viewed as being responsible for confronting harassment themselves, such as by slapping the harasser in the face. Law number 1385 of December 21, 2005 regulates this area.

3.2.5 POSITION IN FRANCE.

Article 222-33 of the French criminal code describes sexual harassment as "the fact of harassing anyone using orders, threats or constraints, in order to obtain favors of a sexual nature, by a person abusing the authority that functions confer on him...". This means the harasser can only be someone with authority on the harassed (basically, there cannot be sexual harassment between co-workers of the same rank). However, moral harassment occurs when an employee is subjected to repeated acts (one is not enough) the own or effect of which my result in a degradation of his conditions of employment that might undermine his rights and his dignity, affect his physical or mental health or jeopardize his professional future. Sexual as well as the moral harassment is recognized by the law.

3.2.6. POSITION IN GERMANY

No specific federal laws or regulations cover sexual harassment at work. At state level, only the state of Berlin Anti-discrimination law, which applies to employees of the state of Berlin, includes a protection prohibiting sexual harassment at work.

Sexual provisions of the penal code, the civil code and the labor law have been interpreted by the Court cases as applying or would potentially be applied to situations of sexual harassment. Although German Federal law provides for a general prohibition of discrimination on the grounds of sex, no Court has applied these provisions to prohibit sexual harassment.

Trade unions took up the issue of sexual harassment in the mid-1980s by public campaigns and include the subject in educational training course.

The first in depth study on the issue of sexual harassment in the workplace was carried out in 1990 at the request of the ministry of youth, family, women and health, pp. 366-367. This study showed that sexual harassment at work is a significant problem; in particular as regards the consequences of the harassed employee 6% of all women interviewed had resigned from their jobs as a result of having been sexually harassed. Only 6% of the alleged harassers had received a warning from their employer, 1% had been transferred and less than 1% had been dismissed.

LEGAL PROTECTION

a. ANTI-DISCRIMINATION ACT OF THE STATE OF BERLIN 1990.

This Act explicitly provides for protection against sexual harassment in the workplaces and condemns sexual harassment undertaken by a civil servant. The supervisor has a duty "to undertake all necessary measure to prevent

sexual harassment in the workplace and investigate allegations of sexual harassment: [Section 12(1)]. Sexual Harassment matters fall under the established disciplinary regulations for civil servants [Section 12(3)].

b. CIVIL SERVANTS REGULATIONS 1985

Under the regulations any unsolicited sexual approaches are prohibited. The conduct of a civil servant has to be in accordance with his or her duties and she or he is obliged to Act in good faith. An offence or an infringement of this statute is punishable by disciplinary measures. Supervisors in particular shall avoid any sexual remarks, comments or insinuation of a sexual nature. In addition sexual intrusion shall be considered as a very serious offence if the Complainant is an inexperienced juvenile worker or when it is works related. The regulations specify that a supervisor who is aware of Sexual Harassment but does not interfere to combat these occurrences commits an offence and is sanctionable.

CIVIL CODE

Sexual provisions contained in the civil code promote protection against Sexual Harassment. Under title VI of division VII of the Book II of the code, which deals with contracts of service, non-discrimination of men and woman in the workplace is prohibited in particular is recruitment, promotion when directing work and concerning unfair dismissal. In accordance with Section 618 the employer is held to undertake all necessary measures for the protection of the life and health of his or her employers.

Sexual Harassment could be interpreted as “any action of a person who deliberately or carelessly injures or impairs the life, body, health or freedom of another person.”⁶⁶

PENAL CODE 1871

Although no specific mention is made of Sexual Harassment, the penal code makes it punishable to sexually abuse minors when they are in a person’s charge, in particular when taking advantage of a position of authority as is an employer employee relationship. [Section 174(1)-(2)]. Offences against sexual privacy are prohibited as well as any exhibitionist acts and dissemination of pornographic may amines and pictures [section 184(1)]. Sexual insults could potentially constitute another form of Sexual Harassment (sec. 185).

One Court case interpreted an approach of a sexual nature towards a juvenile female employee to constitute a sexual offence. (4 STR 420, 87). To include another person to engage in sexual inter course has also been declare unlawful.

3.2.7 POSITION IN JAPAN.

Sexual Harassment, known as “Saku Harra” in Japan, is a significant problem in works place. The first Sexual Harassment study, conducted in 1989 by a group called “Sexual Harassment in the workplace Network”, collected data from to victims of Sexual Harassment and found that 40 of the 70 woman had left their job after being harassed, including 12, who were dismissed. Of the 30 women who remained on their job, most reported negative job consequences, such as verbal abuse or adverse financial consequences. Married men who have posts of responsibility were found to be the most likely offenders.⁶⁷

⁶⁶[Section 823(II), 847(2)]

⁶⁷“ Married bosses behind most sex harassment”, in Manichi Daily News (Tokyo), 4 Dec., 1989.

In 1990, a woman's organization, SANTAMA NO KAI⁶⁸ surveyed 3, 131 woman who had suffered from Sexual Harassment and found that the woman had experienced Sexual Harassment from their bosses (123.5%) someone in a superior position (14%) someone with longer experience in the job area (18.5%), from a colleague (15.8%), from a customer (4.4%) from a business client (4.2%) and from others (19.6%).⁶⁸

The Tokyo Metropolitan Govt. claims to have handled hundreds of Sexual Harassment complaints, and a one-day telephone hot line established by the Tokyo Bar Association in 1989 resulted in 138 calls, of which were than 1/3 of the callers said that they had been seduced, assaulted or pressed to have sex at the workplace.

There are no statutory provisions which explicitly outlaw Sexual Harassment in Japan. However, in April, 1992, a Japanese woman won the first Sexual Harassment case to be brought in Japan, relying on provisions of the civil code⁶⁹

LEGAL PROTECTION

a. EQUAL EMPLOYMENT OPPORTUNITY ACT 1972

The Act aims to promote the guarantor of equal job opportunities and treatment b/s men and women worker. (Sec.1). under this Act, employers are to Endeavour to provide equal opportunities in the area of recruitment, employment, work assignments and promotion (Sec. 7-8). The law also prohibits sex discrimination with regard to training and education, employee welfare benefits, retirement ages, resignations and dismissals (Sec. 9-11). A person who has been subjected to Sexual Harassment could potentially rely on

⁶⁸“ Harassment ruling alarms companies”, in the Nikkei weekly (Tokyo) 23 May, 1992).

⁶⁹ [“Outdated business culture breeds S.H.” in the Nikkei weekly, 2 may 1992]

this law, in terms of the duties owed by a company to female employees, although the Act itself has no enforcement provisions. This Act is applicable to both applicants and employees in the private sector only.

b. LABOUR STANDARD ACT

The Act prohibits discrimination against woman concerning wages “by reason of the worker being a woman.” This provision could potentially be applicable where Sexual Harassment resulted in wage discrimination (Sec.4). The Act also provides that a contract which violates this law is invalid (Sec. 13).

c. CIVIL CODE, ACT NO. 89 OF 1896 (KAMPOO 1896)

Under the code, both the alleged harasser (Sec. 709) and the employer (Sec. 715) can be liable. The employer can avoid various liability if he or she “has exercised due care in the appointment of the employee and the supervision of the undertaking or if the damage would have been ensured if due care had been exercised” (Sec. 715).

In the Fukuoka Court case, decided in April 1992, the judge found the employer vicariously liable for the actions of the supervisor. In that case, the employer had failed to order the alleged harasser to stop the harassment despite being aware of the situation. Instead the employer put pressure on the Plaintiff to resign.

PENAL CODE

In the event conduct constituting Sexual Harassment also constitutes a criminal offence, the prosecution could only be brought against the alleged harasser. The employer could not be held liable. Criminal prosecutions for conduct

constituting Sexual Harassment could potentially be brought against the employer, supervisors, colleagues, and non-employees such as clients or customers.

3.2.8 POSITION IN SWITZERLAND

Swiss federal law does not explicitly provide for protection against Sexual Harassment. Switzerland does not have equal opportunities law prohibiting sex discrimination in employment, but since 1981, the principle of equality of treatment b/w men and woman in the family, education and in employment is laid down in Article 4 of the Federal constitution. There are provisions of the penal Code 1937, Civil Code 1907 and code of obligations 1911 which could potentially be applicable to Sexual Harassment at work.

In November, 1987 the Schweizerischer Verband des personal affentlicher Dienste (VPOD) (Nation commission for woman of the Swiss Union of Public Service Employee) included the subject of Sexual Harassment on its agenda. According to the VPOD around 7% of its female members have lost their jobs as a result of Sexual Harassment incidents; 2% were dismissed and 5% decided to resign.

LEGAL PROTECTION

a. LABOUR ACT 1964

This Act refers to the employer's obligations to have due regard for the health and to safeguard the morals of woman. In order to protect the life and health of women workers or to safeguard their morals, it can be prohibited to employ women for specific tasks or to work only under special conditions (Art.33)

Sexual Harassment could potentially be interpreted to be a violation of the duty of the employer to safeguard the health of workers by, for example, imposing

unjustified stress and anxiety on female sub-ordinates by a male supervisor who makes unwelcome and intimidating sexual advances. Similarly, Sexual Harassment by supervisors or by colleagues that was not disciplined and prohibited by the employer could potentially be a violation of the employer's duty to safeguard the morals of women in the workplace. Art.33 has been used successfully against a male supervisor by a female sub-ordinate in one Court case.⁷⁰

b. CODE OF OBLIGATIONS

Although no mention is made of Sexual Harassment, several articles contained in the code of obligations, which is the fifth Book of the civil code, provide for the protection of the worker's person and individuality in the employment relationship.

In accordance with Art 328(1), "the employer shall protect and respect the worker's person and individuality and pay due regard to the protection of his of her health and the observance of morals" the employer is therefore held to make all arrangements that are shown by experience to be necessary.....and that are suited to the conditions of the undertaking.....to the extent that he or she may reasonably be expected to do so, considering the nature of the employment relationship and of the work performed" [Art. 328(2)].

Article 328 of the code of obligations does not give any protection in addition to that found in Article 28 of the civil code. Rather it focuses on the fact that the same duty to respect a person's personality, including freedom from Sexual Harassment, is equally due by the employer towards his or her employees. Court cases have found that Sexual Harassment by a supervisor of "female sub-ordinate constitutes violation of the employer's duty as defined in article 328.

⁷⁰ State Vs Proz, Cantons of Geneva, decision of 7th May, 1991. (Supervisor admitted facts constituting sexual harassment and was found in violation of Art. 33 and condemned to pay a fine of 2000 Swiss francs.)

The code equally lays down obligations resulting from a wrongful Act. Notably, article 41 states that any person who causes damage to another person as a result of a wrongful Act, be it either intentional, be negligence or improvidence, is held to repair it. In such cases where a person intentionally causes damage to another person by such actions that may be contrary to moral decency, he or she is equally held to repair them [Art. 41(1) – (2)]. This general prohibition on tortuous conduct could be potentially used to provide protection against concluded that the violation of a fundamental right, such as Sexual Harassment by any person, including an employer an employer, constitutes a wrongful act under the general terms of article 41.

Both employer and worker may at any time withdraw from a contract without a period of notice for a valid reason. A valid reason exists when the party that has given notice cannot in good faith be expected to continue the employment relationship [Art.337]. “The judge shall decide at his or her discretion whether such valid reason exists” [Art. 337(3)]. This provision covers the situation of unfair or constructive dismissal and has been applied to cover the unfair dismissal of a person who was a victim of Sexual Harassment.

c. CIVIL CODE

Article 28 could potentially be used against Sexual Harassment at works. It states that a person who is subjected to “a violation of his or her personality can undertake legal action those against persons who comit the act” [At.28]

d. PENAL ACT

Sexual articles cover sexually related offences which could potentially be applied to Sexual Harassment at work for instance, Article 187 penalises anybody who wrongfully includes a woman to engage in sexual intercourse.

Article 188 protects against indecent assault by means of violence or by serious threat. Further more Article 194 covers protection against “Immoral purposes” and Art 197 provides for the protection against an abuse of a woman’s dependence. Finally Art.205 states that a person will be penalised when approaching another person in such a manner that it may infringe upon his or her decency (request for improper acts)

3.2.9 POSITION IN CANADA

According to the Supreme Court of Canada in **Toronto Electric Commissioners v/s Snider**,⁷¹ all labor relations matter fall within the exclusive jurisdiction of the provision provided that they don’t involve a federal undertaking. Labor issues involving a federal undertaking are subject to federal law.

With respect to Sexual Harassment, each territory and province administers its own human rights act or code, and each has its own human rights commission. In addition the federal govt. has its own human rights act which applies to federal govt. employees or persons employed in a federal undertaking. All together, there are 13 human rights acts or codes in Canada. All of them, both federal and provincial, forbid discrimination on the basis sex Sexual Harassment is specifically mentioned in human rights acts or codes of the federal govt. and the provinces of Manitoba, Newfoundland, Ontario and Yukon Territory.

Despite the absence of express reference to Sexual Harassment as the majority of human rights acts or codes, human rights tribunals have relied upon the general prohibition against discrimination on the basis of sex to adjudicate cases alleging Sexual Harassment. The first Canadian decision to interpret Sexual Harassment as a form of sex discrimination dates back to 1980.

⁷¹ 1925, 2 Dominion Law Report (DLR) 5

[Ball and Korchak v/s Aldas and flaming steer steak house 1980, I Canadian H Rights Reports (CHRR) D/155. In this decision, the Ontario Human Rights Commission ruled that Sexual Harassment amounted to sex discrimination and as such, was prohibited by the Ontario Human Rights codes as it existed at that time.]

The Supreme Court of Canada, relying on numerous Canadian and American authorities has concluded that sex discrimination includes Sexual Harassment.⁷²

LEGAL PROTECTION

a. CANADIAN HUMAN RIGHTS ACT 1985

The act prohibits sex discrimination directed to “any individual or group of individual” so it includes men and women, job applicants and employees [Sec.3(1), 7, 8, 40(1)]. A violation of the act depends on showing that Sexual Harassment results in sex discrimination [sec.3(1), 14(2)]. The act is applicable to federal govt. employers or persons employed in a federal undertaking [sec.66]

b. ONTARIO HUMAN RIGHTS CODE

Under the code, it is explicitly stated that every employee has the right to freedom from Sexual Harassment in the workplace by his or her employer, the employer’s agents or other employers [Section 6(2)]. Every person also has the right to be free from sexual solicitation or advances made by a person in a position to confer or deny benefit where the person making the sexual advance

⁷² [Janzen v/s Platy Enterprises, 1989, 25 Canadian cases as employment law (CCFL); 59 DLR (4th) 352 (SCC)]

knows or reasonably ought to know that it is unwelcome [Sec. 6(3)]. The code prohibits sexual discrimination directed at job applicant during recruitment and hiring activities (Sec.22z0 and (4) in terms or conditions of employment, including promotion, transfer, grant or any other benefits (Sec. 6(3)]. The code is applicable to both the private and state public sectors.

c. CANADA LABOUR CODE 1985

The code states that “every employee is entitled to employment free of sexual harassment” [sec.247.2]. Moreover, “every employer shall, after consulting with the employees or their representatives, if any, issue a policy statement concerning Sexual Harassment” [sec.247.4]. The act is applicable to federal govt. employees and to persons employed by a federal undertaking.

d. CRIMINAL CODE 1985, CHAPTER C-46.

Criminal laws are not typically used to deal with Sexual Harassment in the workplace. Criminal statutes prohibiting common assault or battery, assault occasioning actual or grievous bodily harm, indecent assault or false imprisonment could potentially be applied against alleged harassers for workplace related offences. (Sec.265)

OTHERS

The Supreme Code of Canada has decided that a claim of Sexual Harassment must go to the Human Rights Board rather than directly to the ordinary Courts based on tort claims or other claims on the ground that human rights acts or codes create a mechanism to deal effectively with allegations of Sexual Harassment. Therefore, the Supreme Court of Canada has foreclosed any other civil causes of action based upon a breach of laws adopted to prevent discrimination or harassment, and has made complaints to the Human Rights

commission the exclusive avenue for judicial relief for complaints alleging Sexual Harassment.⁷³

The Labor Court provisions proceeding for an environment free of Sexual Harassment are nevertheless subject to the enforcement by labor inspectors. Similarly, complaints of sexual harassment which constitute criminal conduct can be brought to the attention of the state prosecutor.

⁷³ [Board of Governors of Senlla college v/s Bhadunts, 1981 CHRR D/468, 124 DLR (3rd) 193.]

CHAPTER-4

SEXUAL HARRASSMENT:INDIAN LEGAL PERSPECTIVE

4.1 CONSTITUTION OF INDIA

Our Constitution guarantees all the basic and fundamental human rights set out in the Universal Declaration of Human rights, 1948 to its citizens and other persons. To protect the rights of the women and to give them equal status in the society, the framers of the Constitution of India granted some special rights to the women in the constitution in the form of both the fundamental rights and D.P.S.P., which were directed towards the state. The framers of the constitution realized the backwardness of woman and hence they provided for certain provisions in the constitution. To fulfil these constitutional obligations the legislature enacted various special legislations apart from the various international obligations regarding the labour standards and the quality of life and quantum of work as well. Thus the Constitution of India not only grants protection to women but also empowers the state to adopt measures of positive discrimination of woman for neutralizing cumulative socio-economic, education and political discrimination faced by him.

The constitutional privileges are as follows:

4.1.1 FUNDAMENTAL RIGHTS.

The chapter dealing with the Fundamental Rights is contained in part III of the constitution. Thus, Part III of the constitution “gives a constitutional mandate for certain Human rights-called Fundamental Rights in the constitution adopted to the needs and requirement of a country recently freed from foreign rule and desirous of forging a strong and powerful nation capable of taking an equal

place among the nations of the world. It also provides a constitutional mode of enforcing them.

Part III of the constitution comprises Articles 12 to 35A. The relevant provisions of Part III are as follows:

a. RIGHT TO EQUALITY

The right to equality is one of the basic fundamental rights guaranteed by the Court of India and is contained in the equality code.

Article 14: “The state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”

Article 14 of the constitution guarantees equality before the law and equal protection under the law, and has been interpreted as a prohibition against unreasonable classification. The Supreme Court has held that the equality guarantees do not require that the law treat all individuals same, but rather that any classification made b/w similarly situated person be reasonable. According to this doctrine of reasonable classification, only those individuals who are similarly situated must be treated the same in law.⁷⁴

New concept of Equality: Protection against Arbitrariness.

In *E.P. Royappa v/s State of Tamil Nadu*⁷⁵, the Supreme Court has challenged the traditional concept of equality which was based on reasonable classification and has laid down a new concept of equality. Bhagwati J., delivering the judgment on behalf of himself, Chandrachud, and Krishna Iyer J.J. propounded the new concept of equality in the following words:-

⁷⁴ [State of Kerala v/s N.M. Thomas (1976) 2 Sec.310]

⁷⁵ AIR 1974 SC 555

“Equality is a dynamic concept with many aspects and dimensions and it cannot be cribbed contrived and confined’ within traditional and doctrinaire limits. From a positivistic point of view, equality is antithesis to arbitrariness. In fact equality and arbitrariness are sworn enemies; one belongs to the rule of law in a republic while the other, to the whims and caprices of an absolute monarch. Where an act is arbitrary, it is implicit in it that it is unequal both according to political logic and constitutional law and is therefore violative of Art.14”

Article 15(1), “The state shall not discriminate against any citizen on grounds only of religion, race, caste sex, place of birth or any of them.”

Art. 15(1) prohibits discrimination on the basis of sex. The use of word ‘only’ in this article has enabled courts to segregate sex from gender and uphold blatantly discriminatory legislation in some circumstances.

In *Air India v/s Nargesh Meerza*⁷⁶, The Supreme Court struck down the Air India and Indian Airlines Regulations on the retirement and pregnancy bar on the service of air hostesses as unconstitutional on the ground that the conditions laid down therein were entirely unreasonable and arbitrary. The regulations that treated air hostesses different from assistant flight pursers were challenged on grounds of Art.14 and 15(1). Some of the conditions laid down by the regulations for air hostesses included (i) termination of service on first pregnancy (ii) restriction on marriage within four years and (iii) early retirement at 35 years, extendable to 45 years at the option of the M.D, the Court held that the rule terminating the employment on the first pregnancy to be patently unconstitutional.

Article 15(3), “Nothing in this article shall prevent the state from making any special provisions for women and children.”

⁷⁶ AIR 1988 SC. 1829

Article 15(3) has largely been interpreted as an exception as an exception to the principle of non-discrimination guaranteed by Art.15(1). Under Article 15(3), the state is authorized to make special treatment for woman and children and discriminate in favor of them. Under this provisions the state case take progressive measures to protect woman from violence and sex-discrimination including act of Sexual Harassment.

In Government of Andhra Pradesh v/s P.B. Vijay Kumar⁷⁷, the Court noted the purpose of Article 15(3) to be the recognition of the fact that for centuries woman have been socially and economically handicapped. As a result, women were unable to participate in the socio-economic activities of the nation on a footing of equality. Article 15(3) is meant to eliminate this socio-economic backwardness of women and to empower them in a manner that would bring about effective equality b/w men and woman.

Article 16(2), “No citizen shall, on grounds only of religion, race caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discrimination against in respect of, any employment of office under the state”.

Clause 2 of Article 16 prohibits discrimination on the ground of sex in matters of public employment.

In C.B Muthamma, IFS v/s Union of India⁷⁸, the Court recognized the need to bridge the gap between the constitutional prohibition on sex discrimination in Article 16 and the actual law in practice. (In this case, service rules under the Indian Foreign Service (Conduct and Discipline) Rules (1961) discriminated against married woman in service. Rule 8(2) stipulated that a woman would have to take the permission of the Govt. in writing before her marriage and

⁷⁷ (1995) 4, SCC 520

⁷⁸ (1979)(4)SCC 260)

domestic commitments were likely to come in the way of discharge of her duties. Rule 18(4), laid down that no married woman had to right to be appropriated to the services).

Gender equality includes protection from Sexual Harassment and right to work with dignity, which is a universally recognized basic human right. The common minimum requirement of this right has received global acceptance.⁷⁹

b. RIGHT TO FREEDOM

SEXUAL HARASSMENT AND ARTICLE 19

Article 19(1)(a): Freedom of speech and Expression.

Freedom of speech and expression is indispensable in a democracy. In Ramesh Thapper v/s State of Madras⁸⁰, Patanjali Sastri J. rightly observed that:

“Freedom of speech and of the press lay at the foundation of all democratic organizations for without free political discussion, no public education so essential for the proper functioning of the processes of popular Govt. is possible”.

Every citizen has an undoubted right to say what sentiments he or she possesses before the public. The freedom of speech and expression has been broadly construed to include the freedom to circulate one’s views by words of mouth or in writing or through audio visual instrumentalities. The right to freedom of speech and expression guaranteed under Article 19(1)(a) of the constitution can only be restricted under Article 19(2). These restrictions include grounds of sovereignty and integrity of India, security of the state,

⁷⁹ [Vishaka & Others v/s State of Rajasthan, AIR 1997 SC 301]

⁸⁰AIR 1950 SC 124

friendly relations with foreign states, public order, decency or morality or in relation to contempt of Court, demotion or incitement to an offence.

ARTICLE 19(1)(C) : FREEDOM TO FORM ASSOCIATION AND UNIONS.

The right to form an association implies that several individuals get together and voluntarily form an association with a common aim, legitimate purpose and having a community of interests. The right under Article 19(1)(c) extends to the formation of an Association and union. In the context, of Sexual Harassment at workplace, working women enjoy the freedom to participate in associations and unions in their places of works, office social gathering ensured by Article 19(1)(c).

The freedom to form association and unions can only be subjected to reasonable restrictions made by the state on grounds of sovereignty and integrity of the country or public order and morality.

Art.19 (1)(d): FREEDOM OF MOVEMENT

Article 19(1)(d) guarantees to all citizens of India the right “to move freely throughout the territory of India.” The Article 19(1)(d) guarantees to the citizens a right to go wherever they like in Indian territory without any kind of restriction whatsoever. They can move not merely from one state to another but from one place to another within the same state. This freedom cannot be curtailed by any law except within the limits prescribed under Article 19(5). What the constitution lays stress upon is that the entire territory is one unit so far the citizens are concerned. (N.B Khan v/s State of Delhi)⁸¹

⁸¹AIR 1961 SC 211

In *Kharak Singh v/s Union of India*,⁸² The Supreme Court has held that the freedom guaranteed by Article 19(1)(d) is a right to “move freely” throughout the territory of India. This freedom to move without restriction is absolute and is the freedom to move wherever, whenever and however are likes subject only to valid law enacted under clauses of art.19. The freedom of movement is subject to following reasonable restrictions i.e. the interests of the general public and of the Scheduled Tribes.

A woman therefore enjoys the freedoms of movement with regard to her workplace, which is threatened by acts of Sexual Harassment.

Art. 19 (1)(g):FREEDOM OF PROFESSION, OCCUPATION, TRADE OR BUSINESS.

Article 19(1)(g) guarantees that all citizens shall have the right “to practice any profession, or to carry on any occupation, trade or business.” The right guaranteed by clause (g) of Article 19(1) is intended to ensure that a citizen’s right to engage in a profession does not depend on a grant by the state. Instead, it is the fundamental right of every citizen to practice a profession and to carry out an a occupation. The Hon’ble Supreme Court in **Vishaka case**⁸³ held that “one of the logical consequences of incidents of Sexual Harassment at work is the violation of the woman’s fundamental right under Article 19(1)(g) to practice any profession or carry any occupation, trade or business”. The Fundamental Right to carry on any occupation, trade or profession depends on the availability of a ‘safe’, working environment. Sexual Harassment of woman at their places of work exposes them to great risk and hazard and places them at an unfair position vis-à-vis other employees. The adversely affects their ability to realize their constitutionally guaranteed right under Article 19(1)(g).

⁸²(1964)1 SCR 332)

⁸³(AIR 1997 SC 3011)

In Apparel export promotion council v/s A.K. Chopra⁸⁴ the Court referred to the International covenant on economic, social and cultural rights and cultural rights and the right of woman to fair conditions of works.” Accordingly, woman should not be subjected to Sexual Harassment that places them in an inequitable position by vitiating the safety of their working environment.

REMARK ON CONCLUSION OF ARTICLE 19(1) CONCERNING SEXUAL HARASSMENT OF WOMEN (S.H.W.)

A single act of S.H.W. can violate the freedom of speech and expression (through the presence of a threatening work environment and being compelled to work alongside perpetrators of S.H.W.), the freedom of association and union (by creating a hostile environment for the victim making it uncomfortable for her to participate in office group activities, meetings and social gatherings), and the freedom of movement (when the victim is compelled to avoid places at work because of the presence of the perpetrator). This can be explained by the following examples:-

For Example:- A did not want a romantic relationship with her colleague B. She then begins to receive ‘crank phone calls’ from B and his group of friends – all of whom are her co-workers. A, then, begins to voice her opinion less at office meetings because she feels uncomfortable in their presence. She is also reluctant to attend social gatherings of the office, to avoid the unpleasantness caused by B and the group. Her apparent lack of participation is noticed by her seniors and affects the scope of her professional advancement at work.

In the above situation:

⁸⁴(1999)(1) SCC 759

- (i) The cranks phone calls constitute Sexual Harassment and create a hostile working environment for A.
- (ii) Her freedom of speech and expression is curtailed when she cannot voice her opinion during meetings because of the hostile environment.
- (iii) Her freedom of movement is curtailed when she is compelled to skip attending official functions and social gatherings at work.
- (iv) Her withdrawal from participation at work coupled with all the other restrictions on freedom adversely affect her freedom to work.⁸⁵

SEXUAL HARASSMENT AND ARTICLE 21

Article 21, “No person shall be deprived of his life or personal liberty except according to procedure established by law.”

The Supreme Court in its interpretation of the ‘right to life’ under Article 21 has on many occasions stressed that the right to life could not be equated to living out a mere animal existence.⁸⁶ The right to life would necessarily imply the right to live with human dignity and would include those aspects of life that make life meaningful, complete and worth living. Gender discrimination has been recognized as an obstacle to the full realization of the right to life under Article 21. In *Vishaka v/s State of Rajasthan*,⁸⁷ the Apex Court held that each incident of S.H.W. at the workplace is a violation of the right to life under Article 21, which implies the right to dignity. According to the Court, the principle of gender equality includes protection from Sexual Harassment and the right to work with dignity, wherein had been reflected in international conventions and norms.

In the landmark judgment of the case, the Supreme Court has laid down exhaustive guidelines to prevent Sexual Harassment of the working women in

⁸⁵Sexual Harassment at workplace by Indra Jai Singh edi 2004

⁸⁶(*Olga Tallies v/s Bombay, Municipal Corp.*, (1985)3, SCC 545)

⁸⁷(1997) 6 SCC 241

places of their work until legislation is enacted for the purpose. The Court held that it is the duty of the employer or other responsible person in work places or other institutions, whether public or private to prevent Sexual Harassment of working women.

The judgment of the Court was delivered by J.S. Verma C.J. on behalf of Sujata Vs. Manohar and B.M. Kirpal, J.J on a writ petition filed by Vishakha, an N.G.O. working for 'gender equality' by way of PIL seeking enforcement of fundamental rights of working women under Article 14, 19 and 21 of the constitution. In held so the Court relied on international conventions and norms which are significant in interpretation of guarantee of gender equality, right to work with human dignity in Article 14, 15, 19(1)(a) and 21 of the constitution and the safeguards against Sexual Harassment implicit therein. The immediate cause for filing the petition was alleged brutal gang rape of a social worker of Rajasthan. The Supreme Court in absence of enacted law to provide for effective enforcement of basic human rights of gender equality and guarantee against Sexual Harassment, laid down the following guidelines;

- (1) All the employers persons incharge of work place whether in public or Pvt. Sector, should take appropriate steps to prevent Sexual Harassment without prejudice to the generality of his obligation, he should take the following steps:
 - (a) Express prohibition of Sexual Harassment, which include physical and advances; a demand or request for sexual favors; sexually coloured remarks; showing pornographic or any other unwelcome physical, verbal or non-verbal conduct of sexual nature should be noticed, published and circulated inappropriate ways.
 - (b) The rule or regulation of Govt. and public sector bodies relating to conduct and discipline should include rules prohibiting Sexual

Harassment and provide for appropriate penalties in such rules against the offender.

(c) As regards to private employers, steps should be taken to include the aforesaid prohibitions in the standing orders under the Industrial Employment (standing orders) act, 1946.

(d) Appropriate work condition should be provided in respect of work leisure, health and hygiene to further ensure that there is no hostile environment towards there is no hostile environment towards woman at work place and no woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment.

(2) Where such conduct amounts to specific offences under the I.P.C. or any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

(3) The victims of Sexual Harassment should have the opinion to seek transfer of the perpetrator or their own transfer.

ARTICLE 32

Describing the jurisdiction of the Supreme Court under Article 32, a division bench of the Supreme Court spoke in **Bodhisathera Gautam v/s Subhra Chakraborty**⁸⁸

“The Supreme Court, as the highest Court of the country, has a variety of jurisdiction under Article 32 of the constitution, it has the jurisdiction to enforce the Fundamental Rights guaranteed by the constitution by issuing writs in the nature of habeas corpus, mandamus, prohibition, quo warrants and

⁸⁸[(1996)1 SCC 490]

certiorari. Fundamental Rights can be enforced even against private bodies and individuals. Even the right to approach the Supreme Court for the enforcement of the Fundamental Rights under Article 32 itself is a Fundamental Right. The jurisdiction enjoyed by the Supreme Court under Article 32 is very wide as this Court, while considering a petition for the enforcement of any of the Fundamental Rights guaranteed in Part III of the constitution, can declare an act to be ultra vires or beyond the competence of the legislature and has also the power to award compensation for the violation of the Fundamental Rights.

For the exercise of this jurisdiction, it is not necessary that the person who is the victim of violation of his Fundamental Right should personally approach the Court as the Court can itself take cognizance of the matter and proceed suo motto or on a petition of any public spirited individual. This Court through its various decisions has already given new dimensions, meaning and purpose to many of the Fundamental Rights. Especially the right to freedom of and liberty and right to life. The DP. S.P. have also been revised by this Court from their static and unenforceable concept to a level as high as that of the Fundamental Rights.

In *Vishaka v/s State of Rajasthan*,⁸⁹ J.S. Verma C.J., said, “Thus, the power of the Court under article 32 for enforcement of the Fundamental Rights and the executive power of the union have to meet the challenge to protect the working woman from Sexual Harassment and to make their fundamental rights meaningful. Governance of the society by the rule of law mandates this requirement as a logical concomitant of the constitutional scheme. “He further categorically declared, “The making and content of the Fundamental Rights guaranteed in the constitution of India are of sufficient amplitude to encompass all the facts of gender equality including prevention of Sexual Harassment or abuse”.

⁸⁹(1997) 6 SCC 241

4.1.2 DIRECTIVE PRINCIPLES OF STATE POLICIES

Directive principles of state policy are fundamental to the good governance of the country while these principles are not enforceable by a Court of law, the state is expected to be guided by these considerations while making law and framing policy. In **Keshvananda Bharati v/s State of Kerala**⁹⁰. It was laid down that D.P.S.P. embodied in part IV of the constitution are as important as the rights of individuals.

Both D.P.S.P. and Fundamental Rights are a symbolic relationship because they both proceed on the basis of human rights. While the purpose of Fundamental Rights is to create an egalitarian society, to free all citizens from coercion or restriction by society and to make liberty available for all, the purpose of the D.P.S.P. is to fix certain social and economic goals for immediate attainment by bringing about a non-violent social revolution.

The following D.P.S.P. is relevant to the prevention of Sexual Harassment of women:

Article 39 requires that the state should direct its policy towards securing that all citizens, men and woman equally, have the right to an adequate means of livelihood (Art. 39(A)] and that there is equal pay for equal works for both men and women. [Art.39(d).

Article 42, “The state shall make provision for securing just and human conditions of work and for maternity relief.”

These directives, like those contained in Article 38 relate to economic rights. The state is required to make provision for just and human conditions of work and for maternity relief. Upholding the claim of non-regularised female

⁹⁰[(1973) 4 SCC 225]

workers for maternity relief the Court has stated in **Municipal Corp. of Delhi v/s Female workers**⁹¹, “Since Art.42 specifically speaks of just and human conditions of work” and ‘maternity relief’ the validity of an executive or administrative action in denying maternity benefit has to be examined on the anvil of Art. 42 which, though not enforceable by law, is nevertheless available for determining the legal efficiency of the action complained of”.

Laws such as the industrial dispute act, the minimum wages act, the maternity relief act, the workmen compensation act, the employees insurance act in plant this provision.

Art.42 ensures provision for just and human condition of work and maternity relief.

These directive principles help to expand the scope of guaranteed Fundamental Rights towards the prevention of Sexual Harassment of worker.

ARTICLE 51

An important provision in part IV is Art. 51 (C) which requires the State to foster respect for international law and treaty obligations in the dealings with organized peoples with one another. Primary among international treaty obligations protecting the human rights of woman is CEDAW, which focuses on the principle of gender equality. India is a signatory to this connection, and thereby the state is expected to ensure the fulfillment of its obligations towards women under this connection. Art. 253 of the constitution read with entry 14 of List I empower the parliament to make laws to implement international treaties and connections, thereby allowing the CEDAW and other human rights commentary to be made part of Indian domestic law and enforceable in national courts.

⁹¹AIR 2000 SC 1274

4.1.3 FUNDAMENTAL DUTIES.

In addition to the D.P.S.P., the constitution also enlists certain fundamental duties of every citizen of India is Article 51-A. accordingly, it is the duty of every citizen to abide by the constitution and to respect its ideals and institution.

This would include the principle of gender equality and non-discrimination on the ground of sex ensured in the equality code of the constitution.

4.2 CRIMINAL LAW

4.2.1 INDIAN PENAL CODE 1860.

No criminal law enactment in India specifically defines the term “sexual harassment” or deals with cases of ‘Sexual Harassment’ as such. However, some provisions of the IPC, as also of some other enactments, may become applicable to certain particular fact situations involving Sexual Harassment.

Criminal law recognizes certain forms of sexual harassment. The penal law of the country is contained in Indian Penal Code 1860, which recognizes three distinct form of sexual violence: rape under s.375, IPC, which is defined as forcible vaginal penetration by penis, molestation under s. 354, IPC, which involves unwelcome physical contact of a lesser nature than rape and eve-teasing under s. 509, IPC, which includes verbal or gestural teasing only with no physical contact. The two latter offences can be aptly described as the legally recognized forms under the heading of sexual harassment. The sexual

harassment at workplace is neither covered under the statutory civil law, nor under criminal law.

It is the well known case of Vishaka v/s State of Rajasthan⁹² in which the Supreme Court of India expressed its serious concern over Sexual Harassment. The Court stated that where ‘conduct amounts to a specific offence under IPC or any other law.’ The employer is under legal obligations “to initiate appropriate action in accordance with law by making a complaint with the appropriate authority.”

Sexual sections of Indian Penal Code 1860 covers such behaviors as mentioned in the definition of Sexual Harassment by the Supreme Court of India. It does not preclude the possibility of other serious manifestations of Sexual Harassment being covered under offences that are already defined in the Indian penal Code 1860.

SECTION 351: ASSAULT

“ Whoever makes any gesture, or any preparation intending or knowing it to be likely that such gesture or preparation will cause any person present to apprehend that he who makes that gesture or preparation is about to use criminal force to that person, is said to commit an assault.”

Explanation – Mere words do not amount to an assault. But the words which a person uses may give to his gestures or preparation such a meaning as may make those gestures or preparation amount to an assault.

SECTION 354: ASSAULT OR CRIMINAL FORCE TO WOMAN WITH INTENT TO OUTRAGE HER MODESTY.

⁹²AIR 1997, SC 3011

“Whoever Assault or uses criminal force to any woman, intending to outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.”

The offence under Section 354 is cognizable, bailable, compoundable with permission of the Court before which any prosecution of the said offence is pending, and tenable by any Magistrate. For the application of this section, the following essential ingredients must be satisfied:⁹³

- (1) There must have been assault or use of criminal force on a woman.
- (2) Such assault or use of criminal force must have been made by the accused-
 - (a) With intention to outrage her modesty; or
 - (b) With knowledge that her modesty was likely to be outraged.

The IPC defines woman as a female human being of any age.⁹⁴ Where the accused intentionally or knowing it to be likely to outrage the modesty of the woman, commits assault or resorts to use of criminal force against her, commits the offence of molestation⁹⁵ under s. 354, IPC .

In *R.D. Bajaj Vs. K.P.S Gill*⁹⁶ the Supreme Court, referring to the Oxford Dictionary has observed that ‘modesty’ is the quality of being modest and in relation to woman means womanly propriety of behavior, scrupulous chastity of thought, speech and conduct. The word ‘modest’ in relation to woman is defined as ‘decorous in manner and conduct, not forward or lewd; shame fast.’⁹⁷

In *State Vs. Major Singh*⁹⁸, the Supreme Court has held that when any act done to or in the presence of a woman is clearly suggestive of sex according to the

⁹³ Ratanlal and Dhiraj’s Law of Crimes, revised by C.K. Thakker, 2003, p. 1759

⁹⁴ IPC 1860 s. 10

⁹⁵ The expression ‘molestation’ is not used in s. 354 of IPC but it is commonly used to describe the offence under this provision in all government documentation, eg., in Crime in India, 2000.

⁹⁶ AIR 1996 SC 309

⁹⁷ Ratanlal and Dhiraj’s Law of Crimes, revised by C.K. Thakker, 2003

⁹⁸ AIR 1967 SC 63

common notions of mankind, that act will fall within this section. The essence of a woman's modesty is her sex. The culpable intention is the crux of the matter.

The State of Andhra Pradesh has incorporated amended section 354 IPC, which provides enhanced mandatory minimum punishment of five years which can extend up to seven years and fine.⁹⁹

The State of Orissa has also modified the description of offence u/s 354 IPC, as non-bailable from bailable in the Cr.P.C.1973.

While the India law of molestation is still moulded and shaped by ambiguous concepts, it is pertinent to point out that the English criminal law, which provided an inspiration to Lord Macaulay while drafting the IPC, has thrown away the outdated concept of modesty and has incorporated a better expression- sexual assault instead of indecent assault which emphasized modesty.

SECTION 509: WORD, GESTURE OR ACT INTEND TO INSULT THE MODESTY OF WOMAN.

“Whoever intending to insult the modesty of any woman, utters any word, makes any sound or gesture or exhibits any object, intending that such word or sound shall be heard or that such gesture or object shall be seen; by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year or with fine or with both.”¹⁰⁰

⁹⁹ Andhra Pradesh Act no. 6 of 1991

¹⁰⁰ Section 509 of IPC 1860

The offence under this section is cognizable, bailable, compoundable – with permission of the Court before which any prosecution of such offence is pending and triable by any Magistrate.

The offence under this section is commonly referred to as ‘eve-teasing’ and for its application, the following essentials must be present:

- (1) Intention to insult the modesty of a woman
- (2) The insult must be caused by-
 - (a) Uttering any words, or making any sound or gesture, or exhibiting any object intending that such words or sound shall be heard or that the gesture or object shall be seen by such woman; or
 - (b) By intending upon the privacy of such woman.¹⁰¹

The section makes the intention to insult the modesty of a woman the essential ingredient of the offence. It does not require the woman whose modesty it is intended to insult, to have either heard or seen the action.

The offence u/s 509 IPC is committed where the accused exhibits any object with the intention to insult the modesty of the woman. The word ‘exhibit’ means exposure or display or causes to be seen. Therefore, if the accused intending to outrage the modesty of a woman, exposes his person indecently to her, or uses obscene words intending that she would hear them or exhibits to her obscene drawings, pictures, etc., he commits the offence

Section 509 deals with words, gestures or acts aimed at insulting the modesty of a woman. Whereas section 354 deals with assault or criminal force to a woman committed with the intent to outrage her modesty. There is criminal use of force to any woman.

¹⁰¹ Ratanlal and Dhiraj’s Law of Crimes, revised by C.K. Thakker, 2003 p. 2601

Outraging and intending to outrage make Section 354 of IPC an offence entailing heavier punishment than Section 509 of IPC, where the act criminalises insulting the modesty of a woman. In other words, the phrase outraging, describes more serious conduct than insulting.’ Modesty is the disposition common to both sections. In this respect both the Sections are similar in rendering acts of Sexual Harassment culpable. The sections can cover a range of Sexual Harassment situations, e-q. all the situations listed in Vishaka case as constituting Sexual Harassment. However in order to make use of the provisions mentioned above, it will be useful to have an idea of how the term modesty has been interpreted by the courts¹⁰².

An act injures the modesty of woman is punishable. ‘The modesty is to woman what fragrance is to flower; has rightly been defined.’¹⁰³

Section 354 of IPC is a general Section applicable at workplace or anywhere else. According to it assault or criminal force to woman with intent to outrage her modesty is punishable with years imprisonment or with fine or with both. Here victim may be of any age.¹⁰⁴

A female child of 7½ months was victim of injury to her private parts, Section 354 was held applicable.¹⁰⁵

Any act under Section 354 of IPC requires intention or knowledge of the accused that he will thereby outrage her modesty.¹⁰⁶

¹⁰² Sexual Harassment at workplace by Indra Jai Singh edi 2004

¹⁰³ (Srinivas Gupta, “Sexual Harassment of woman at works place : In India and abroad” The academy Law Review, Vol XXIV numbers 1 & 2, 2000)

¹⁰⁴ Emperor v/s Tatia Mahadev. 13 cr. L.S. 858:14 Bom, LR 98)

¹⁰⁵ State of Punjab v/s Major Singh AIR 1967 SC 63 (65, 67)

¹⁰⁶ Sailendra Nath Hari V/s Asrani Mukherji 1988 Cr. C.J. 343.

MODESTY

In Bajaj v/s K.P.S. Gill¹⁰⁷

The ultimate test for ascertaining whether modesty has been outraged is that the action of the offender could be perceived as one which is capable of shocking the sense of decency of a woman. When the about test is applied in the present case, keeping in view the total fact situation, it cannot be held that the alleged act of Mr. Gill in slapping Mrs. Bajaj on her posterior amounted to outraging of her modesty' for it was not only an affront to the normal "sense of feminine decency but also affront to the dignity of the lady – 'sexual overtones or not withstanding.....

Bajaj is an advance over earlier judgments in that it does not limit the understanding of modesty on the basis of sex.

In State v/s Major Singh¹⁰⁸, J. A.K. Sarkar observed that: The test of outraging of modesty must therefore be whether a reasonable man will think that the act of the offender was intended to or was known to be likely to outrage the modesty of the woman. In considering the question, he must imagine a woman to be a reasonable woman and keep in view all the circumstances concerning her, such as her station and way of life and the known motions of modesty of such a woman".

The thrust of the judgment remained that "the essence of woman's modesty is sex?" After Bajaj, an act capable of "shocking the sense of decency of woman" may amount to insulting or outraging the modesty of a woman whether it has "sexual overtones or not". Thus, in Bajaj, the concepts of modesty and privacy have been construed in a more egalitarian manner, so that any other kind of harassment or inconvenience be it in a woman's private or public life, may

¹⁰⁷(1995) 6 SCC 194

¹⁰⁸ AIR 1967 SC 63

amount to an offence. Now, subtler instances of outraging modesty and intruding upon a woman's privacy can be addressed under the said provision. The fact that her course is so obstructed or she is inconvenienced in a manner that her sense of decency is shocked and she is compelled to seek the protection of the law, may now be sufficient to bring the act within the scope of the penal provisions.

This is perhaps the first of the cases of Sexual Harassment that the Court recognized as such and dealt with squarely as an issue concerning the dignity of woman in public spaces. The test to determine if a violation of modesty has taken place is if such of the offender could be perceived as one capable of shocking the decency of a woman. Thereby, the test not only encompasses an affront to the normal sense of feminine decency, but also an affront to the dignity of the lady, notwithstanding the presence of sexual overtones.

The following acts have been held by the different courts to be covered by Section 509 of IPC 1860.

Sending a letter containing indecent proposition to a woman comes within the words "exhibits any objects" Re: Tarak Das Gupta¹⁰⁹.

Following a woman in public transport such as bus, train or local train, laughing and grinning at her, standing in her way and shouting her name. 'Re: Mohammad Kasam Chisty¹¹⁰'.

Thus, any SHW situation, including situations where the harassment is a manifestation of discriminatory official or professional practices or wage, may also be covered under the Section. To be covered under the Section, the act of

¹⁰⁹ AIR Bom. 159.

¹¹⁰ 1911 CrL. Appeal No.454 of 1911.

the offender must be capable of shocking the sense of decency of a to woman.¹¹¹

SECTION 503 OF IPC 1860 – CRIMINAL INTIMIDATION

According to section 503 of IPC, criminal intimidation occurs when:

- (a) A person threatens another with injury to
 - (1) His or her person, reputation or property or
 - (2) To the person or reputation of anyone in whom that person is interested.
- (b) With the intent to cause alarm to that person or.
- (c) To cause that person to do any act which he or she is not legally bound to do.

OR

- (d) To omit to do any act which that person is legally entitled to do in order to protect himself or herself against the threat or to prevent the execution of the said threats against him or her.

The Section may cover a variety of situations which a woman who is being sexually harassed or is resisting such harassment may encounter. If one is threatened with SHW, the Section will cover the situation. The Section will also cover a situation where a woman at her work place is threatened with injury for resisting SHW and situations where she is threatened with injury to her family.

¹¹¹ Sexual Harassment at workplace by Indra Jai Singh edi 2004 p.152

According to the section, there are three situations in which the Section may be brought into operation-

Threat with intent to cause alarm.

The intended consequences that alarm may be caused is implicit in the concept of threat. “There cannot be a threat without the intent of causing alarm. That same kind of injury or negative consequence may be caused is also implicit in the motion of threat.¹¹²

The term ‘threat with intent to cause ‘alarm will squarely cover SHW where the superior never made a demand for sexual favors but on ‘every possible pretext did not fail to call for an explanation from the sub-ordinate

Example:

A superior never misses any opportunity to find fault with the work of the sub ordinate woman employee and calls for explanations from her on the slightest pretext. The conduct of the superior towards the employee is markedly different from his conduct to other employees. On protesting, the woman sub-ordinate is told by the superior that it was very easy for her to get rid of the problem, she could have thought of a way out before and that she could rest assured of any help that he could offer. He laughs and asks the sub-ordinate to think over the matter more seriously. Such a conduct will fall under the Section.

Causing a person to do anything which he is not legally bound to do.

Threatening is prohibited when the motive is to cause that person to do any thing which he is not legally bound to do. In the context of Sexual Harassment

¹¹² P.S.A. Pillai’s Criminal Law, ed. By V. Suresh and D. Nagasaila, 9th ed., (2000). Butterworths India, New Delhi.

are may see that any threat to “woman aimed at drawing any undue favour will squarely fall within this Section.

Examples:

A female employee is threatened with adverse consequences:

- (a) For not accompanying the employer or the superior for a movie or a holiday etc.,
- (b) For expressing inability to do anything which falls outside her official responsibilities.

Stop a person from doing anything which he is legally entitled to do,

Threatening is also prohibited when the purpose of the threat is to present a person from doing something he is legally entitled to do.

Example:

A woman is threatened with dire consequences if she lodges a complaint against harassment; or a woman who has already lodged a complaint is threatened not to pursue the matter further.

SECTIONS 339 TO 342 OF THE IPC: WRONGFUL RESTRAINT AND WRONGFUL CONFINEMENT.

Section 339 defines wrongful restraint and section 340 defines wrongful confinement. Section 341 lays down the punishment for the offence of wrongful restraint and section 342 lays down the punishment for the offence of wrongful confinement. For wrongful restrain the maximum punishment is simple imprisonment for a term which may extend to one month, or a fine which may extent to fine hundred rupees. For wrongful confinement, the maximum punishment is imprisonment of either description which may extend

either description which may extend to one year, or a fine, which may extend to one thousand rupees or both.

Example of wrongful restraint:

A woman is stopped on the way to work to prevent her from reaching her work place by some persons. They tell her that she must go to the office only after she has settled her dispute with a certain superior in the office. Or, a woman is stopped in connection with her work when she is going somewhere or returning from a place.

Example of wrongful confinement:

A woman is locked inside her cabin or chamber or the office is locked to prevent her from leaving the office. The office may be locked from outside or someone inside the office may have locked or bolted the office from inside. In both situations the act will amount to wrongful confinement.

SECTION 375: RAPE

Sexual Harassment of woman and rape are the two side of the same coin. Both show the power of man to dominate that of woman. Both have one victim – ‘woman’. Both are ...in nature. But many people extenuate Sexual Harassment to rape, just because the victims are not physically harmed. Whereas in rape the victim is ravished like an animal for the fulfillment of desire and lust of another man. Both have the same object – to undermine the integrity of the victim, physically as well as mentally.

As observed by Justice Arjit Pasayat: “while a murderer destroys the physical frame of the victim, a rapist degrades and defiles the soul of a helpless female”.

“The law of rape is not just a few sentences. It is a whole book, which has clearly demarcated chapters and cannot be read selectively. We cannot read the preamble and suddenly reach the last chapter and claim to have understood and applied it”.¹¹³

In the Mathura rape case¹¹⁴, a 16 year old tribal girl was raped by two policemen in the compound of Desai Garg Police station in Chandrapur Distt. of Maharashtra.

Her relatives, who had come to register a complaint, were patiently waiting outside even as the heinous act was being committed in the police station. When her relatives and the assembled crowd threatened to burn down the police post, the two guilty policemen, Ganpat and Tuka Ram, reluctantly agreed to file a panchnama.

The case came for hearing on 1.06.1974 in the session Court. The judgment however turned out to be in favour of the accused. Mathura was accused of being liar. It was stated that since she was ‘habituated to sexual intercourse’ her consent was voluntary; under the circumstances only sexual intercourse could be proved and not rape.

On appeal the Nagpur Bench of Bombay High Court and sentenced the accused namely Tukaram and Ganpat to one and five years of rigorous imprisonment respectively. The court held that passive submission due to fear induced by serious threats could not be construed as consent or willing sexual intercourse. However, the Supreme Court again acquitted the accused policeman. The Supreme Court held that Mathura had raised no claim: and also that there were no visible marks of injury on her person thereby negating the struggle by her. The Court in this case failed to comprehend that a helpless resignation in the fear of inevitable compulsion or the passive giving in is no consent. However,

¹¹³Dr. K.Bedi, Ex.Joint Commissioner, Special Branch, Delhi Police

¹¹⁴Re:Tuka Ram, 1978 Cr.C.J. 1864 SC

the criminal law amendment act 1983 has made a situatory provision in the face of Section 114(A) of the evidence act, which states that if the victim girl says that she did not consent to the sexual intercourse, the Court shall presume that she did not consent.

SECTION 375 OF IPC

“A man is said to commit the offence of rape with a woman under the following 6 circumstances:

1. Sexual intercourse against the victims will.
2. without the victim’s consent.
3. with her consent, when her consent has been obtained by putting her on any person that she may be interested in fear of death or hurt.
4. with the consent, when the man knows that he is not her husband.
5. With her consent, when at the time of giving such consent, she was intoxicated, or is suffering from unsoundness of mind and does not understand the nature and consequences of that to which she gives consent.
6. With or without her consent where is under 16 years of age.

Further explanation provided to the Section states that penetration is sufficient to constitute the sexual intercourse necessary to constitute the offence of rape, whereas the exception leaves out marital rape altogether if the wife is not under 15 years of age.”

CRIMINAL LAW AMENDMENT ACT, 1983:

The criminal law amendment act substantially changed sections 375 and 376 of IPC. Several new sections have been introduced therein – viz. sec.376 (A), 376(B) 376(C) 376(D) of the IPC.

Sec.376(A) punishes sexual intercourse with wife without her consent by a judicially separated husband.

Sec.376(B) punishes for sexual intercourse by a public servant with a woman in custody.

Sec.376(C) punishes for sexual intercourse by superintendent of jail, remand house etc.

Sec.376(D) punishes for sexual intercourse by any other member of the management or staff of a hospital with any woman in that hospital.

These new sections have been introduced with a view to stop sexual abuse of women in custody, care and control by various persons – which though not amounting to rape were nevertheless considered highly reprehensible.

ATTEMPT TO RAPE

In cases where an indecent assault is made upon the person of a woman, but where rape is not committed – the culprit is charged with Section 354 of IPC, because unless the Court is satisfied that there was determination in the accused to gratify his passion at any cost, and inspite of all resistance, such person is not charged with rape.

Section 354 of the IPC prescribes punishment for anyone who assaults or uses criminal force to any woman with an intent to outrage her modesty.

An indecent assault upon a woman is punishable under the Section. Rape is punished under Section 376 but the offence under this section is of less gravity than rape. And also because a person who is guilty of attempting rape cannot be allowed to escape with the lesser penalty of this Section.

An indecent assault, i.e. an assault which right minded persons would consider as indecent – accordingly any evidence explaining the Defendants' conduct, or

whether any admission by him or otherwise is admissible to establish whether he intended to commit an indecent assault, as is stated under sec 21 sub-clause (2) of the Evidence Act, which reads:

“An admission may be proved by or on behalf of the person making it, when it consists of statements of the existence of any state of mind or body, relevant or in issue, made at or about the time to when such state of mind of body existed, and is accompanied by conduct rendering its falsehood improbable.

Example:

A woman is on a business trip with colleagues, and arrangements are made for their stay at a hotel or some other place. A colleague enters her room on some pretext and rapes her. Or the woman is called into a colleague’s room by a superior on the pretext of some emergency and is raped; or a woman is compelled for sexual intercourse by threatening that if she resists, she will lose her job.

SECTION 292 TO 294 OF THE IPC: OBSCENITY

The sections of the IPC on obscenity deal with the sale or exhibition of obscene books and objects, as well as obscene acts or songs in public places, which cause annoyance or inconvenience to the public.

These activities are defined as offences under the aforementioned sections. The courts in various judgments have elaborated on the concept of obscenity, and have provided guidance as to what type of situations may involve obscenity. Some examples are as follows:

When there reference to sex in a work having no literary, artistic or scientific value.

When the work falls into the hands of a class of persons who would suffer in their moral outlook, who would be depraved and or who would have impure or lecherous thoughts developed in their minds.

When the material would suggest to the minds of either sex thoughts of a most impure and libidinous character.

Section 294 of the IPC applies when: “the offender has done any obscene act in a public place or has sung, recited or uttered in or near any public place; and has so caused annoyance to others.”

In a workplace the following activities may fall under the aforementioned sections:

- (a) Writing obscene words or making obscene figures on the walls or the furniture of the workplace;
- (b) Making obscene gestures or statements or singing obscene songs in the workplace. Gestures explicitly or symbolically replicating or representing sexual activity would amount to obscene gestures:
- (c) Placing obscene material in one’s personal or official belongings, e.g. in the purse, in the files or among any other tools or implements of work, in a computer the woman works on etc. obscene material may include condoms or contraceptives, pornographic or like text, or pornographic pictures or other representations.

Whenever offence has been committed under the IPC, it needed to be reported to the police. Thereafter the police will investigate the matter and the courts will try the person for the offence.

4.2.2 INDIAN EVIDENCE ACT, 1872

SECTION 114A¹¹⁵ : PRESUMPTION AS TO ABSENCE OF CONSENT IN CERTAIN PROSECUTIONS FOR RAPE

“ In a prosecution for rape under Cl. (a) or Cl. (b) or Cl. (c) or Cl. (d) or Cl.(e) or Cl.(g) of Sub-section (2) of section 376 of the Indian Penal Code (45 of 1860), where sexual intercourse by the accused is proved and the question is whether it was without the consent of the woman alleged to have been raped and she states in her evidence before the court that she did not consent, the Court shall presume that she did not presume.”

Section 114A provides that when the prosecution brings a charge of rape against the accused and sexual intercourse by the accused with the prosecutrix is proved and the prosecutrix was not the consenting party, then the onus to prove the consent lies on the accused.

4.3 SUGGESTIONS PROPOSED BY THE LAW COMMISSION OF INDIA

Since the enactment of IPC, there has not been a single central amendment to the provisions: ss. 354 and 509, of the IPC. There have been two state amendments to s. 354 of IPC¹¹⁶ but those are operative only in the concerned states and are quite narrow in scope as the Andhra Pradesh touches upon the quantum of punishment only and the Orissa amendment treats the offence as non-bailable. As far as provision contained in s. 509 of IPC, is concerned, it has remained totally unaltered ever since its first inception.

¹¹⁵ Inserted by criminal Law (Amendment) Act 1983

¹¹⁶ The state of Andhra Pradesh and Orissa have amended s. 354 of the Indian Penal code 1860, vide no. 6 of 1991 and Orissa Act no. 6 of 1995.

It is not that the above mentioned provisions are absolutely foolproof and free from lacunae totally. The Law Commission of India has considered the operation of these sections on several occasions and many desired changes have prescribed in different law commission reports.

The 42nd Law Commission Report¹¹⁷ has considered the application of concept 'outraging the modesty' in case of minor children who become victims of molestation. The commission was strongly influenced by the judgment of the Supreme Court in State of Punjab Vs. Major Singh¹¹⁸ where the accused was held liable for outraging the modesty of a seven and a half months old girl. While the commission was convinced that substantial justice was done in that case but felt that 'the conclusion was reached by the majority after some straining of the language'.¹¹⁹ The commission observed that the "expression 'modesty' connotes a retiring, bashful or decorous disposition. It is a strain on the ordinary use of language to apply that expression to a baby in arms".¹²⁰ The Commission was of the opinion that a direct provision on the offence of indecent assault on children of whatever age or sex, would serve the purpose better so that the "courts may be thrown back upon a restricted provision like the present s. 354".¹²¹

The 42nd Law Commission suggested the insertion of a new s. 354A dealing with indecent assault on a minor. The suggested section prescribed punishment as imprisonment up to three years or fine or both, where the accused assaulted any minor under sixteen years of age in an indecent, lascivious or obscene manner.

¹¹⁷ Law Commission of India, 42nd report, 'Indian Penal code' government of India, Ministry of Law, June 1971.

¹¹⁸ AIR 1967 SC 63

¹¹⁹ Law Commission of India, 42nd report, 'Indian Penal code' government of India, Ministry of Law, June 1971, p 264

¹²⁰ Law Commission of India, 42nd report, 'Indian Penal code' government of India, Ministry of Law, June 1971, p 264

¹²¹ Law Commission of India, 42nd report, 'Indian Penal code' government of India, Ministry of Law, June 1971, p 265

Regarding s.509, IPC, the commission reiterated its recommendation made in 41st Law Commission Report¹²² reiterated the recommendation made in 42nd report regarding the insertion of s.354A of IPC. The Commission was apprehensive that issue of consent may raise problems in case of indecent assault of girls, thus, it recommended the addition of words ‘with or without the consent’ of the minor after the words ‘obscene manner’ in s. 354A of IPC.

The commission suggested no changes to s. 509, IPC but expressed its concern that the ss. 354 and 509 IPC ‘have been lost sight of by the police in almost all the states’. The Commission felt that lighter provisions like ss. 91 and 92 read with s. 97 of Delhi Police Act,¹²³ were being invoked in sexual harassment cases instead of the appropriate provisions; ss. 354 and 509 of the IPC.

The 156th Law Commission Report¹²⁴ felt that offence of sexual assault should be added to the existing offence of outraging the modesty of woman in s. 354, IPC and the punishment be increased from two to five years. The commission was of the opinion that such a change ‘would cover the varied forms of sexual violence other than rape on women and female children.’¹²⁵

Regarding s. 509, IPC, the Commission felt that the quantum of punishment should be raised from one to three years and fine. No other changes were prescribed for the provision.

The 172nd Law Commission Report¹²⁶ is the most recent report by the Law commission on sexual offences. The Law Commission recommended that a new section s. 376E be inserted, describing unlawful sexual contact. The

¹²² Law commission of India, 84th Report, ‘rape and Allied Offences: Some Questions of Substantive Law, Procedure and Evidence’, Ministry of Law, Justice and Company Affairs, 1980.

¹²³ Delhi Police act 1978, ss. 91, 92 read with s. 97 of the act punish indecent exposure, indecent and obscene conduct and the like in a public place.

¹²⁴ Law commission of India, ‘156th report on the Penal Code’ Ministry of Law and Justice, Government of India, August, 1997.

¹²⁵ Law commission of India, ‘156th report on the Penal Code’ Ministry of Law and Justice, Government of India, August, 1997..p 162.

¹²⁶ Law Commission of India, ‘172nd Report on Review of Rape Laws’, March 2000.

section intended to cover a wide variety of offences including sexual harassment at workplace. The proposed section covered touching, directly or indirectly, with a part of body or with an object, any part of the body of another person (not being spouse of such person), with sexual intent and without the consent of the other person. The commission prescribed higher punishment upto seven years and fine, in case of unlawful sexual contact with a young person,¹²⁷ where the accused abused his position of trust or authority over the victim.

The Commission felt that enhancement of punishment to three years and imposition of mandatory fine would be appropriate in case of s. 509 IPC.

However, none of the above mentioned suggestions/recommendations by various Law Commissions Reports have been incorporated in s. 354 or s. 509 of the IPC and both provisions remain as were drafted by Lord Macaulay.

4.4 OFFICE MEMORANDA ISSUED BY GOVERNMENT OF INDIA

The government of India has issued several office memoranda to provide guidelines and norms to all concerned department.

The office Memorandum of 1998¹²⁸ provides that sexual harassment of women employees is definitely unbecoming of a government servant amounts to misconduct and r 3 (1) (iii)¹²⁹ of the CCS (Conduct) rules 1964 should be construed accordingly. It further provides that it should be ensured that the victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. The memorandum envisages the creation of a complaint mechanism in every organization for redressal of the

¹²⁷ Indian Penal Code 1860, s.376E, explain, defined 'young person' as a person below the age of sixteen years.

¹²⁸ Government of India, Department of Personnel and Training, Office Memorandum no. 11013/10/97-Estt(A) (13 February 1998)

¹²⁹ CCS (conduct) Rules 1964,r 3(1) (iii), contemplates that every government servant shall at all times do nothing which is unbecoming of a government servant.

complaint of the victim and awareness of rights of female employees should be generated.

The office memorandum of 1999¹³⁰ contemplates that the Committee constituted for redressal of the complaints in sexual harassment cases should be headed by an officer sufficiently high in rank so as to lend credibility to the investigations.

The Office Memorandum of 2002¹³¹ clarifies that the findings of the Complaints Committee regarding sexual harassment of the victim will be binding on the disciplinary authority to initiate disciplinary proceedings against the accused government servant under the provisions of the CCS (CCA) rule, 1965. The report of the complaints Committee should be treated as preliminary report against the accused government servant. The memorandum also contemplates that all ministries and departments should ensure that necessary follow up action is taken on the report of the Complaints Committee without any delay.

The Office Memorandum of 2004¹³² further clarifies that in case of a complaint of sexual harassment, the Complaints Committee established in the ministries, departments or offices, for such cases shall be deemed to be the inquiring authority appointed by the disciplinary authority. The Complaints Committee will follow the procedure prescribed in the Central Civil Services Rules 1964 where separate procedure is not prescribed for holding such inquiry by the complaints committee.

¹³⁰ Government of India, Department of Personnel and Trainig, Office Memorandum no. 11013/10/97-Estt(A)(13 July 1999)

¹³¹ Government of India, Department of Personnel and Trainig, Office Memorandum no. 11013/11/2001-Estt(A)(12 December 2002)

¹³² Government of India, Department of Personnel and Trainig, Office Memorandum no. 11013/5/2001-Estt(A)(1 July 2004)

Nearly eleven years have passed since Vishaka judgment but no legislation has been enacted in India dealing with sexual harassment at workplace. During these years, The National Commission for Women has prepared many draft bills and organized meetings and conferences where the feminist activists, lawyers, employers and employees of various organizations were invited to deliberate upon the impact of the draft bills and to make suggestions for improvement.

4.5 THE PROTECTION OF HUMAN RIGHTS ACT, 1993 OBJECTS AND REASONS

The Protection of Women Rights Act, 1993 was enacted to provide for better protection of human rights and for matters connected therewith or incidental thereto. The statement of objects and reasons notes that the human rights embodied in International Covenant on Civil and Political Rights and the International Covenants on Economic, Social and Cultural Rights, adopted by the General Assembly of the United Nations on 16th December, 1966, stand substantially protected by the Constitution of India. However, there has been growing concern in the country and abroad about issues relating to human rights. Having regard to this, changing social realities and emerging trends in the nature of crimes and violence, the Government has been reviewing the existing laws, procedure and system of administration of justice with view to bringing about greater accountability and transparency in them, and devising efficient and effective methods of dealing with the situation. Taking into account the views of all concerned the act was enacted¹³³ .

¹³³ People's of union for Civil Liberties vs. Union of India, (2005)2 SCC436, per Y.K. Sabharwal J .

4.6 SEXUAL HARASSMENT & INDUSTRIAL LAW

Under the Industrial laws the Women have been bestowed the special position in the view of their unique characteristics, physically, mentally and also biologically. As the Constitution of India 1950 is the basic law of the land which enshrines number of provisions to prohibit gender discrimination and protect the interest of women, whether it is political field or industrial field. The State under its constitutional power had formulated number of legislations pertaining to women engaged in industrial activities. There are two important legislations covering the women involved in the industrial activities which among others, are as follows:

- Maternity Benefits Act, 1961.
- The Equal Remuneration Act 1976.
- The Factories Act, 1948
- Employees Provident Fund Pension Linked Insurance Fund Act, 1952

4.6.1 Maternity Benefits Act 1976

Article 42 of the Constitution of India 1950 imposes obligation upon the State to make provisions for securing just and human conditions of work and for maternity relief. In view of this constitutional obligation the Parliament has passed the Maternity Benefit Act 1961 to regulate the employment of the women in specified organization/institutions/establishment for certain period before and after the child birth and to provide for maternity and other benefits.

The Maternity Benefit Act 1961 is intended to achieve the object of doing social justice to women workers. This Act is solely devoted to working women to provide different kinds of benefits to female wage-earners. This

is the most enactment dealing with the women working in the factories, mines, plantations and other industrial establishments.

Provisions of the Act regarding women at work

- (1) **Prohibition of work during certain period:**¹³⁴ the employer is prohibited from knowingly employing any woman in any establishment during the six weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy.

In **Tata Tea Ltd. Vs. Inspector of Plantations**,¹³⁵ the question for consideration was whether an employee entitled to the benefit of Maternity Benefit Act 1961 is eligible to claim the benefit under s. 5(1) of the Kerala Industrial Establishments (National and Festival Holidays) Act, 1958. Under Section 4-A of the National and Festival Holidays Act, an employer could require any employee to work on any such holidays and any such employee was under section 5(2) entitled to twice the wages for working on that day. Under s. 4 of the Maternity Benefit Act an employee is entitled to certain benefits including maternity leave during the period mentioned in that section. It was held that during the period mentioned in sub-sections (1) and (2) of section 4 of the Maternity Benefit Act, the employer cannot in exercise of his right under s. 4-A of the National and Festival Holidays Act call upon a woman employee to come and do the work on the national and festival holidays allowed under s. 3 of the said Act.

- (2) **Right to payment of maternity benefit:**¹³⁶ Section 5 of the Act provides that the maternity benefit to which every woman shall be entitled and her employer shall be liable for, is a payment to a worker at the rate of average daily

¹³⁴Section 4 of the Maternity Benefit Act 1961

¹³⁵(1992) 1 L.L.J. 603 (Kerala)

¹³⁶Section 5 of the Maternity Benefit Act 1961

wages for the period of her actual absence immediately preceding and including the day of her delivery and for six weeks immediately following the day.

(3) **Continuance of payment of maternity benefit in certain cases:-**¹³⁷ Every woman entitled to the payment of maternity benefit under this Act shall notwithstanding the application of the Employees' State Insurance Act, 1948, to the factory or other establishment in which she is employed, continue to be so entitled until she becomes qualified to claim maternity benefit under s. 50 of that Act.

(4) **Payment of maternity benefit in certain cases:-**¹³⁸ Every woman—

- (a) who is employed in a factory or other establishment to which the provisions of the Employees' State Insurance Act, 1948, apply;
- (b) whose wages (including remuneration for over-time work) for a month exceed the amount specified in sub-clause (b) of clause (9) of section 2 of that Act; and
- (c) who fulfils the conditions specified in sub-section (2) of section 5, shall be entitled to the payment of maternity benefit under this Act.

(5) **Payment of medical bonus:-**¹³⁹ Every woman entitled to maternity benefit under this Act shall also be entitled to receive from her employer a medical bonus of twenty five rupees if no pre-natal confinement and post-natal care is provided for by the employer free of charge.

(6) **Leave for Miscarriage:-**¹⁴⁰ In case of miscarriage or medical termination of pregnancy, a woman shall, on production of such proof as may be prescribed, be entitled to leave with wages at the rate of maternity benefit,

¹³⁷Section 5-A of the Maternity Benefit Act 1961

¹³⁸Section 5-B of the Maternity Benefit Act 1961

¹³⁹Section 8 of the Maternity Benefit Act 1961

¹⁴⁰Section 9 of the Maternity Benefit Act 1961

for a period of six weeks immediately following the day of her miscarriage or, as the case may be, her medical termination of pregnancy.

(7) **Nursing Breaks:-**¹⁴¹ Every woman delivered of a child who return to duty after such delivery shall, in addition to the the interval for the rest allowed to her, be allowed in the course of the daily work, two breaks of the prescribed duration for nursing until the child attains the age of fifteen months.

(8) **Deduction of Wages:-**¹⁴² any deduction from the normal and usual daily wages of a woman entitled to maternity benefits under the provisions of this Act shall not be made by reason only of-

(a) The nature of work assigned to her by virtue of the provisions contained in s. 4(3); or

(b) Breaks for nursing the child allowed to her under the provisions of s. 11.

(9) **Penalty for contravention of Act by employer:-**¹⁴³ Section 21 provides that if any employer contravenes the provisions of this act or the rules made there under, he shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees, or with both. Where the employer contravenes any provision regarding maternity benefit or amount has not already been recovered, the court shall, in addition recover such maternity benefit or amount as if it were a fine and pay the same to the person entitled thereto.

4.6.2 EQUAL REMUNERATION ACT, 1976

¹⁴¹Section 11 of the Maternity Benefit Act 1961

¹⁴²Section 13 of the Maternity Benefit Act 1961

¹⁴³ Section 21 of the Maternity Benefit Act 1961

The Directive Principle of State Policy of the Constitution of India, namely article 39 specifically directs the states to secure equal pay for equal work for both men and women. To realize this constitutional mandate, the Parliament legislated the Equal Remuneration Act, 1976. According to the Apex Court this Act provides for equal remuneration to men and women workers for the same work of a similar nature and for the prevention of discrimination on the basis of sex.¹⁴⁴

History and Evolution of the Principle

The Apex Court in Associate Bank Officers Association Vs. State Bank of India,¹⁴⁵ has explained the history and evolution of the principle “equal pay for equal work”. Historically, equal pay for equal work has been a slogan of the women’s sex based discrimination in the pay scales of men and women doing same or equal work in the same organization. It is meant to prevent discrimination on the ground of sex, against women in the matter of employment.

Employer is duty bound to pay equal remuneration

Section 4 of the Equal Remuneration Act, 1976 provides that every employer is under statutory obligation to pay remuneration at equal rates to men and women employees if they perform the same work or work of a similar nature. However, benefit conferred by the Equal Remuneration Act 1976 is not absolute, but subject to fulfillment of laid down conditions. In Air India Vs. Nagesh Meerza¹⁴⁶ The apex Court has held that in view of the s. 16 of the Equal Remuneration Act 1976 which authorizes restrictions in respect of remuneration, which is paid by the employer if a declaration under it is made by the appropriate Government that there should be difference in remuneration payable to the men and women based on the factor other sex.

¹⁴⁴ Dharwada Distt., PWD Employees Association Vs. State of Karnataka, 1990 (2) SSC 396.

¹⁴⁵ 1998(1) SSC 429; Prof. G.B Reddy on Women and the Law.p.116.

¹⁴⁶ (1981) 4 SCC 335

No Discrimination in Recruitment

As provided under s. 5 of the Act no employer shall be allowed to make discrimination while making recruitment for the same work or work of the similar nature or make any discrimination on the basis of sex unless that particular employment of women or men is restricted or prohibited by any statute. Therefore in the matter of recruitment policy and condition of service such as promotions, training or transfer, the employer is not authorized to make discrimination against women on the basis of sex. This provision is similar to the provision contained in Article 16(1) of the Constitution of India, 1950.

4.6.3 THE FACTORIES ACT, 1948

Initially the Factories Act, 1934 was enacted by replacing several legislations but in due course of time it revealed several short comings in its working. Therefore, the Factories Act 1948 consolidating and amending the law relating to labor in factories, was passed by the Constituent Assembly on 20th August 1948. The Act received the assent of the Governor General of India on 23rd September 1948 and came into force on 1st April 1949.

Important Provisions Relating to Women

(1) Latrines and Urinals:- Section 19 (f) (b) of the Factories Act, 1948 provides that in every factory separate enclosed accommodation shall be provided for male and female workers.

Section 19 (2) of the Act lays down that in every factory wherein more than two hundred and fifty workers are ordinarily employed:

- (a) All latrine and urinal accommodations shall be prescribed sanitary types.
- (b) The floors and internal walls upto a height of 90 cm. of the latrines and urinals and the sanitary block shall be laid in glazed or otherwise finished to provide a smooth polished impervious surface;
- (c) Without prejudice to the provisions of clauses (d) and (e) of Section 15(1) the floors, partitions of the walls and blocks so laid or finished and the sanitary pans of latrines and urinals shall be thoroughly washed and cleaned at least once in every seven days with suitable detergents.

Section 19 (3) of the Factories Act 1948 provides that the State Government may prescribe the number of latrines and urinals to be provided in any factory in proportion to the number of male and female workers ordinarily employed therein and provide for such other matters in respect of sanitation in factories, including the obligation of workers in this regard, as it considers necessary in the workers employed therein.

- (2) Washing facilities: - Section 42 (1) of the Factories Act provides that in every factory, separate and adequately screened facilities shall be provided for the use of male and female workers. The section also provides that washing facilities shall be conveniently accessible and shall be kept clean.
- (3) Crèches :- According to the Royal Commission, “Crèches are not uncommon in factories employing women. In many of the factories employing women in substantial manner, no crèches have been provided. As a result of their absence, infants are taken into the mills and found lying on sacks, in bobbin boxes and other unsuitable places,

exposed in the noise and danger of moving machinery and dust laden atmosphere”

(4) Section 48 (1) of the Factories Act 1948 provides that in every factory wherein more than thirty women workers are ordinarily employed, there shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such women.

As per Section 48(2) of the Act such room shall provide adequate accommodation, shall be adequately lighted and ventilated, maintained with good sanitary condition and shall be under the charge of women trained in the case of the children and infants.

CHAPTER-5

SEXUAL HARASSMENT AND TORT LAW

5.1 GENERAL

A victim of Sexual Harassment may also bring a tort claim in same situations. In the United States, a tort is a private or civil wrong or injury for which the Court will provide a remedy in the form of an action for damages.¹⁴⁷ In many countries tort law is defined in civil codes as the general responsibility to exercise due care towards others and the obligation to pay for damages caused by injury which results from the failure to exercise due care.¹⁴⁸ Much of the behavior that gives rise to a claim for Sexual Harassment also amounts to a tort claim. For example, in a highly publicized case in Japan, a woman alleged that she was forced to leave her job because her supervisor was spreading rumors in the workplace about her personal life and sexual behavior.¹⁴⁹

The Court, in finding for the Plaintiff, recognized a violation of the plaintiff's right to privacy as well as hostile environment Sexual Harassment.¹⁵⁰

In the United States, many cases alleging Sexual Harassment also include claims for other torts such as negligent retention of an employee, intentional infliction of emotional distress and assault and battery.

Traditional Tort Law is seldom the most effecting approach to remedy Sexual Harassment many forms of Sexual Harassment cannot be easily defined in tort law. Tort law is appropriate to address behavior such as unwelcome touching

¹⁴⁷ Black's Law Dictionary 1489 (6th ed. 1990)

¹⁴⁸ (Conditions of work digest, supra note 7, at 56)

¹⁴⁹ (Violence in the workplace: S.H. by Robin Phillips).

¹⁵⁰ [Manly Patterson, No more Naki Meiri?The state of Japanese Sexual Harassment Law: Judgement of April 16, 1972, Fukouka chiho Saibansho, Heisei Gannen (1989)(SA) No. 1872, Sangai Baisha Jiken (Japan), 39 Haru, Int'l L.J.206 (1993)]

and other conduct so outrageous that it would rise to the level of a tort regardless of whether it occurred in the workplace. Tort law, however, also generally requires evidence of injury. Complainants should not be required to wait until the Sexual Harassment is so severe that they experience the level of injury necessary to maintain a cause of action in tort before bringing an action to stop the harassing behavior.

In addition, as with criminal law, tort law may limit the ability of a person injured by Sexual Harassment to recover monetary damages for her injuries.¹⁵¹ Employers are not always liable for the torts of their employees, managers and supervisors (I.d)]. Generally an employer is only responsible for the acts of employees committed within the scope of employment (Id.). Therefore, unless a tort claim such as negligent retention of an employee is brought directly against the employer, a Plaintiff's potential recovery may be limited to the harasser's ability to pay a judgment.

Tort law, therefore, also provides a measure of protection to victims of Sexual Harassment.¹⁵² As an ILO publication states, "victims of Sexual Harassment can have recourse to tort law in a significant number of countries. In these jurisdictions, their treatment constitutes a civil wrong for which they can be granted a remedy, usually in the form of damages."¹⁵³ Some countries have enacted comprehensive Sexual Harassment protection law that treat such acts as a tort and provide for remedy by way of damages. However, where no specific provisions exist, the only available form of redress is often the interpretation of existing torts, such as personal injury, assault and battery, or defamation, to extend to incidences of Sexual Harassment. Through this approach, tort law is potentially applicable in most countries. In some, it is the primary mechanism through which victims can seek legal redress. In Japan, for example, since the

¹⁵¹ [conditions of work digest, supra note 7, at 59]

¹⁵² (conditions of work digest, vol.II, 1/1992 "combating Sexual Harassment at work" ILO, Geneva, at p.56).

¹⁵³ [Conditions of work and Employment series No.2, Conditions of Work and Employment Programme, "Sexual Harassment at work : National and International Responses", Deirdre Mecann, International Labour office, Geneva, International Labour Organization, 2005, at p.25]

equality legislation specifically prohibiting Sexual Harassment does not permit individuals to initiate legal claims, tort law is still widely used. If an act of Sexual Harassment infringes on certain ‘personal rights’ guaranteed by the civil code (the right to self-determination in sexual matters, to personal dignity and to sexual freedom), it is a tort for which the victim must be compensated.”¹⁵⁴

In many English-speaking countries, tort law is a matter of common or judge made law. However in many other countries tort law is defined in the civil code as the general responsibility to exercise due care towards others and the obligation to pay damages caused by injury resulting from a failure to exercise due care.¹⁵⁵ Liability in torts may result both from negligent acts resulting from carelessness or inattention, and intentional acts, that cause harm. As the ILO also notes, “Sexual Harassment is by its nature an intentional action and would qualify as an international tort.”

In many countries like the United States, United Kingdom, Japan and Switzerland, the courts have usefully applied tort law to cause of Sexual Harassment. While theoretically tort law could be potentially applicable in virtually all countries, but as in Canada, a comprehensive statutory scheme may be held to provide the exclusive remedy in Sexual Harassment cases and, thereby, rule out recourse to an action in tort.¹⁵⁶

The United States, notes the ILO, “has a particularly diverse group of torts” that are applicable to Sexual Harassment. It includes, among others, “intentional inflictions of emotional distress” “assault” and “battery” “false imprisonment” “Invasion of privacy” “defamation” and “negligent retention or supervisors”. In addition, “some contract – related tort claims” may also be

¹⁵⁴ Source: conditions of work and employment Programme, “Sexual Harassment at work “National and international Responses.” Deirdre Mecann, International Labor Office, International Labor Organization, 2005, pp. 25-26]

¹⁵⁵[Conditions of work Digest, Vol.II, 1/1992, “combating Sexual Harassment at work”. ILO, Geneva, at p.56]

¹⁵⁶[Conditions of work Digest, Vol.II, 1/1992, “combating Sexual Harassment at work”. ILO, Geneva, at p.56]

applicable such as “claims for wrongful discharge as a tortious breach of public policy, and tortious interference with contract”. The courts in the U.S. have been quite resourceful in invoking these theories. Thus in one case in the U.S. the Court held the tort of “false imprisonment” to be applicable when a restaurant owner picked up a cocktail waitress and trapped her between her legs while he fondled her.¹⁵⁷

In *Walman v/s International Paper Co*,¹⁵⁸ reversed on the other grounds, the Court found the tort of ‘invasion of privacy’ applicable where a colleague placed a high pressure air hose between the complainant’s legs

“Assault and battery” claims for the purposes of Sexual Harassment cases, are usually founded on allegations of “offensive physical contact of a sexual nature”; while “invasion of privacy” claims may apply to situations where “intrusive sexual injuries” have been made by a supervisor in the workplace,¹⁵⁹ or where “sexual touching or vulgar sexual propositions have occurred.”¹⁶⁰

In *Garcia v/s Williams*¹⁶¹, a secretary successfully sued for defamation by establishing that the judge for whom she worked had told others that she was romantically interest in him. In *Chamberlin v/s 101 Reality*,¹⁶² affirmed on other grounds, the complainant, a female employee who was dismissed for refusing sexual advances, successfully brought a defamation action arising from untrue statements that implicated her in illegal activity.

5.2 SEXUAL HARASSMENT & TORT LAW IN INDIA

The existing tort regime in India does not provide sufficient recourse to victims of Sexual Harassment in the workplace. In comparison to other areas, Indian

¹⁵⁷[*Priest v/s Rotary*, F34. supp. 571, 40 FEP cases 208 (N.D. cal.1986).

¹⁵⁸(47 FEP cases 671 (W.D. La. 1988)

¹⁵⁹(*Phillips v/s Smalley maintenance service*, 435 so 2d 705 (Ala. 1983)

¹⁶⁰[*Pase v/s Alford Photo industry*, 667 f.supp. 1188 49 FEP cases 497 (W-D. Tenn. 1987).

¹⁶¹704. supp. 984, 51 FEP cases 255 (N.D. Cal. 1988),

¹⁶²626 f. supp. 865 (D.M.17.1985)

tort jurisprudence is under developed and tort law is underutilized and characterized by lengthy delays, overburdened courts, a multiplicity of appeals, prohibitive Court fees, lack of sensitization, lack of judicial awareness on S.H.W. issues and limited damages.

These deficiencies are particularly glaring in the context of Sexual Harassment in the workplace. It will therefore be beneficial to examine in detail existing tort regimes in other common law countries when evaluating options for victims of Sexual Harassment.

In India, tort damages can be awarded for mental pain, distress, indignity, loss of liberty and death¹⁶³ “An action for damages to lies for bodily harm which, includes battery, assault, false imprisonment, physical injuries and death. In cases of assault, battery and false imprisonment the damages are at large and represent a solarium for the mental pains, distress, indignity, loss of liberty and death.”

In the U.S., each state adjudicates tort claims independently of other states. Examples of progressive tort law applications in Sexual Harassment cases, as in specific U.S. states, may serve as a guide and reference for India. Indian Sexual Harassment law may benefit from similarly progressive applications of Indian tort law to Sexual Harassment claims; as such applications would broaden the scope of relief available to Sexual Harassment victims.¹⁶⁴

5.2.1 TRESPASS TO PERSON

The tort of trespass is based on the premise that “any direct invasion of a protected interest from a positive act is actionable subject to justification. If the invasion is unintentional there will still be no liability if the conduct of the Defendant was reasonable, or even if it was unreasonable, if the invasion was

¹⁶³[Saheli v/s Commissioner of Police, (1990), SCC 422].

¹⁶⁴[Sexual Harassment at workplace by Indira Jaising, 2004 Edition].

an unforeseeable consequence, if the invasion was an unforeseeable consequence. There are two important rules: (1) that is for the Defendant to plead and prove justification and not for the Plaintiff to show that the Defendant's conduct was unreasonable; and (2) that damage is not an essential element and need not be proved by the Plaintiff¹⁶⁵ Trespass to person torts include assault, battery and false imprisonment.

5.2.2 ASSAULT AND BATTERY

Assault is defined as an attempt or a threat to do a corporeal hurt to another, coupled with an apparent present ability and intention to do the act.

Battery is defined as the intentional and direct application of any physical force to the person of another. Assault and batter are two distinct torts, although the two are often conflated. Assault and battery often serve as the bases for tort action in Sexual Harassment cases in the U.S. and are included in the same cause of action. The defence of consent is often used in assault and battery cases. In the Sexual Harassment content, the focal point of this analysis is the "welcomeness" of the harasser's advances. Additionally, in assault cases, the discussions often centre ..." on whether the harm was imminent.

In California, statutes prohibiting sexual battery and staling have been enacted in addition to the general ban on battery.

Sexual battery is defined as: "Acts with the intent to cause a harmful or offensive contact with an intimate pent of another, and a sexually offensive contact with that person directly or indirectly results.

¹⁶⁵(Ratanlal & Dhirajlal, the law of torts, 25th edition)

Acts with the intent to cause a harmful or offensive contact with another by use of his or her intimate part, and a sexually offensive contact with that person directly or indirectly results.

Acts to cause an imminent apprehension of the conduct described in (1) or (2) and a sexually offensive contact with that person directly or indirectly results.

“Intimate part” means the sexual organ, anus, groin or buttocks of any person or the breasts of a female. “Offensive contact” means contact that offends a reasonable sense of personal dignity.

Indian law defines battery as the intentional and direct application of force to another person. Although tort claims for battery have been successfully brought in India, Indian battery law has not been applied to cases of Sexual Harassment. The California batter statute is a striking example of a statutory law being used to strengthen existing tort law. It is beneficial to carefully assess this statute when determining the best applications of tort law in the Indian context.

5.2.3 FALSE IMPRISONMENT

False imprisonment arises where one person restrains another person’s liberty to go where he or she is legally entitled to go without lawful authority. It is also defined as the infliction of bodily restraint which is not expressly or impliedly authorized by law, is defined as a total “restraint of the liberty of a person, for however short a time, without lawful exercise. These requisites the total restraint of the liberty of the person and the detention must be unlawful.”

Under California law, the tort of false imprisonment comprises the non-consensual, intentional confinement of a person, without lawful privilege, for an appreciable length of time, however short”. Acts of Sexual Harassment are

actionable as false imprisonment including impeding an individual's movement, blocking the door to an office so that an individual cannot leave, or using one's authority to force a sub-ordinate employee to go somewhere he or she does not wish to go.

In India, although false imprisonment cases have been successfully litigated, the tort has never been applied to Sexual Harassment.” This is an area ripe for exploration in the SHW content.

5.2.4 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

This tort is the intentional or reckless infliction by extreme and outrageous conduct, of severe emotional or mental distress, even in the absence of physical harm. Harassment can become extreme or outrageous due to its continued duration. California courts have held that Sexual Harassment is actionable as infliction of emotional distress. The relationship b/w employer and employee is not dispositive, however, it is used to demonstrate the outrageousness of the conduct. Furthermore, the courts refer back to anti-discrimination statutes to hold that Sexual Harassment is outrageous conduct that would give rise to an action for intentional infliction of emotional distress. The need for an anti-discrimination civil statute in the Indian context is further underscored by this point.¹⁶⁶

5.2.5 NEGLIGENCE

Negligence is a breach of a legal duty to take care which results in damage to the claimant.¹⁶⁷ In Sexual Harassment cases, failure to investigate or take effective corrections action will constitute a breach of the employer's duty.

¹⁶⁶“Sexual Harassment at the workplace by Indira Jaising, 2004 Edition.”

¹⁶⁷Poonam verma v/s Ashwin Patel (1996) 4 SCC 332.

For example, under California's FEHA statute, a standard of care is established where can give rise to independent claims of negligence. Claims can also be brought for negligent hiring and negligent supervision, e.g. when an employer failed to request references when the accused was hired.

In India, claims of negligence have been successfully litigated under the Motor Vehicles Act (1988). Principles of contributory negligence and compensation quantification are set out in these cases, providing a useful foundation for SHW claims to build upon.

5.2.6 DEFAMATION

In India, defamation may be found when one individual publishes, either orally or in writing, a false statement about another that results in harm. The types of harm contemplated by this tort include exposure to hatred, contempt or ridicule, injury to trade, business or profession, and ostracism from society, libel or slander cases (involving written or oral statements; respectively)" are included in the purview of defamation. The provision of employment references may also implicate defamation. For example, a defamation claim may be brought when an employer comments on an employer's sexual relations or flirtations behavior and the ensuing damage to her results in a denial of promotion or even termination.

In India, "libel is a publication of a false or defamatory statement tending to injure to reputation of another person without lawful justification or excuse. The statement must be expressed in some permanent form e.q. writing, printing, pictures etc. slander is a false or defamatory statement by spoken words or gestures tending to injure the reputation of another.¹⁶⁸

¹⁶⁸Ratanlal & Dhirajlal, the law of tort, 25th edition.

It is unclear whether there exists a discrete and independent tort of Sexual Harassment. In the U.S., the Ohio Supreme Court held that Sexual Harassment in the workplace is a distinct and separate tort. In India, tort litigation has been limited, the prospects of a new tort prescribing S.H.W. is promising.¹⁶⁹

¹⁶⁹Sexual Harassment at work place by Indira Jaising 2004 edition.

CHAPTER-6

PROTECTION AGAINST SEXUAL HARASSMENT: ENDEVEOURS OF THE NATIONAL COMMISSION FOR WOMEN

It has been demonstrated in all of the countries that Court directives (e.g. Vishaka) coupled with employer commitment are simply not enough to combat a problem as serious as SHW. In India, private initiatives are currently drafting a civil statute on SHW. If such a statute is enacted, potential benefits may ensure. The following list of potential benefits is meant to be illustrative, not exhaustive:

- a. The enactment of courts specifically to deal with Sexual Harassment of Women cases, similar to Mahila Courts.
- b. The opportunity to have rules of evidence in favor of woman, e.g. presumptions;
- c. Speedier justice for woman, so they do not have to go through traditional time, consuming annexure, delaying justice for years.
- d. Specifically articulated remedies available for victims.

The need for a law against Sexual Harassment arises because of the urgent requirement for an affirmative legislative stand against SHW. This law will enhance the constitutional prohibition against Sexual Harassment at the workplace as laid down in Vishaka. Only the law can make enforceable a declaration that Sexual Harassment is a violation of rights, and create an atmosphere of obedience. This can be accompanied by an effective enforcement machinery and adequate deterrent effect.

Though there is no statute as yet in India that addresses itself directly to sexual harassment, two statutes may be of particular help to victims of sexual harassment. These are the National Commission for Women Act, 1990, and the Protection of Human Rights Act, 1993.

6.1 THE NATIONAL COMMISSION FOR WOMEN ACT, 1990

OBJECTS AND REASONS

The statement of objects and reasons of the National Commission for Women Act, 1990 states:

“Successive Commissions on women had noted in their Reports the unequal status of women obtaining in every sphere of life and had suggested the setting up of an agency to fulfill the surveillance functions as well as to facilitate redressal of their grievances. Several women activist and voluntary action groups had also been making persistent demands for setting up of a commission for women. The country can not progress as long as the inequality persists with reference to half of its population.....”

6.2 CODE OF CONDUCT BY THE NATIONAL COMMISSION FOR WOMEN

The Code of Conduct

In 1998, the National Commission for Women (NCW) formulated a Code of Conduct for Workplace, putting down the Supreme Court guidelines in a simple manner and circulated it widely amongst all the ministries and government departments to enable it to percolate down to the lowest functionary. The Code of Conduct was also circulated to all State Commissions for Women, NGOs, and to apex bodies of the corporate sector and to the media

The main features of the code of conduct 1998¹⁷⁰ are as follows:

(1) General Features

The Cod considers sexual harassment as a serious criminal offence which can destroy human dignity and freedom¹⁷¹ and includes eve-teasing;

¹⁷⁰ The Code of Conduct for Workplace,NCW 1998

¹⁷¹The Code of Conduct for Workplace,NCW 1998 s. 1

unsavory remarks; innuendos and taunts; gender based insults and sexist remarks; obnoxious telephone calls; physical confinement as sexual harassment apart from verbal or physical sexual advances.¹⁷² Sexual harassment includes eve-teasing and insult to the modesty of a woman by sound, gesture, act or display of any object.¹⁷³

The Code covers both ‘quid pro quo’ and ‘hostile work environment’ forms of sexual harassment and contemplates that employer shall prevent or deter the commission of any act of sexual harassment.¹⁷⁴ It shall be the employer’s duty to take appropriate steps for prevention of sexual harassment at workplace.¹⁷⁵

(2) Complaint Mechanism

The head of the organization shall constitute a Complaint Committee headed by a woman and not less than half of its members should be women.¹⁷⁶ The Committee should involve an NGO or any other body familiar with the issue of sexual harassment.

(3) Conducting Inquiry by Complaints Committee and Subsequent Action

The aggrieved person shall prefer a complaint containing the name of the contravener within 15 days from the date of occurrence of the alleged incident. If the victim prefers to remain anonymous she can hand over the complaint to the head of the organization who will forward the gist of the complaint to the Complaints Committee.¹⁷⁷ The Committee shall take immediate necessary action to hold an inquiry in the matter. After such examination the Committee will submit its recommendations to the head of

¹⁷² Ibid, s. 2

¹⁷³ Ibid,s. 4

¹⁷⁴ Ibid, s. 6

¹⁷⁵ Ibid, s. 7

¹⁷⁶ Ibid, s.11

¹⁷⁷ Ibid, s. 12

the organization who will forward to those to the management¹⁷⁸ the management of the organization shall confirm the penalty recommended.¹⁷⁹

(4) Duties of the Employer

The Code contemplates initiation of appropriate disciplinary action in accordance with the service rule where the conduct of the employee amounts to misconduct. Where such conduct amounts to a criminal offence under IPC 1860 or any other law, the employee shall initiate action by making a complaint to the appropriate authority.¹⁸⁰

Where a third party is involved in sexual harassment of the employee, the employer and the person-in-charge shall take all necessary steps to assist the affected person in term of support.

(5) Annual Report

The bill envisages that the Complaints Committee will prepare an annual report giving the account of its activities during the year, to the head of the department who will forward it to the government department with its comments.¹⁸¹

6.3 DOMESTIC VIOLENCE ACT, 2005

Domestic Violence Act for Women's empowerment in India

Domestic Violence Act 2005 is the first significant attempt in India to recognize domestic abuse as a punishable offence, to extend its provisions to

¹⁷⁸ Ibid, ss.13,14

¹⁷⁹Ibid, ss.16

¹⁸⁰Ibid ss. 17, 20

¹⁸¹Ibid, s.19

those in live-in relationships, and to provide for emergency relief for the victims, in addition to legal recourse.

Why a legislation for domestic violence?

Domestic violence is among the most prevalent and among the least reported forms of cruel behavior.

Till the year 2005, remedies available to a victim of domestic violence in the civil courts (divorce) and criminal courts (vide Section 498A of the Indian Penal Code) were limited. There was no emergency relief available to the victim; the remedies that were available were linked to matrimonial proceedings; and the court proceedings were always protracted, during which period the victim was invariably at the mercy of the abuser.

Also the relationships outside marriage were not recognized. This set of circumstances ensured that a majority of women preferred to suffer in silence. It is essentially to address these anomalies that the Protection of Women from Domestic Violence Act was passed.

Who are the primary beneficiaries of this Act?

Women and children. Section 2(a) of the Act will help any woman who is or has been in a domestic relationship with the 'respondent' in the case. It empowers women to file a case against a person with whom she is having a 'domestic relationship' in a 'shared household', and who has subjected her to 'domestic violence'.

Children are also covered by the Act; they too can file a case against a parent or parents who are tormenting or torturing them, physically, mentally, or economically. Any person can file a complaint on behalf of a child.

Who is defined as ‘respondent’ by this law?

Section 2 (q) states that any adult male member who has been in a domestic relationship with the aggrieved person is the ‘respondent’. The respondent can also be a relative of the husband or male partner .Thus, a father-in-law, mother-in-law, or even siblings of the husband and other relatives can be proceeded against.

How does the new law define domestic abuse?

Section 3 of the law says any act/conduct/omission/commission that harms or injures or has the potential to harm or injure will be considered ‘domestic violence’.

Under this, the law considers physical, sexual, emotional, verbal, psychological, and economic abuse or threats of the same.

Even a single act of commission or omission may constitute domestic violence — in other words; women do not have to suffer a prolonged period of abuse before taking recourse to the law.

How does the law ensure that a wife who takes legal recourse in the event is not intimidated or harassed?

An important aspect of this law is that it aims to ensure that an aggrieved wife, who takes recourse to the law, cannot be harassed for doing so. Thus, if a husband is accused of any of the above forms of violence, he cannot during the pending disposal of the case prohibit/restrict the wife’s continued access to resources/ facilities to which she is entitled by virtue of the domestic relationship, including access to the shared household. In short, a husband cannot take away her jewellery or money, or throw her out of the house while they are having a dispute.

What are the main rights of a woman as recognized by this law?

The law is so liberal and forward-looking that it recognizes a woman's right to reside in the shared household with her husband or a partner even when a dispute is on. Thus; it legislates against husbands who throw their wives out of the house when there is a dispute. Such an action by a husband will now be deemed illegal, not merely unethical.

Even if she is a victim of domestic violence, she retains right to live in 'shared homes' that is, a home she shares with the abusive partner. Section 17 of the law, which gives all married women or female partners in a domestic relationship the right to reside in a home that is known in legal terms as the shared household, applies whether or not she has any right, title or beneficial interest in the same.

The law provides that if an abused woman requires, she has to be provided alternate accommodation and in such situations, the accommodation and her maintenance has to be paid for by her husband or partner.

The law, significantly, recognizes the need of the abused woman for emergency relief, which will have to be provided by the husband. A woman cannot be stopped from making a complaint/application alleging domestic violence. She has the right to the services and assistance of the Protection Officer and Service Providers, stipulated under the provisions of the law.

A woman who is the victim of domestic violence will have the right to the services of the police, shelter homes and medical establishments. She also has the right to simultaneously file her own complaint under Section 498A of the Indian Penal Code.

Sections 18-23 provide a large number of options for legal redressal. She can claim through the courts Protection Orders, Residence Orders, Monetary

Relief, Custody Order for her children, Compensation Order and Interim/ Ex parte Orders.

If a husband violates any of the above rights of the aggrieved woman, it will be deemed a punishable offence. Charges under Section 498A can be framed by the magistrate, in addition to the charges under this Act. Further, the offences are cognizable and non-bailable. Punishment for violation of the rights enumerated above could extend to one year's imprisonment and/or a maximum fine of Rs 20,000.

6.4 THE NATIONAL COMMISSION FOR WOMEN DRAFT BILLS

It was during the period that the National Commission for woman took up the task of formulating a comprehensive legislation to deal with Sexual Harassment at the workplace. For drafting the law it set up a group of civil society activists and finally a law came to be drafted. This bill in turn was submitted to the Ministry of Human Resource Development, Department, which made amendments to this Bill and invited suggestions from the public at large. When Medha Kotwali's case came up in Supreme Court in late 2004, the solicitor general made a statement that the Govt. was serious in introducing a law to deal with Sexual Harassment at the workplace and the Court adjourned the matter so that the petitioners and other organizations could study the Bill and make recommendation. It was in this context that a number of organizations working on the issue of Sexual Harassment met in Mumbai in November 2004, to discuss and suggest amendments to this Bill. In this issue we have published both the Bill as recommended by the Govt. and the alternate bill suggested by the organizations which gathered for discussion in Mumbai. The alternate bill is more in the nature of a revised bill as it does in many respects accepts the framework of the Govt. bill was found lacking either in substance or in details and such changes have been recommended.

The national Commission for Women has held several meetings with various organizations, government departments etc., since November 2000, to assess the effective implementation of Supreme Court guidelines. More than 28 meetings were held during the years 2000-2003, which were attended by more than 707 organizations.¹⁸² Based on its interaction with women groups, lawyers, journalists, employers and employees of various organizations, the NCW formulated four draft bills on sexual harassment in succession in the years 2000, 2003, 2003 and 2006.

6.4.1 Salient Features of Draft Bill on Sexual Harassment of Women at Their Workplace (Prevention) Bill 2000

Definition

According to the Bill, 'sexual Harassment' is defined as inclusive of any act of verbal or gestural sexual advances, unwelcome sexually determined behavior as avoidable physical contracts, obscene jokes, innuendoes, whistling, staring, Molestation, etc., towards women workers by their male superiors, colleagues or anyone who for the time being is in a position to sexually harass the women workers.¹⁸³

The Bill defines 'woman' as a woman employed directly or through agency for wages or similar other consideration.¹⁸⁴ The 'workplace' means any place where such a woman is working.¹⁸⁵

(1) Penal Provisions

The Bill provides the punishment of an imprisonment for five years or fine of Rs. 20,000 INR or both, in case of commission of sexual harassment at

¹⁸² Background paper on National Seminar on Sexual Harassment at Workplace', organized by National Commission for Women and Indian Institute of Public Administration, Delhi, 10 March 2004.

¹⁸³ Sexual Harassment of Women at their Workplace (Prevention) Bill, 2000, Section 2(c)

¹⁸⁴ Ibid, s. 2(d)

¹⁸⁵ Ibid s. 2(e)

workplace.¹⁸⁶ The Bill further contemplates that the onus of proving innocence will be on the accused.¹⁸⁷ It is also envisaged that the supervisors, managers and the managing director will be jointly liable¹⁸⁸ along with the accused for the commission of the sexual harassment under s. 34, IPC

(2) Complaints Mechanism

the bill contemplates creation of a complaints committee by the employer's organisation, comprising five members. The Committee should be headed by a woman and half of the Committee members should be women.¹⁸⁹ The Committee should include an NGO or other body familiar with the issue of sexual harassment.

The Bill further contemplates the appointment of a woman Special Officer¹⁹⁰ in every department and women District Level Officer¹⁹¹ for dealing with complaints of sexual harassment.

The Complaints Committee will make the Annual Report to the Government department concerned of the complaints and action taken by it.¹⁹² The most important provision is the power of the government to terminate the services of both the accused and the person-in-charge or to withdraw the facilities and concessions extended to that organization by the appropriate government¹⁹³ in case of inaction in a sexual harassment case.

(3) Duty of Employer

The employer should initiate action by making a complaint to the appropriate authority in case the conduct amounts to penal offence.¹⁹⁴

¹⁸⁶ Ibid s. 3.

¹⁸⁷ Ibid s. 4.

¹⁸⁸ Ibid s. 5.

¹⁸⁹ Ibid s. 11.

¹⁹⁰ Ibid s. 14.

¹⁹¹ Ibid s. 15.

¹⁹² Ibid s. 11(ii).

¹⁹³ Ibid s. 21.

¹⁹⁴ Ibid s. 20.

Where sexual harassment occurs as a result of action or omission by any third party or outsider, the employer and the person-in-charge will take all necessary and reasonable steps to assist the victim in terms of support and preventive action.¹⁹⁵ The employer shall ensure that the victim or the witness are not victimized or discriminated against while dealing with complaints of sexual harassment.¹⁹⁶

It is the duty of the employer to inform the Special Officer and District Officer regarding the disciplinary action initiated against the accused.¹⁹⁷

(4) Rights of the victim

The Bill contemplates that the trial of the offence shall be held in camera if the woman victim so desires.¹⁹⁸ Victims of the sexual harassment should have the option to seek the transfer of the perpetrator or their own transfer.

6.4.2 Salient features of Draft Bill on Sexual Harassment of Women at their Workplace (Prevention) Bill 2003

(1) Definitions

The definition of ‘sexual harassment’ has been made specific as it refers to avoidable sex advance either verbal or through gestures etc. The definition of ‘woman’ has been made more elaborate to include a self employed woman and a student in an educational or institution of learning.

The definition of ‘workplace’ includes place of sale of agricultural or other products; courts premises, police stations, remand homes or other judicial

¹⁹⁵ Ibid s. 13.

¹⁹⁶ Ibid s. 8

¹⁹⁷ Ibid s. 20.

¹⁹⁸ Ibid s. 7.

establishment; restaurants, clubs hotels, resorts or any other hospitality establishment and a training institution

(2) Penal Provisions

The Bill makes it absolutely clear that the conduct of sexual harassment would amount to misconduct in employment¹⁹⁹. It further clarifies that the liability of the employer, supervisor etc., will be joint under s 34, IPC irrespective of the intention and prior meeting of minds.

(3) Complaints Mechanism

The number of members of Complaints Committee headed by a woman is raised to seven where, not less than half will be women. The Bill contemplates that at least three NGOs should be involved in the Committee.

The Bill envisages the setting up of separate Complaints Committee for each branch of the concerned establishment and fixes the maximum period of six months from the date of receipt of sexual harassment complaint, for completion of its report.

The Bill contemplates a situation where the employer himself may be the harasser. In such a case, the Complaints Committee shall, at the option of the victim, transfer the perpetrator and ensure that no victimisation of the victim or the witnesses takes place.

¹⁹⁹ Ibid, s2(c)

(4) Power of the District Level Officer

Greater Powers have been given to the District Level Officer regarding investigation and subsequent actions. She can investigate a case and direct the employer to forward it to the Complaints Committee of his establishment which will submit its report to her in a time bound manner. The District Level Officer shall ensure that disciplinary action is taken against the harasser by the appropriate authority.

Where the employer himself is the accused, the District Level Officer shall be empowered to initiate the disciplinary action against such employer in accordance with the service rules.

The Draft Bill of 2003, also, could not culminate into the final Bill and it was felt by the NCW and the activist groups that it should further be emended. The modified version is contained in the Draft Bill on the Sexual Harassment of Women at the Workplace (Prevention and Redressal) Bill 2004. Its main distinguishing features are as follows

6.4.3 Salient Features of Draft Bill on the Sexual Harassment of Women at the Workplace (Prevention and Redressal) Bill 2004.

(1) General

A massive shift in the approach in drafting the Bill can be absorbed from an inclination towards criminal liability principles to those contained in a labour legislation. The proposed legislation treats sexual harassment as a civil wrong and not a crime and accordingly prescribes the remedies, which are civil in nature. The Bill clarifies in s 3 that sexual harassment is unlawful and amounts to misconduct in employment and an unfair labour practice. The section also covers all possible work situations where sexual harassment can occur whether the woman victim is an employee or not or is a woman student or visitor in an educational institution,,

(2) Definitions

The Bill defines ‘aggrieved woman’ as any female person, whether major or minor and includes a woman employed, working or studying who has been subjected to sexual harassment.

The Bill broadens the scope for making the complaints as ‘complaint’ is defined to include not only the aggrieved woman herself but her legal heir or representative in case of her death and a trade union or woman’s organisation with her consent.

The Bill defines ‘employee’ in a broad manner so as to include all types of work arrangements whether direct or indirect; whether the terms of employment are express or implied; whether working for remuneration or on voluntary basis and includes all types of permanent, casual, temporary or domestic employees.

The definition of workplace is also broadened to include public places, transportation by air, road or sea, clubs, societies, institutions of local self government such as panchayats, municipalities and municipal corporations.

(3) Penal Provisions

As the Bill precedes on the premise that sexual harassment at workplace is a misconduct and unfair labor practice it does not prescribe severe punishments. The Bill contemplates imposition of major penalties – withholding an increment for more than a year; reducing rank./grade; terminating the services, by discharge or dismissal, after paying all dues, and minor penalties – writing; fine; suspension for a period not exceeding four days.

The Complaints Committee may issue certain directions that the harasser should not repeat or continue such unlawful sexual harassment or that he should redress any loss or damage suffered by the complainant or pay compensation to the victim or her legal heirs.

(4) Complaints Mechanism

The Bill makes it mandatory for the employer, who has employed 50 or more personnel in the preceding 12 months, to constitute an Internal Complaints Committee. Similar is the situation in case of an educational institution in which 20 or more students have been registered in the preceding 12 months.

The Bill contemplates the constitution of Local Complaints Committee by the District Level Special Officer. It is the duty of the Complaints Committees, under the Bill, to hold enquires in complaints and to resolve the matter by amicable settlement, if so requested by the complainant.

The Bill provides for elaborate procedure for holding preliminary inquiry, inquiry, by the Complaints Committees and their powers to summon witnesses and documents.

(5) Duties and Liabilities of the Employer

The Bill envisages that the employer will take all possible steps to ensure a safe work environment free from sexual harassment and to generate awareness among the employees regarding the definition of sexual harassment and redressal mechanisms.

The Bill contemplates that in case of failure on the part of the employer to fulfil his duties under the Bill, i.e., to constitute an Internal Complaints Committee or failure to implement the order of the Complaints Committee or efforts to protect the person found guilty of the sexual harassment, the District Level Special Officer may entertain the complaint in this regard or take suo moto cognizance of the matter. In such a case, the Local Complaints Committee may direct the employer to pay a penalty, to be deposited in 'Sexual Harassment Fund' or to pay compensation to the complainant.

(6) Right of the Victim

The victim's right to receive the copies of the proceedings before the Complaints Committee and the copy of the order of the Committee is well recognized under the Bill.

The Bill further envisages that as far as possible, confidentiality and privacy of the complaint and defendant must be maintained.

On the request of the complainant, the employer shall arrange for a counsellor for her, at his cost. The right of the complainant to withdraw the complaint is also recognized under the Bill.

The Draft Bill of 2004 also could not culminate into a legislation on Sexual harassment at workplace. The National Commission for Women continued with the deliberations amongst women activists' groups regarding the Draft Bill and proposed a new Draft Bill in the year 2006.

6.4.4 The salient features of the Draft Bill on the Sexual Harassment of Women at Work Place (prevention, Prohibition and Redressal) Bill 2006.

(1) General

The title of the Draft Bill is more elaborate as it takes care of prevention, prohibition and redressal of sexual harassment. A human rights approach, as contained in the international instruments and the Constitution of India, is clearly reflected in the preamble of the Draft Bill as it emphasizes on not just the protection of women from sexual harassment but also protection of right to livelihood and to that end, prevention and redressal of sexual harassment of women.

The Bill clearly chalks out the provisions to prohibit sexual harassment in case in employer-employee relations and also prohibits sexual harassment in other cases.

(2) Definitions

An explanation on 'Hostile Environment' is added to the definition of sexual harassment. Explanation 2 clarifies that in determining if the conduct in question was sexually coloured and unwelcome or not, the reasonable perception of the women would be taken into account.

Misconduct has been defined to take into its ambit the unwelcome conducts of officials of armed and paramilitary forces.

The definition of 'employer' includes a person who is in a position of authority whether supervisory, evaluator, pecuniary or fiduciary including the owner or trustee of an educational institution or any professional body, society etc

An elaborate definition of workplace contains the illustrations in the Schedule I of the Bill.

(3) Complaints Mechanism

The Bill prescribes a simplified complaint mechanism for all workplaces that supersedes all other types of mechanisms prescribed elsewhere. The Bill contemplates setting up of an Internal Complaints Committee at the Workplace and Local Complaints Committee at the district level. The Bill also contemplates setting up of an ad-hoc internal complaints committee in case the defendant happens to be the head of the workplace. In such a case, the appropriate government will appoint an ad hoc committee to be headed by a chairperson who is senior in rank and status to the defendant.

(4) Penal Provisions

The Committee may recommend to the employer that any punishment be imposed on the defendant commensurate with the gravity of the offence which he has committed. It may be recommended by the committee that an unconditional apology letter be written by the defendant to the woman that such behavior will not be repeated. It may further be recommended by the committee that the defendant should pay such compensation to the woman that is commensurate with the gravity of the offence committed and the salary of the defendant. The compensation may be deducted from his salary or be paid in a lump sum. In addition to the unconditional apology and compensation, the committee may impose the punishments of censure or termination from the services.

(5) Employer's Liability

The court may impose a fine of not less than Rs 10,000 on any workplace which has failed to initiate action in a case of sexual harassment complaint or which has failed to constitute an Internal Complaints Committee and similar fine may be imposed on the employer in case of non-compliance of any of the duties cast on him under the Bill.

The law on sexual harassment in India is far behind the western model. The provisions of IPC relating to molestation and eve-teasing remain on the statute in the exact form as were enacted by Lord Macaulay. Sexual harassment at workplace has been recognized by the Supreme Court but it is also true that the guidelines prescribed by the Court are not foolproof and do not cater to all such possible situations. Moreover, the fact remains that howsoever comprehensive the guidelines may be, they cannot replace the efficacy of a legislative enactment on the issue. Despite four Draft Bills by the National Commission for Women, there is no legislative enactment in the country to deal with sexual harassment is overloaded with various ambiguities which make the implementation of law to redress the grievances of the victims a herculean task. Various lacunae inherent in the concept of sexual harassment and the legal framework are discussed in the next two chapters.

6.4.5 ANALYSIS OF THE PROTECTION OF WOMAN AGAINST SEXUAL HARASSMENT AT WORKPLACE BILL 2010

The union cabinet approved the introduction of the Protection of Woman against Sexual Harassment at workplace Bill 2010 in the parliament to ensure a safe environment for woman at work places, both in public and private sectors whether organized or unorganized. The measure will help in achieving gender empowerment and equality.

The proposed bill, if enacted will ensure the women are protected against Sexual Harassment at all the work place, be it in public or private. This will contribute to realization of their right to gender equality, life and liberty and equality in working conditions everywhere. The sense of security at the workplace will improve woman's participation in work, resulting in their economic empowerment and inclusive growth.

SALIENT FEATURES OF THE BILL ARE AS FOLLOWS:-

1. The Bill proposes a definition of Sexual Harassment, which is as laid down by the Hon'ble Supreme Court in Vishaka v/s State of Rajasthan (1997). Additionally it recognizes the promise or threat to a woman's employment prospects or creation of hostile work environment as 'Sexual Harassment' at workplace and expressly seeks to prohibit such acts.
2. The Bill provides protection not only to woman who are employed but also to any woman who enters the workplace as a client, customer, apprentice and daily wageworker or in ad-hoc capacity. Students, research scholars in colleges/ universities and patients in hospitals have also been covered. Further, the Bill seeks to cover workplaces in the unorganized sectors.
3. The Bill provides for an effective complaints and redressal mechanism. Under the proposed Bill, every employer is required to constitute an internal complaints committee: Since a large number of the establishments (41.2 million out of 41.83 million as per Economic Census 2005) in our country have less than 10 workers for whom it may not be feasible to set up an Internal Complaints Committee (ICC), the bill provides for setting up of Local Complaints Committee (LCC) to

the constituted by the designated district officer at the district or sub-district levels, depending upon the need. This twin mechanism would ensure that woman in any workplace, irrespective of its size or nature, have access to a redressal mechanism. The LCC's will enquire into the complaints of Sexual Harassment and recommend action to the employer or District Officer.

4. Employer who fail to comply with the provisions of the proposed Bill will be punishable with a fine which may extend to Rs.50,000/-.
5. Since, there is a possibility that during the pendency of the enquiry the woman may be subject to threat and aggression, she has been given the option to seek interim relief in the form of transfer either of her own or the Respondent or seek leave from work.
6. The complaint committees are required to complete the enquiry within 90 days and a period of 60 days has been given to the employer/ district officer for implementation of the recommendations of the committee.
7. The Bill provides for safeguards in case of false or malicious complaint of Sexual Harassment. However, mere inability to substantiate the complaint or provide adequate proof would not make the complainant liable for punishment.
8. Implementation of the Bill will be the responsibility of the Central Govt. in case of its own undertakings/ establishments and of the state Govts. in respect of every workplace established, owned controlled or wholly or substantially financed by it as well as of private sector establishments falling within their territory. Besides the state and central Govts will oversee implementations on the employers to include a report on the number of cases filed and disposed of in their Annual

Report. Organizations, which do not prepare Annual Reports, would forward this information to the Distt. Officer.

9. Through this implementation mechanism, every employer has the primary duty to implement the provisions of law within his/ her establishments while the State and Central Govts. have been made responsible for overseeing and ensuring overall implementation of the law. The Govts. will also be responsible for maintaining data on the implementation of the law. In this manner, the proposed Bill will create an elaborate system of reporting and checks and balances, which will result in effective implementation of the law.

“To some extent this bill has filled up the gaps which are present in the earlier bill such as now is also includes the unorganized sectors.

CHAPTER-7
JUDICIAL RESPONSE IN INDIA TO SEXUAL
HARASSMENT

7.1. JUDICIAL ACTIVISM: GENERAL

Any system that is not keeping pace with the changing society cannot survive for a long time. Indeed, our judiciary has realized the changing situation and has shed the grab of traditional method of administering justice. This is what we call “Judicial Activism”. The Supreme Court of India has undertaken many ventures such as Bihar under trials, Bhagalpur blinding etc. It has adopted a proactive approach since last few years, particularly having regard to the peculiar Socio-economic conditions prevailing in the country. In fact, there are two different kinds of approach which characterize the functioning of the highest court in every democracy, either the court adopts an activist approach or resigns itself to a passive role. In a country like India, where we want to bring about social and economic change and to improve the life conditions of the people and make basic human rights available to them, it is necessary for a judge to adopt an activist approach. Such approach is popularly called as judicial activism.

The expectation from the Apex Court is increasing day by day as the groups of citizens bring their grievances directly to it. The role of the Apex Court is of profound importance in the area of human rights because it is the final interpreter of fundamental rights. It is the paramount social duty of the judiciary to eliminate injustice and exploitation in our society. The judiciary is to innovate new procedures to meet the challenges of modern times. The policy of judicial ‘self restrain’ created a situation in which minority interests are not properly protected. Such inaction will only deepen the sense of injustice, which may eventually lead to violence, and destruction of life and property.

The powers of the Supreme Court under Article 32 and High Courts under Article 226 of the constitution of India for the protection of the constitutional as well as fundamental rights of citizens are of the widest amplitude and there is no reason why the Court should not adopt activist approach similar to courts in America and issue to the state directions which may involve taking of positive action with a view to securing enforcement of the Fundamental Rights.²⁰⁰ The judiciary has been assigned this active role under the constitution. They are not expected to sit an ivory tower like an Olympian closing their eyes uncaring for the problems faced by the society. They have to exercise their judicial powers for protecting the fundamental rights and liberties of citizens of the country. Therefore in order to achieve this mission the judiciary has to exercise and evolve its jurisdiction with courage, creativity and circumstances and with vision, vigilance and practical wisdom. Judicial activism and self restraint are facts of that courageous creativity and pragmatic wisdom.

One should, however, understand that this exercise of authority of the judiciary is not for vain glory but it is in discharge of its constitutional obligation. For otherwise the judiciary will become crippled which in turn will cripple democracy. When the executive and legislature are apathetic fail to discharge their constitutional obligations. The bureaucracy shows a total indifference and insensitivity to its mandatory duties. This in turn affects the basic rights of the people, when the law enforcing authorities show their brutality in the process of implementation of law; the judiciary should check the excesses and also direct the authorities to effectively implement the welfare legislation.

²⁰⁰ Binny Ltd. Vs. V. Sadasivan, (2005) 6 SCC 657

7.2 SEXUAL HARASSMENT & INDIAN JUDICIARY

Indian judiciary had vigilant against Sexual Harassment and has been exercising its powers even it vested with insufficient enactments. In Nilabati Behera v/s State of Orissa²⁰¹, the Supreme Court pointed out that a claim in public law for compensation for contravention of human rights and fundamental freedom, the protection of which is guaranteed in the constitution is an acknowledge remedy for enforcement and protection of such rights. The Supreme Court is not helpless and the wide powers given to it by art. 32 which itself is a Fundamental Rights, imposes a constitutional obligation on it to forge new tools which may be necessary for doing complete justice and enforcing the Fundamental Rights guaranteed under the constitution. Notable activism of the Supreme Court can be seen in State of A.P. v/s Bodem Sundra Rao²⁰² where High Court of Andhra Pradesh awarded meager sentence and the case came before the Supreme Court. The Apex Court expressed its sensitivity in these words that crimes against woman are on the rise. Imposition of grossly inadequate sentence and particularly against the mandate of the legislative not only is an injustice to the victim of the crime in particular and the society as a whole in general but also at times encourages a criminal. The courts must not only keep in view the rights of the criminal but also the rights of the victims of crime and the society at large while considering imposition of the appropriate punishment.

In Rupan Deol Bajaj v/s Kanwar Pal Singh Gill²⁰³, the Supreme Court expressed against the seriousness of the problem. In this case the FIR and private complaint filed in Court of Chief Judicial Magistrate Chandigarh were quashed by the High Court of Punjab and Haryana where the victim was a senior IAS officer and the accused was a senior police officer. The Supreme Court set aside the order of the High Court and observed that a sequence of

²⁰¹(1993) 2 SCC 746

²⁰²1995) 6 SCC 230, 232.

²⁰³(AIR 1996 SC. 309)

events culminating in slapping on the posterior of a woman in a public fumation disclose in the FIR amounted to prima facie offence under Section 354 of IPC. Ultimately the case was remanded to the trial Court of disposal on merits.

Vishaka & Others v/s State of Rajasthan²⁰⁴

In this case, Bhanwari Devi, a social worker, was gang-raped in a remote Rajasthan village for trying to prevent a child marriage. A woman's organization called 'Vishaka' filed a writ in the Supreme Court. Their grievance was that, while working woman remained vulnerable to Sexual Harassment at the workplace, neither the legislature nor the executive Government was taking any effective preventive measure in this behalf. Therefore, the Plaintiffs approached the Supreme Court of India for the enforcement of the Fundamental Rights of the working women as guaranteed by the constitution. There was no law exist at that time and the Court after taking in consideration all the international conventions and other provisions of the constitution gave the following guidelines as constituting the law of the land, until further action was taken by the legislature.

(i) DUTY OF THE EMPLOYER OR OTHER RESPONSIBLE PERSONS IN WORK PLACES AND OTHER INSTITUTIONS

It shall be the duty of the employer or other responsible persons in work places or other institutions to prevent or deter the commission of acts of Sexual Harassment and to provide the procedures for the resolution, settlement or prosecution of acts of Sexual Harassment by taking all steps required.

²⁰⁴(1997) 6 SCC 341)

(ii) DEFINITION

For this purpose, Sexual Harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

- (a) Physical contact and advances;
- (b) A demand or request for sexual favors;
- (C) Sexually coloured remarks;
- (d) Showing pornography;
- (e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Where any of these acts is committed in circumstances where under the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work whether she is drawing salary, or honorarium or voluntary, whether in Govt., public or private enterprise such conduct can be humiliating any may constitute a health and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work including recruiting or promotion or when it creates a hostile works environment, adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.

(iii) Prevention Steps:

All employers or persons in charge of workplace whether in the public or private sector should take appropriate steps to prevent Sexual Harassment without prejudice to the generality of this obligation they should take the following steps:

- (a) Express prohibition of Sexual Harassment as defined above at the workplace should be notified, published and circulated in appropriate ways.
- (b) The rules / regulations of Govt. and public sector bodies relating to conduct and discipline should include rules / regulations prohibiting Sexual Harassment and provide for appropriate penalties in such rules against the offender.
- (c) As regard to Pvt. Employers, steps should be taken to include the aforesaid prohibitions in the standing orders under the industrial employment (standing orders) Act, 1946.
- (d) Appropriate works conditions should be provided in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards woman at workplaces and no employee woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment.

(iv) CRIMINAL PROCEEDINGS

Where such conduct amounts to a specific offence under the IPC or under any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

In particular it should ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of Sexual Harassment. The victims of Sexual Harassment should have the option to seek transfer of the perpetrator or their own transfer.

(v) DISCIPLINARY ACTIONS

Where such conduct amounts to misconduct in employment as defined by the relevant service rules, appropriate disciplinary action should be initiated by the employer in accordance with those rules.

(vi) COMPLAINT MECHANISM

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint Mechanism should be created in the employer's organization for redress of the complaint made by the victim. Such complaint mechanism should ensure time bound treatment of complaints.

(vii) COMPLAINTS COMMITTEE

The complaint mechanism, referred to in (6) above, should be adequate to provide, where necessary, a complaints committee, a special counselor or other support service, including the maintenance of confidentiality.

The complaints committee should be headed by a woman and not less than half of its members should be women. Further, to prevent the possibility of any undue pressure or influence from senior levels, such complaints committee should involve a third party, either NGO or other body who is familiar with the issue of Sexual Harassment.

The complaints committee must make an annual report to the Govt. department concerned of the complaints and action taken by them.

The employers and person in charge will also report on the compliance with the aforesaid guidelines including on the reports of the complaints committee to the Govt. Deptt.

(viii) WORKERS INITIATIVE

Employers should be allowed to raise issues of Sexual Harassment at workers meeting and in other appropriate forum and it should be affirmatively discussed in employer–Employee Meetings.

(ix) AWARENESS

Awareness of the rights of female employees in the regard should be created in particular by prominently notifying the guidelines (and appropriate legislation when enacted on the subject) in a suitable manner.

(x) THIRD PARTY HARASSMENT

Where Sexual Harassment occurs as a result of an act or omission by any third party or outsider, the employer and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

(xi) The Central / State Govt. are requested to consider adopting suitable measures including legislation to ensure that the guidelines laid down by this order are also observed by the employers in Pvt. Sector.

(xii) These guidelines will not prejudice any rights available under the Protection of Human Rights Act, 1993.

Apparel Export Promotion Council Vs. A.K. Chopra²⁰⁵

The Supreme Court held that in any case including charge of Sexual Harassment or attempt to sexually molesting, the courts are required to examine the broader probabilities of the case and not get swayed by insignificant discrepancies or narrow technicalities or the dictionary meaning of the expression 'molestation'. The Court also held that the statement of the victim must be appreciated in the background of the entire case. In this case, the Respondent was working as private secretary to the chairman of the Apparel Export Promotion Council, the appellant human. It was alleged that on 12.08.1988, he tried to molest a woman employee of the council, Miss X who was at the relevant time working as a clerk-cum-typist. She was not competent or trained to take dictations. The Respondent however insisted that she would go with him to the Business centre at the Taj Palace Hotel for taking dictation from the Chairman and type out the matter. Under the pressure of the Respondent, she went to take the dictation from the Chairman. While Miss X was waiting for the Director in the room, the Respondent tried to sit too close to her and despite her objection did not give up his objectionable behavior. She later on took dictation from the Director. The Respondent told her to type it at the business centre of the Taj Palace Hotel, which is located in the basement of the hotel. He offered to help her so that her typing was not found fault with by the Director. He volunteered to show her the Business centre for getting the matter typed and taking advantage of the isolated place, again tried to sit close to her and touch her despite her objections. The draft typed matter was

²⁰⁵(AIR 1999 SC 625)

corrected by Director (Finance) who asked Miss X to retype the same. The Respondent again went with her to the Business Centre and repeated his overtones. Miss X told the Respondent that she would leave the place if he continued of behaving like that:. The Respondent did not stop. Though he went out from the Business Centre for a while, he came back again and resumed his objectionable acts. According to Miss X, the Respondent had tried to molest her physically in lift also while coming to the basement but she saved herself by pressing the emergency button; which made the door of the lift to open. On the next day that is on 16th August, 1988 Miss X was unable to meet the Director (Personnel) for lodging her complaint against the Respondent as he was busy. She succeeded in meeting him only on 17th August, 1988 and apart from narrating the whole incident to him orally submitted a written complaint also. The Respondent was placed under suspension vide an order dated 18th August, 1988. A charge-sheet was served on him to whom he gave a reply denying the allegations and asserting that the allegations were imaginary and motivated. Sexual Harassment. J.D. Giri, a Director of the Council, was appointed as an enquiry officer to enquire into the charges framed against the Respondent. On behalf of the management with a view to prove the charges as many as six witnesses were examined including Miss X. The Respondent also examined seven witnesses. The enquiry officer after considering the documentary and oral evidence and the circumstances of the case arrived at the conclusion that the Respondent had acted against moral sections and that his acts against Miss X did not withstand the test of decency and modesty. He, therefore, held the charges leveled against the Respondent as proved.

7.3 POST VISHAKA SCENARIO

Vishaka's judgment was delivered in 197 and for six years after that no efforts were made in the direction of enacting a law. So the guidelines continued to be the law required to be followed across the country. But the guidelines were

followed more in their breach. Very few complaints committees were set up, service rules were not amended and the judgment was widely disregarded both by public and private employers. But one of the full out of the judgment was that many civil society organization became aware of it and started to publicize it and pushed for its implementation. Around the same time many women who were being sexually harassed started breaking their silence and started demanding action from the employers. In fact a number of this case arose from university and college campuses. The response of the employers by and large was to sweep such cases under the carpet and at times even to victimize the woman. But one could still see an increasing favor of protest. The media also started giving important space and time to this issue.

One such case happened in the M.S. University at Baroda where a student was sexually harassed by her professor. Her protests led to victimization and certain woman's organizations wrote protest letters to the Chief Justice of India. The letters were converted into a writ petition and the court started supervising the implementation of Vishaka's guidelines. Notices were issued to the Central Govt., all State Govts. and the union territories asking them to report to the Supreme Court the measures taken by them for complying with the Vishaka guidelines. The Govts. filed affidavits which bordered on the pathetic. But what this did was to at least trigger a flurry of activities the Central Govt. and the state Govt. level. Many of the service rules were amended to bring in Sexual Harassment as a specific head of misconduct. In many states the employment standing orders act which apply to private employers were similarly amended. Committees were set up in various public sector organizations. U.G.C sent a letter to the Universities asking them to set up committees. The Supreme Court on the other hand continued monitoring the progress and now issued notices to even professional bodies. Though things were moving the charges were essentially cosmetic. Most of the present employers had not set up any committees and those public sector organisations where committees were set up they did not function effectively.

CHAPTER-8

CONCLUSION AND SUGGESTIONS

8.1 CONCLUSION

The problem of sexual harassment is a universal problem, having its roots for time innumerable because the problem involves natural factors of women's physical weakness along with other factors of factors of social status of woman, economic dependence, illiteracy, prestige stigma, unemployment fear, customs, employer's privilege traditions, post complaints compromise in action of police and other Administrative Authorities and lastly feeble perception of male dominated society about such incident.

Yet there is lack of specific enactments sufficient to deal with the accused. Yet the Indian Constitution, Indian Penal Code and International Conventions and inherent powers of the court are able to prevent the problem and the accused. Vishaka's case has become landmark in this area because it is a judge made law till the legislative document gets its enforcement. It can be said that in Indian judiciary is more sensitive than the legislation.

The situation of other countries is also no better. Every country is taking steps under the directions, guidelines provided by the Convention on the Elimination of all forms of Discrimination against Women, under the Document of Universal Declaration of Human Rights, 1948, and according to the existing laws throughout the world.

Effective penal provisions and heavy compensation will be helpful for eradication of the problem. Awareness Programmes to public, police officers, judges, employer can increase sensitivity of the problem. And particularly working women should be educated about the problem, provisions, procedures,

and the punishments. Overall crimes against women must be controlled so that women can acquire self confidence to fight with evils.

To constitute the conduct of sexually harassment is seen and motive behind such behavior is not seen. Any unwelcoming behavior at her workplace or such behavior of employer or any employee at any place is objectionable under the present topic. In support of the movement against the problem of sexual harassment Madras University has formed a code of conduct against sexual harassment in the colleges and varsity Campus.²⁰⁶National Commissioner for Women has taken steps in controlling the problem by issuance of various orders and guidelines. University Grants Commission has sent directives to the Heads of the Universities to curb the evil even by setting up of cells. Various states in India have taken steps in this regard viz... sending of the guidelines to their departments. Grievances cells committees/offices have been established for hearing such type of complaints. In the last it can be realized that unless the society changes its perception towards females of human being of 2nd class to 1st (i.e. equivalent to males) and administrative along with judiciary authority feel so with full sensitivity the evil can not be cured with desired results. Also, complainant should fix her attention towards getting the justice and not the compromise.

The issue of sexual harassment needs understanding, assessment, sensitivity and commitment from all quarters but mostly from the senior managerial authority as their commitment and action can achieve the aim of prevention and effective resolution of sexual harassment at workplace and a gender friendly, discrimination free workplace.

²⁰⁶Sexual Harassment Varsity forms codes. Indian Express Newspaper, New Delhi March 9 1999

8.2 SUGGESTIONS

The following measures are suggested to combat and prevent the Sexual Harassment at the workplace.

1. There shall be strict implementation and effective monitoring of the policy against Sexual Harassment.
2. There shall be more consultation with parties concerned.
3. Human Rights Commission shall be more adequately staffed for education, complaints and monitoring of the policy.
4. Informal, unorganized workers who are more vulnerable particularly young workers and those in casual employment shall be targeted and covered by the protective labour legislations.
5. Inclusion of setting up Complaint Committee within the Industrial Disputes Act.
6. There shall be more Awareness campaigns to educate the general public about the rights and penalties and prevent the sexual harassment.

AS AN EMPLOYER, KNOW THE FOLLOWING:

1. First and foremost, acknowledge that it is your legal responsibility to provide safe working environment for women free from sexual harassment and discrimination and that you can be held liable for sexual harassment by employees

2. Know that sexual harassment can have a devastating effect upon the health, confidence, morale and performance of those affected by it. The anxiety and stress produced by sexual harassment commonly leads to those subjected to it taking time off due to sickness, being less efficient at work, or leaving their job to seek work elsewhere.

3. Understand the reasons why women remain silent about sexual harassment. An absence of complaints about sexual harassment does not necessarily mean an

Absence of sexual harassment. It may mean that the recipients of sexual harassment think that there is no point in complaining because:

- Nothing will be done about it;
- It will be trivialized;
- The complaints will be subjected to ridicule, or
- They fear reprisals.

4. Recognize the tangible and intangible expenses and losses organizations experience:

- Costly investigation and litigation
- Negative exposure and publicity
- Embarrassing depositions
- Lowered employee morale
- Reduced productivity
- Decreased efficiency
- Higher employee turn over
- Erosion of organization's brand name, goodwill, and public image
- Negative impact on stock price

The best way to prevent sexual harassment is to adopt a comprehensive sexual harassment policy. The aim is to ensure that sexual harassment does not occur and, where it does occur, to ensure that adequate procedures are readily available to deal with the problem and prevent its recurrence.

8.2.1 WHAT STEPS CAN EMPLOYEES TAKE TO PREVENT SEXUAL HARASSMENT?

Most women themselves fail to recognize sexual harassment and treat it as trivial and routine. Such has been the internal coping mechanism. Ignoring offensive behavior or denying its existence is the most common ways women deal with sexual harassment.

Dealing with the Harasser upfront

- Do the unexpected: Name the behavior. Whatever he has just done, say it, and be specific.
- Hold the harasser accountable for his actions. Don't make excuses for him; don't pretend it did not really happen. Take charge of the encounter and let people know what he did. Privacy protects harassers, but visibility undermines them.
- Make honest, direct statements. Speak the truth (no threats, no insults, no obscenities, no appeasing verbal fluff and padding). Be serious, straightforward, and blunt.
- Demand that the harassment stop.
- Make it clear that all women have the right to be free from sexual harassment. Objecting to harassment is a matter of principle.

- Stick to your own agenda. Don't respond to the harasser's excuses or diversionary tactics.
- `His behavior is the issue. Say what you have to say, and repeat it if he persists.
- Reinforce your statements with strong, self-respecting body language: eye contact, head up, shoulders back, a strong, serious stance. Don't smile. Timid, submissive body language will undermine your message.
- Respond at the appropriate level. Use a combined verbal and physical response to physical harassment.
- End the interaction on your own terms, with a strong closing statement: 'You heard me. Stop harassing women'.

OTHER STEPS EMPLOYEES CAN TAKE:

(1) **SPEAKING OUT:** Speaking about sexual harassment is an effective tool in combating it. While speaking about it, the problem becomes visible, it is acknowledged that it exists, and this in turn leads one to take effective measures against it. Speaking about sexual harassment also gives an opportunity to clarify by this about it. It helps in changing attitudes of people towards this issue. Speaking about it creates an enabling environment for the victim to speak out. It mobilizes public opinion against it. It makes it difficult for a potential harasser to commit the crime. It equips people with information as to what is to be done in such a case.

- (2) **SPEAKING UP AT THE TIME:** Be sure to say ‘NO’ clearly, firmly and without smiling as that is the best way to let the harasser know that his behavior is offensive. Objecting to the behavior when it occurs helps if you decide to file charge later.
- (3) **KEEP RECORDS:** Keep track of what happens in a journal or diary and any letters or notes or other documents you receive. Write down the dates, times, places and an account of what happened. Write down the names of any witness. Write a letter. People have successfully stopped sexual harassment by writing a letter detailing the behavior that is the offensive and asking the person who is harassing them to stop the behavior. The letter should be polite, unemotional and detailed. Such a letter seems to be more powerful than a verbal request. The recipient of the letter seldom writes back; the person usually just stops the behavior.
- (4) **SET YOUR OWN BOUNDARIES:** Say ‘NO’ emphatically and clearly when you are asked to go places, do things, and respond to questions, or engage in situations that make you uncomfortable. Do not worry about offending the other person hurting his or her ego. Take care of yourself first.
- (5) **BE AWARE OF SITUATIONS AND PEOPLE WHO MAY HARM YOU:** Don’t ignore other’s warnings about particular people or social settings. Acknowledge their concern for you and for themselves.
- (6) **TRUST YOUR OWN INSTINCTS ABOUT POSSIBLE DANGER:** In an uncomfortable situation, be direct and honest, and remove yourself from the situation immediately. Regardless of your previous behavior or signals you may have given earlier, you have the absolute right to halt any sexual exchange at any time. Accept this right and act on it.

- (7) **TELL SOMEONE:** Being quiet or stoic about sexual harassment lets it continue. Talk to other co-workers; you may not be the only one harassed by this person. Do not blame yourself and do not delay.
- (8) **CREAT A WITNESS TO THE BEHAVIOUR:** Inform a trusted colleague and try to ensure that he or she is an eye or ear witness to a situation where you are being sexually harassed. This will be useful later if you chose to file a formal complaint. Send a copy of sexual harassment policy or rules to the harasser. If your workplace already has an anti sexual harassment policy or the conduct rules of your institution prohibit sexual harassment, send a copy of the institution policy or conduct rules to the harasser with the appropriate sections underlined.
- (9) **TALK TO A UNION:** If you are a member of a labor union, talk to your union representative.
- (10) **GET A MEDICAL CHECK-UP:** If you have been raped or physically assaulted, go for a medical check-up. Obtain a medical report. This is important, should you decide to pursue a legal case.
- (11) **REPORT SEXUAL HARRASSMENT TO THE APPROPRIATE PERSON IN THE ORGANISATION:** Explore the different avenues available to you and file a formal complaint if necessary. If your organization does not have a policy, ensure that your employer formulates an anti-sexual harassment policy and carries out all the connected tasks.

8.2.2 WHAT ONE CAN DO AS A COLLEAGUE

- Do not disbelieve a woman she shares about harassment. Remember sexual harassment is ‘unwelcome’ behavior. Do not trivialize the matter.

- Remember that it is difficult to speak about sexual harassment. Hence if a colleague is talking about it, she will require a lot of encouragement and support.
- Read the Vishaka judgment carefully and know your rights.
- Spread the word- let your colleagues know about the issue, its prevalence and the judgment.
- Support a harassed colleague – remember it could be you tomorrow.
- Encourage the recipient to approach the offending person directly or use other informal resolution methods.
- Offer to accompany the recipient to the offending person, the Complaints Committee to file a formal complaint.
- Take responsibility to see that sexual harassment is stopped and there is no reprisal.
- Approach your employer and push for a redress mechanism / sexual harassment policy, if you do not have one in place already.
- If you have a mechanism in place, ensure that it complies with the Supreme Court guidelines.
- Contact a non-government organization working on the issue to organize an awareness/ training programme at your workplace at your workplace/ to help create a policy for your workplace.

It is important that you:

- Be professional at all times.
- Set a positive example.
- Consider your attitude.
- Avoid making assumptions.
- Think before making personal comments.
- Don't go along with the crowd.
- Be supportive of people who wish to talk about being sexually harassed and
- Direct them to the appropriate persons / authorities.

As an employee: If your behavior offends an employee, stop that behavior.

Ask yourself:

- Could your behavior offend or hurt people at your workplace ?
- Could your behavior be interpreted by another as sexual harassment?
- Would you like your behavior to be discussed by others ?
- Would you like your friend, partner, child or sibling to be treated in the same manner?

8.2.3 WHAT STEPS CAN TRADE UNIONS TAKE TO PREVENT SEXUAL HARASSMENT:

There are a number of measures that unions can take to combat sexual harassment. The goal is to make union members sensitive to the problem and to create a climate to discourage sexual harassment and, if it occurs, a climate where victims will feel comfortable turning to the union for assistance. Trade Unions in unorganized sector can play a definite and vital role in helping set up

complaints mechanism and instituting system/ channels that could provide forum for recipients of sexual harassment in unorganized sector to complain.

If you are a member of a trade union:-

- If the sexual harassment victim comes to you for help, try to informally resolve the complaint by talking to the harasser. If that is ineffective, help the victim to file a complaint with the appropriate authority.
- Educate the members about the issue.
- Include training on handling sexual harassment grievances for office bearers/seniors who are likely to get involved in complaint resolution.
- Determine the extent of the problem in the workplace. A survey of the members may be useful.
- Work with employers to conduct jointly conducted training programs.
- When sexual harassment does occur, offer support.
- Try to stop any harassment you observe, whether or not the victim has complained. If this is unsuccessful, do not do or say anything that could be interpreted as condoning the harasser`s behavior.
- Disclose information only to the extent necessary to protect the confidentiality of all who are involved.
- Put management on notice about what is going on. Regardless of who is harassing, management is responsible for providing a harassment-free work environment.

- Be sure that the employer has an anti-sexual harassment policy that is prominently posted or otherwise effectively communicated to all employees.

BIBLIOGRAPHY

STATUTES

Indian Statutes

- The Constitution of India, 1950.
- The Domestic Violence Act 2005
- The Equal Remuneration Act, 1976
- The Factories Act, 1948
- The Indian Evidence Act, 1872.
- The Indian Penal Code, 1860
- The Maternity Benefits Act, 1961
- The National Commission for Women Act 1990
- Sexual Harassment of Women at Their Work Place (Prevention) Bill, 2000 Drafted by NCW
- Sexual Harassment of Women at Their Work Place (Prevention) Bill, 2003 Drafted by NCW
- Sexual Harassment of Women at Their Work Place (Prevention) Bill, 2004 Drafted by NCW
- Sexual Harassment of Women at Their Work Place (Prevention, Prohibition and Redressal) Bill, 2006 Drafted by NCW
- The Protection of Woman against Sexual Harassment At Workplace Bill 2010 Drafted by NCW

Government of India Memoranda

- Government of India, Office Memorandum (13.02.1998) on Guidelines and Norms to be observed to Prevent Sexual Harassment of Working Women.

- Government of India, Office Memorandum (13.07.1999) on Committee for Redressal of Complaints of Sexual Harassment should be headed by an Officer Sufficiently Higher in Rank than the Perpetrator.
- Government of India, Office Memorandum (12.12.2002) on Report of the Complaints Committee Constituted for Prevention of Sexual Harassment of Women at Workplaces-Follow Up Action.
- Government of India, Office Memorandum (01.07.2004) on Amendment to CCS (CCA) Rules, 1965.

Foreign Statutes

Australia

- The Crimes Act, 1900 (New South Wales)
- The Equal Opportunity Act, 1984 (Western Australia).
- The Sex Discrimination Act, 1984.

Canada

- Canadian Human Rights Act 1985
- Ontario Human Rights Code
- Canada Labor Code 1985
- Criminal Code 1985

Germany

- The Anti- Discrimination Act of the State of Berlin 1990
- The Civil Servant regulations 1985
- The Civil Code
- The Penal Code 1871

Japan

- Equal Employment Opportunity Act 1972
- The Labor Standard Acts
- The Civil Code 1896

United Kingdom

- The Sex Discrimination Act 1975
- The Employment Protection(Consolidated) Act 1978
- The Criminal Justice Act, 2003.
- The Criminal Justice and Public Order Act, 1994.
- The Sexual Offences Act 1956
- The Sexual Offences Act 2003
- The Sexual Offences (Amendment) Act, 1976
- The Employment Equality (Sexual Orientation) Regulations, 2003

United States of America

- Federal Criminal code 1986
- Federal Rules of Evidence 2003
- The Violence Against Women Act, 1994
- The Civil Rights Act, 1964

INTERNATIONAL INSTRUMENTS

- UN Conventions on the Elimination of All Forms of Discrimination Against Woman, 1979
- The Vienna Declaration, 1993
- UN Declaration on the Elimination of Violence against Woman, 1993.
- The Beijing Declaration, 1995
- Universal Declaration of Human Rights, 1948
- I.L.O. Seminar at Mamica in 1993
- The Nairobi Forward Looking Strategies for the Advancement of Women

REPORTS

- Amnesty International-India-Torture, Rape and Death in Custody, Amnesty International Publications, New York (1992).
- Conditions of work Digest-Combating Sexual Harassment at Work, Vol. II, No. 1 (1992). International Labor office, Geneva.
- Country Report for fourth World Conference on Women, Beijing, Govt. of India, Deptt. Of Women and Child Development, Ministry of Human Resource Development (1995).
- Domestic and Sexual Violence Data Collection- A Report Under the Violence Against Women Act, A Joint Publication of the National Institute of Justice Statistics,(July, 1996).
- Domestic Violence and Law – report of colloquium on Justice for Women – Empowerment through Law organized in Delhi in May, 2000. Lawyers collective Women’s Rights Initiative, Butterworth’s, New Delhi, (2000).

- Harassment – What is Going On? – A Look at a Disturbing Trend among Teens, (A Publication of the National Council of Research on Women), Issues Quarterly, vol.-I, No. 1.
- Law Commission of India- 42nd Report, Govt. Of India, Ministry of Law, (1971)
- Law Commission of India- 84th Report, Govt. Of India, Ministry of Law, Justice and Company Affairs, (1980)
- Law Commission of India – 154th Report on the Code of Criminal Procedure, 1973, Ministry of Law and Justice, Govt. Of India, (1996).
- Law Commission of India – 156th Report on the Indian Penal Code 1860, Ministry of Law and Justice, Govt. Of India, (1996).
- Law Commission of India – 172nd Report on Review of Rape Laws, Ministry of Law and Justice, Govt. Of India,(2000)
- Nairobi Forward looking Strategies for the Advancement of Women – Report of the World conference to review and Appraise the Achievements of the United Nations Decade for Women: equality, development and peace, Nairobi, (15-26 July, 1985).
- Platform of Action – Report of the Fourth World Conference on Women, Beijing, China, (4-15 September, 1985).
- Programme of Action – Report of World Conference on Human Rights, Vienna, (14-25 June, 1993).
- Rape – A Legal Study, National Commission for Women, (2000).
- Report of the UN Special Reporter on violence Against women, its causes and Consequences, Ms Radhika Coomaraswamy, on Violence in the community, (12 February, 1997)
- Report of the UN Special Reporter on violence against women, its causes and Consequences, Ms Radhika Coomaraswamy, on Trafficking in Women, Women’s Migration and Violence against Women, (29 February, 2000).

- Report on Study to Assess the Harassment of Women at Work in Organized and Unorganized Sectors, (Prepared for National Commission for Women, Govt. Of India), (1997).
- Sexual Harassment at Workplace, National Commission for Women, (2001)
- Violence Against Women – A Hidden Form of Human Rights Abuse, Amnesty International News
- Service. AI Index: ACT 77/003/2002, (8th March 2002)
- Violence Against women – A Study of Delhi, Mumbai and Bangalore, by Vinita Nagar (Aug., 1999). Centre for Policy Research, New Delhi.
- Women, Violence and Human Rights, Women’s Leadership Institute Report, (1992)

ARTICLES

- Abraham, Ammu, “Violence against Women” in National Workshop on Atrocities against Women and Family Violence, (Dec., 1987).
- Adwani Purnima, “Sexual Harassment at Work Place”.
- Agnes, Flavia, “A Critical Review of Enactments of Violence during the Decade” in Women and Violence – a Country Report, ed. by Maithreyi Krishna Raj, 91 (1991). Centre for Women’s Studies, Bombay.
- Agnes, Flavia, “Protecting Women Against violence” 27 EPW (1992).
- Arati Rao, “Right in the Home – Feminist Theoretical Perspectives on International Human Rights” in Feminist Terrains in Legal Domains, 100 (1996). Sage Publications, Delhi.
- Bajpai, Asha, “Women’s Rights At the Workplace (Part-I), “The Lawyers Collective” Vol.-12, No.10, 17 (1997)
- Bajpai, Asha, “Women’s Rights At the Workplace (Part-II), “The Lawyers Collective” Vol.-12, No.11, 13 (1997)

- Bajpai, Asha, “Sexual Harassment in work place and the lawl” “The Lawyers Collective” 1997.
- Baxi, Upendra, Lotika Sarkar, Raghu Nath Kelkar, “A Memorandum Concerning the Law of Rape” (1st May 1980), (memo).
- Chaudhary Paramita, “Sexual Harassment in the Work Place: Experiences of the Women in the Health Sector”.
- Crocker, Phyllis L., “An Analysis of University Definitions of Sexual Harassment” in *Reconstructing the Academy – women’s Education and Women’s Studies*’ ed. By Elizabeth Minnich, Jean O’Barr and Rachael Rosenfield, 24 919880. The University of Chicago Press, Chicago and London.
- Evan Laura J., “Sexual Harassment: Women’s Hidden Occupational Hazard” in *The Victimization if Women*, ed. By Jane Roberts Chapman and Margaret Gates, 8th printing, 203 (1985). Sage Publications, California.
- Funabashi, Kuniko, “Violence against Women and women’s Movements in Japan”, paper 65 in *Conference on women’s Studies in Asia 1000 (Ehwa)*. Sponsored by the United Board of Christian Higher Education in Asia and the Japan Foundation, Asia.
- Ganguly, Arati, “Rape and Social Stigma” – paper presented at the National Conference on a Perspective for a Women’s Liberation Movement in India (Nov., 1990)
- Gupta Srinivas “Rape Law Fails the Women’s” 4 CILQ 137 (1997)
- Gupta Srinivas “Sexual Harassment of Women at Workplace: In India and Abroad” *The Academy Law Review*, vol. 24, 1&2
- Hutokshi Rustomfram “Sexual Harassment at the work place Established” *The Lawyers Collective* 1996.
- Imtiaz, “Crimes Against Women” C.I.L.I.Q. Vol. XII p.466 1999
- Jaising Indira, *Making Human Rights Norms Measure Upto Women’s Needs*” in *from the Lawyers Collective*, vol. 12, no.2, 4 (1997).

- Jaising Indira, “Sexual Harassment at the Workplace” Edition 2004
- Khan, Naira, “ Zimbabwe – Sexual Harassment of Women at the Workplace: Organizational and health Consequences”, in Work and Health: Revealing the Hidden health Burden of Women’s Workers, Women’s Health Collection/2 Latin American and Caribbean Women’s Health Network.
- Krishna, Shashank, “Outraging and Insulting the Modesty of Woman: A study in Light of Rupan Deol Bajaj v. K.P.S.Gill, AIR 1996 SC 309:1996 Cri LJ 381”
- Lipper, Nicole R., “Sexual Harassment in the Work place: A Comprehensive Study of Great Britain and the United States”, Comparative Labour law Journal, Vol. 13, 293 – 342.
- Parasar A.K., “ Sexual Harassment at Work” National Human Right Commission, New Delhi, 2001
- Saxena, Poonam Pradhan and Sarika Lath, “ An Indian Perspective on Domestic Violence” in Elimination of Violence – Second Asian Regional Workshop on the Eliminating of Violence Against Women, Kathmandu, April 1-7, 1996, Papers and Proceedings, [A Joint Workshop of MATCH International Centre, (Canada) and Women Awareness Centre, (Nepal)]. Published by MATCH International Centre, Canada.
- Schneider, Beth E., “Put Up and Shut Up: Work Place Sexual Assaults “, in Violence Against Women – The Bloody Footprints, ed. By Pauline B. Bard and Elieen Geil Moran, 57 (1993). Sage Publications, California.
- Shamin, Ishrat, “ Violence Against Women : Rethinking Strategies (Bangladesh)” in Elimination of Violence – Second Asian Regional Workshop on the Eliminating of Violence Against Women, Kathmandu, April 1-7, 1996, Papers and Proceedings, [A Joint Workshop of MATCH International Centre, (Canada) and Women

Awareness Centre, (Nepal)]. Published by MATCH International Centre, Canada.

- Shilwant S.S., “Sexual Harassment of Women at Work Place: Prevention and Punishment” M.D.U. Research Law Journal Vol. 8, No. 1-2, Jan. 2004.
- Sheffield, Carole J., “Sexual Terrorism” in Women – A Feminist Perspective, ed. By Jo Freeman, 3rd ed., 3 (1984). Mayfield Publishing Company, California.
- Raymond Nita, “Sexual Harassment at Work” Combat Law, Vol. 2, Issue -3, August-September, 2003.
- Shim, Kyungmi, “Sexual harassment in the Work Place” in Young Feminist Scholars in Asia, 2000- Conference organized by Korean Women’s Institutes, Asian Centre for Women’s Studies, Ewha women’s University in Korea, (Oct.17, 2000).

BOOKS

- Aggarwal Nomita, Women and Law in India, (2002). Women’s Studies and Development Centre, University of Delhi. New Century Publications, Delhi.
- Aggarwal Shipra, “Legal Research Methodology” 1st ed., 2009, Allahabad Law Agency, Allahabad.
- Ahuja, Ram, Violence against Women, (1998). Rawat Publications, Jaipur, Delhi.
- Basu, N.D. Indian Penal Code, ed. By Sudhir Kumar Bose, 6th ed., (1966). Published by P.S. Basu, Nalin Sarkar Street, Calcutta.
- Basu, D.D., “Introduction to the Constitution of India” 20th ed., 2009. Lexis Nexis, Butterworth Wadhwa, Nagpur.
- Bangia R.K., “ Law of Torts” 22nd ed., 2010, Central Law Agency, Allahabad,

- Colliers, Rohan, *Sexual Harassment in the Workplace*, (1995). Open University Press, Buckingham and Philadelphia.
- Bhasin Alok, “*Sexual Harassment at Work*” 1st ed., 2007 Eastern Book Company Lucknow.
- Dasgupta, Rajshri, *The Politics of Violence – Sexual Harassment at Workplace*, (2001). Sanhita Publication, Calcutta.
- Dewan V.K., *Law Relating to Offences Against Women*, 2nd ed., (2000). Orient Law House, New Delhi.
- Farley, Lin, *Sexual Shakedown: The Sexual Harassment of Women In The Working World*, (1980). Melbourne House, London.
- Gonsalves, Lina, *Women and Human Rights*, (2001). A.P.H. Publishing Corporation, New Delhi.
- Gour H.S., *The Penal Law of India*, revised by M.C. Desai, D.D. Seth and R.B. Sethi, 9th ed., (1972). Law Publishers, Allahabad.
- Goswami V.G., “*Labour Industrial Laws*” 8th ed., 2004, Central Law Agency, Allahabad.
- Gour, K.D., *A Test Book on the Indian Penal Code*, (1992). Oxford and IBH Publishing Co. Pvt. Ltd., New Delhi.
- Hadjifotiou, Nathalie, *Women and Harassment at Work*, (1983). Pluto Press, New South Wales, Australia.
- Jaising, Indra “*Sexual Harassment at Work*” ed., 2004, Universal Law Publishing, New Delhi
- Kataria R.P. and Naqui S.K.A., “*Law Relating to Sexual Offences*” ed., 2011, Orient Publishing Company.
- Lal Batuk, “*The Law of Evidence*” 17th ed., 2008, Central Law Agency
- Lal, Ratan and Lal Dheeraj, *The Indian Code* 30th ed. 2006 Butterworths India New Delhi.
- Mishra S.N., “*Labour and Industrial Law*” 24th ed., 2007, Central Law Publication.

- Pandey, J.N., “Constitution Law of India” 43rd ed., 2006, Central Law Agency.
- P.S.A. Pillai’s Criminal Law, ed. By V. Suresh and D. Nagasaila, 9th ed., (2000). Butterworths India, New Delhi.
- R.V. Kelkar’s Criminal Procedure, revised by Dr. K.N. Chandrasekharan Pillai, 4th ed., (2002) Eastern Book Company, Lucknow.
- Researching Sexual Violence against Women- Methodological and Personal Perspectives, ed. By Martin D. Schwartz. (1997). Sage Publications, Delhi.
- Rethinking Sexual Harassment, ed. By Clare Brant and Yun Lee Too, (1994). Pluto press, London, boulder, Colorado.
- Sexena, Shobha, Crimes against Women and Protective Laws, (1995). Deep and Deep Publications, New Delhi.
- Seervai H.M., “Constitutional Law of India” 4th ed., 2010, Universal Law Publishing Company, New Delhi.
- Shukla V.N., “Constitution of Law of India” 11th ed., 2008, Eastern Book Company, Lucknow.
- The A.I.R. Manual – Unrepealed Central Acts, by V.R. Manohar and W.W. Chitaley, 5th ed., vol.-24, (1989). All India Reporter Pvt. Ltd., Nagpur.
- Tripathi S.C. and Arora Vibha, “Law Relating to Women and Children” 2nd ed., 2006, Central Law Publication, Allahabad.
- Vandana, “Sexual Violence against Women : Penal Law and Human Rights Perspectives” 1st ed. 2008.Lexis Nexis Butterworth, Wadhwa Nagpur

WEBSITES REFERRED

- www.ncw.in
- www.lawyerscollective.org

- www.legalserviceindia.com
- www.supremecourtofindia.nic.in
- www.delhihighcourt.nic.in
- www.icj-cij.org
- www.stpl-india.in
- www.nhrc.nic.in
- www.eeoc.gov.in
- www.ohchr.org
- www.judis.nic.in
- www.indiatimes.com
- www.thenes.com
- www.expressindia.com
- www.answers.com
- www.canlii.org
- www.jstor.org
- www.Mightylaws.in
- www.iiap.res.in
- www.legalZoom.com
- www.nolo.com
- Indialawyers.wordpress.com
- Topics.nytimes.com
- www.lawyersclubindia.com

CYBER LAW: A SURFEIT OF INTELLECTUAL PROPERTY RIGHTS ISSUES

A DISSERTATION REPORT

In Partial Fulfillment for the award of Degree

Of

Bachelor of Laws (BA. LLB.) (H), specialization in Intellectual Property Rights

Submitted by

GAURAV SANGHI

A21511116014

UNDER THE SUPERVISION OF

Mr. PRATEEK DEOL

ASST. PROFESSOR, AMITY LAW SCHOOL



**SP-1, Kant Kalwar, RIICO Industrial Area, Jaipur – Delhi NH-11C,
Jaipur, Rajasthan**

CERTIFICATE

This certificate is to certify that this Dissertation titled — “**Cyber Laws: A Surfeit of Intellectual Property Rights Issues**” submitted by ‘*Gaurav Sanghi*’ is in partial fulfilment of the requirements for the award of degree “BA. LLB. (H)” at Amity Law School, Amity University Rajasthan.

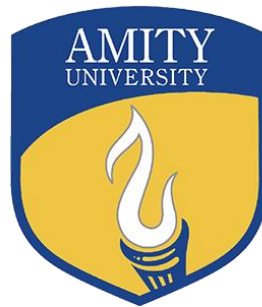
Mr. Prateek Deol

Assistant Professor

Faculty of Law,

Amity University Rajasthan

A COMPREHENSIVE STUDY OF LAWS RELATING TO BAIL IN INDIA



A Dissertation

***Submitted To:
AMITY LAW SCHOOL, AMITY
UNIVERSITY RAJASTHAN***

FOR THE DEGREE OF
BACHELOR OF LAWS [B.A. - LL.B.(Hons.)]

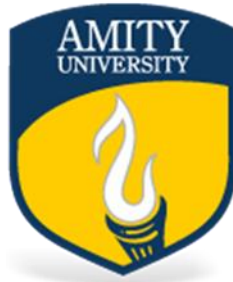
SUPERVISOR:

*Asst. Professor (Dr.) Govind Singh Rajpal
Amity Law School
Amity University Rajasthan*

SUBMITTED BY:

*Gaurav Sharma
(A21511116044)*

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



CERTIFICATE

This is to certify that the **Dissertation** entitled, “**A Comprehensive Study of Laws Relating to Bail in India**” submitted by “**Gaurav Sharma**” in partial fulfillment of the requirements for the award of “**B.A. LL.B.(Hons.)**” at the “**Amity Law School, Amity University Rajasthan**” is an authentic work carried out by him, under my supervision and guidance.

To the best of my knowledge, the matter embodied in the project has not been submitted to any other University / Institute for the award of any Degree.

April, 2021

Dr. Govind Singh Rajpal

AMITY UNIVERSITY, RAJASTHAN

AMITY LAW SCHOOL

in partial fulfillment for the award of the degree



**LAW RELATED TO SEXUAL OFFENCES IN INDIA - A CRITICAL ANALYSIS ON
RECENT AMENDMENT IN CRIMINAL LAW**

Name of Supervisor

Dr. SONALI BHATNAGAR

ASSISTANT PROFESSOR

Amity Law School

Amity University Rajasthan

Name of Researcher

GOUR DIVYANK

BA LLB (H)

10th Semester

Batch 2016-2021

Certificate



AMITY LAW SCHOOL, AMITY UNIVERSITY RAJASTHAN

CERTIFICATE

This is to certify that the dissertation report entitled “**LAW RELATED TO SEXUAL OFFENCES IN INDIA - A CRITICAL ANALYSIS ON RECENT AMENDMENT IN CRIMINAL LAW**” carried out by Pravesh Kabra of BA LLB (H), 10th Semester A21511114027 for the partial fulfilment for the degree of at **AMITY LAW SCHOOL, AMITY UNIVERSITY RAJASTHAN, Jaipur**, is a bonafide record of work done by the candidate in this department. To the best of my knowledge, this work has not been submitted for the award of any other degree at Amity or elsewhere.

SUPERVISOR’S NAME Dr. Sonali Bhatnagar

ASSISTANT professor

Amity Law School

ENVIRONMENT PROTECTION UNDER CONSTITUTIONAL FRAMEWORK OF INDIA

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of
Bachelor of Laws (B.A. LL.B.(H.)) in
(Corporate Law)

At
Amity University Rajasthan

SUBMITTED BY

Himani Sharma
A21511116018

UNDER THE SUPERVISION OF

Dr. Ashu Maharshi
Associate Professor



AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR

Submitted by:
Himani Sharma
B.A.LL.B (Hons.)
2016-2021
School
A21511116018

Supervised By:
Dr. Ashu Maharshi
Associate. Professor
Amity Law

APRIL, 2021

CERTIFICATE

This certificate is to certify that this Dissertation titled —“Environment Protection under constitutional framework of India” submitted by 'Himani Sharma' is in partial fulfillment of the requirements for the award of degree "BA.LL.B (Hons.)" at Amity Law School, Amity University Rajasthan.

Dr. Ashu Maharshi
Assistant Professor
Faculty of Law,
Amity University Rajasthan

**“A COMPARITIVE STUDY ON INTERNATIONAL COMMERCIAL
ARBITRATION WITH SPECIAL REFERENCE TO INDIA”**

Dissertation submitted in partial fulfilment for the academic requirement of Degree of
Bachelor of Law [B.A. LL. B (H)] in (International Trade Law)

at

AMITY UNIVERSITY, RAJASTHAN

SUBMITTED BY

HIMANSHU GUPTA

A21511116039

Batch – 2016- 2021

UNDER THE SUPERVISION OF

ASST. PROF. SHOBHITABH SRIVASTAVA



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR



CERTIFICATE

This is to certify – *Himanshu Gupta*, Enrollment number: *A21511116039* is a student of Amity Law School, Amity University Rajasthan has completed his dissertation, to be submitted in partial fulfilment of the requirement for the degree of Bachelors of Law bearing the title **“A comparative study on International Commercial Arbitration with special reference to India”**. To the best of my knowledge the dissertation is a result of his research, is an original work carried out by my student under by supervision. The Dissertation report has been approved as it satisfies the academic requirements in respect of Dissertation work prescribed for the **Bachelor of Arts and Bachelor of Legislative Law Honours degree**.

MR. SHOBHITABH SRIVASTAVA

(Assistant Professor)

Amity Law School

Amity University, Rajasthan

ROLE OF INTELLECTUAL PROPERTY IN INDIAN PHARMACEUTICAL INDUSTRY

DISSERTATION

Submitted by

Honey Verma

In partial fulfilment for the award of degree

Of

B.A. LL.B (H.)



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By:

Honey Verma

B.A. LL.B (H), 10th Semester

A21511116011

Batch 2016-21

Supervised By:

Dr. Puneet Bafna

Associate Professor

Amity Law School

CERTIFICATE

This is to certify that **Honey Verma** a student of B.A, LL.B (H.) 10th Semester has work on topic “**Role of Intellectual Property in Indian Pharmaceutical Industry**” under my supervision and guidance. Her work is original and meets the requirement laid down by Amity University Rajasthan, and the said assignment has not previously formed the basis for the award of any other degree, diploma, fellowship or any other title.

Date:

SUPERVISOR

Dr. Puneet Bafna

Associate Professor

Dissertation submitted in partial fulfillment for the academic requirement of Degree of
Bachelor of Law [B.A. LL. B (H)] in (Law)

SUBMITTED BY

Jagriti Rana

A21511116048

Batch – 2016- 2021

UNDER THE SUPERVISION OF

Asst. Prof. Dr Hemant Singh



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

AMITY UNIVERSITY RAJASTHAN

JAIPUR



CERTIFICATE

This is to certify that **Jagruti Rana** enrollment number: **A21511116048** is a student of Amity Law School, Amity University Rajasthan has completed his dissertation, to be submitted in partial fulfilment of the requirement for the degree of Bachelors of Law bearing the title “**COMPETITION COMMISSION OF INDIA: AN ANALYTICAL STUDY**”. To the best of my knowledge the dissertation is a result of his research, is an original work carried out by my student under by supervision.

Dr. Hemant Singh
Assistant Professor,
Amity Law School
Amity University Rajasthan

AMITY LAW SCHOOL

The Dissertation to be Submitted to

Amity Law School

Constituent college of

AMITY UNIVERSITY JAIPUR, RAJASTHAN



**Topic: - Interpreting Article 21 of Indian
Constitution: The Genesis of Human Rights
Jurisprudence in India**

**In partial fulfilment of the requirements for the
Degree of Five-Year BA. LL.B. (Hons.) in
Constitutional Law**

Under the Guidance of:

Mr. Vedansh Sharma

Assistant Professor

Submitted by:

Jheelu Sankhla

BA.LL. B(Hons.)

CERTIFICATE

This is to certify that dissertation Entitled “**Interpreting Article 21 of Indian Constitution: The Genesis of Human Rights Jurisprudence in India**” Which is being submitted by **Jheelu Sankhla** for the award of the degree of Bachelor of Laws is an independent and original research work carried out by he/her.

The dissertation is worthy of consideration for the award of Five-Year B.A.LL.B.(Hons.) Degree of Amity Law School, AMITY UNIVERSITY, JAIPUR.

Jheelu Sankhla has worked under my guidance and supervision to fulfill all requirements for the submission of this dissertation.

The conduct of research scholar remained excellent during the period of research.

Date:05/04/2020

Jheelu Sankhla

B.A. LL.B.(Hons.)

Enrolment No A21511116005

Batch 2016-2021

DISSERTATION

AN ANALYTICAL STUDY ON PERSPECTIVES OF ANTI DUMPING LAWS WITH SPECIAL REFERENCE TO INDIA

Dissertation Submitted in Partial Fulfillment of The Academic Requirement Of
Degree Of **Bachelor Of Laws (B.A. LL.B. (H))** in **International Trade Law**

At

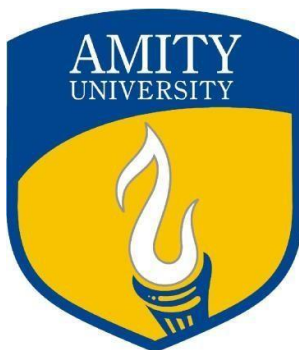
Amity University Rajasthan

SUBMITTED BY

Komal Agarwal
Enroll. No. A21511116016

UNDER THE SUPERVISION OF

Mr. Shobhitabh Srivastava
Assistant Professor



AMITY UNIVERSITY RAJASTHAN

**Amity University Jaipur Campus. SP-1, Kant Kalwar, RIICO Industrial
Area, NH-11C, Jaipur, Rajasthan**

CERTIFICATE

This is to certify that the dissertation entitled, "An Analytical Study On Perspectives of Anti-Dumping Laws With Special Reference To India" submitted by Komal Agarwal Dissertation Submitted in Partial Fulfillment of The Academic Requirement Of Degree Of Bachelor Of Laws (B.A. LL.B. (H)) in International Trade Law of Amity Law School and is an authentic work carried out by her under my supervision and guidance.

Mr. Shobhitabh Srivastava

Assistant Professor

Amity University Rajasthan

Date:

**A COMPENSATORY JURISPRUDENCE IN CONTEXT TO
CRIMINAL VICTIMS IN INDIA**

A Dissertation

Submitted by

KUMAR SHIVESH

In partial fulfillment for the award of degree

Of

**B.A .L.L.B (H)
IN
LAW**



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By

Kumar Shivesh

B.A. LL.B (H)

(2016 – 2021)

A21511116055

Supervised By

Dr.Govind Singh Rajpal

Assistant Professor

Amity Law School

CERTIFICATE

This is to Certified that **Mr. Kumar Shivesh**, Student of **B.A.L.L.B(H)**, Enrolment No. **A21511116055** has completed his dissertation, to be submitted in partial fulfillment of the requirement for the degree of Bachelors of Law bearing the title “*A Compensatory Jurisprudence In Context To Criminal Victims In India*”. It is further certified that this work is the result of his own efforts and is fit for evaluation.

Kumar Shivesh
B.A. L.L.B (H)
2016 – 2021
A21511116055

Dr. Govind Singh Rajpal
Assistant Professor
Amity Law School

CORPORATE GOVERNANCE IN INDIA

A Dissertation Report

Submitted by

KULVIR DAGAR

In partial fulfillment for the award of degree

Of

B.A. LLB. (H.)

IN LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

Submitted By:

Kulvir Dagar

B.A. LLB. (H)

Professor

2016- 2021

A21511115035

Supervised By:

Dr. Puneet Bafna

Associate

Amity Law School

2021

CERTIFICATE

This is to certify that the project entitled, "Corporate Governance in India, submitted by "Kulvir Dagar" in partial fulfillment of the requirements for the award of "BA LLB (H.)" at the "Amity Law School, Amity University Rajasthan" is an authentic work carried out by him under my supervision and guidance.

To the best of my knowledge, the matter embodied in the project has not been submitted to any other University / Institute for the award of any Degree or Diploma.

Signature:

**Mr. Puneet Bafna
ASSISTANT PROFESSOR
AMITY LAW SCHOOL**

CORPORATE SOCIAL RESPONSIBILITY : A COMPREHENSIVE STUDY

**AN ANALYTICAL STUDY OF CORPORATE CRIMINAL
LIABILITY WITH SPECIAL REFERENCE TO LIABILITY OF
DIRECTOR**

**DISSERTATION SUBMITTED TO THE AMITY UNIVERSITY,
JAIPUR IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE AWARD OF THE DEGREE OF
BA LLB (H)**



Signature of the Supervisor

Submitted By:- Mahip singh

10th Semester

Enr :- A21511115010

SUPERVISOR'S CERTIFICATE

This is to certify that dissertation on: A sociological study on child labor, given to Amity University, Jaipur in fulfillment of the BBA LLB, 10th semester, course requirements is an original and bona fide research work done by _____ in my supervision. Hence, this is an ideal piece of work for being evaluated. This Dissertation has never been submitted at any other platform for the purpose of fulfilling degree requirements.

Supervisor's Signature

AMITY UNIVERSITY , JAIPUR, 303007

[ESTABLISHED UNDER AMITY UNIVERSITY RAJASTHAN ACT 2008]

DATE:
PLACE: JAIPUR

CERTIFICATE BY CANDIDATE

I, the candidate, hereby declare that the Dissertation : _____, submitted to Amity University, Jaipur, in partial fulfillment of the requirement of the BBA LLB course, 10th semester, is a plagiarism free work. I anticipate that this research will aid in the enhancement of the reader's awareness and the formulation of policies. To the highest possible standard, all of the mentioned information here is accurate.

**ABUSE OF DOMINANT POSITION: PROBLEM AND
PROSPECTUS**

Dissertation report

of

BA LL.B (H)

IN LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

SUBMITTED BY:-

MANVENDRA SINGH CHAUHAN

BA LLB (H), Xth SEM

2016-2021

SUPERVISED BY:-

DR. ASHU MAHARASHI

(ASSOCIATE PROFESSOR)

AMITY LAW SCHOOL

CERTIFICATE

This is to certify that **Manvendra Singh Chauhan** Enrollment no. **A21511116021** has submitted his/her dissertation titled “**ABUSE OF DOMINANT POSITION**” in partial fulfillment of the requirement for the award of degree of **BA.LLB(H)** to the **AMITY UNIVERSITY ,RAJASTHAN** Under my guidance and supervision. It is affirmed that the dissertation submitted by him is original, Bonafide and genuine research done by him.

Date: **21/04/2021**

DR.ASHU MAHARASHI

Name of your Guide

Place: **JAIPUR**

**The TRIPs and the Compulsory Licensing Problems of Developing
Countries**

A Dissertation Report

Submitted by

MISHEL MODI

In partial fulfilment for the award of degree

OF

Bachelors of Arts and Bachelors of Legislative Laws (Honours)

IN

INTELLECTUAL PROPERTY RIGHTS



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

SUBMITTED BY-

Mishel Modi

B.A. LL.B. (Hons.)

Enrol. No. - A21511116031

2016-2021

SUPERVISED BY-

**Dr. Govind Singh
Rajpal**

Assistant Professor

Amity Law School

APRIL 2021

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR



CERTIFICATE

Certified that the seminar work entitled **“THE TRIPS AND THE COMPULSORY LICENSING PROBLEMS OF DEVELOPING COUNTRIES”** is a bonafide work carried out by Mishel Modi (A21511116031) in partial fulfilment for the award of degree of Bachelors of Arts and Bachelors of Legislative Laws (Hons.) Amity University Rajasthan, Jaipur, during year 2016-2021. It is certified that all the corrections/ suggestions indicated for internal assessment have been incorporated in the report. The Dissertation report has been approved as it satisfies the academic requirements in respect of seminar work prescribed for the Bachelors of Bachelors of Arts and Bachelors of Legislative Laws (Hons.) degree.

(Dr. Govind Singh Rajpal)

Assistant Professor,

Amity Law School, AUR.

A Critical Study of International Commercial Terms in ICC

Dissertation

Submitted By

MOHIT SONAL

BA LL.B (H)

In partial fulfillment for the award of degree

Of

BA LLB (H)

IN

LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By:-

Mohit Sonal

BA LLB (H)

2016-21

A21511114013

Supervised By:-

Mrs. Sonali Bhatnagar

Assistant Professor

Amity Law School

MAY 2021

CERTIFICATE

This is to certify that **Mr.Mohit Sonal** student of **BALL.B. (H)** has completed his dissertation, to be submitted in partial fulfillment of the requirement for the degree of Master of Laws bearing the title “**A Critical Study of International Commercial Terms in ICC**”. It is further certified that this work is the result of his own efforts and is fit for evaluation.

Mohit Sonal
BA LL.B (H)
2014 - 2019
A21511114013

Mrs. Sonali Bhatnagar
Assistant Professor
Amity Law School

**“INTERNATIONAL CONVENTION ON MARINE POLLUTION: A CRITICAL
STUDY”**

Dissertation submitted in partial fulfillment of the academic requirement of degree of **Bachelors
Of Laws (B.A.-LL.B (H)) in (INTERNATIONAL TRADE LAW)**

AT

AMITY UNIVERSITY, RAJASTHAN

SUBMITTED BY -

NEHA MEWARA

(A21511116023)

UNDER THE SUPERVISION OF -

MR. SHOBHITABH SRIVASTAVA

(ASST. PROFESSOR)



**AMITY
UNIVERSITY**

**JUDICIAL REVIEW AND JUDICIAL ACTIVISM WITH
SPECIAL REFERENCE TO PUBLIC INTEREST
LITIGATION**

A Dissertation Report

Submitted By
NIKHIL PUROHIT

*In partial fulfillment for the award of
degree Of*

**B.A. LL.B. (H.)
IN
LAW**



**AT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

**Submitted By:
Nikhil Purohit
B.A.L.L.B, X Semester
2016-2021
A21511116033**

**Supervised By:
Dr. Abhishek Baplawat
ASST. PROF.
AMITY LAWSCHOOL**

April, 2021

CERTIFICATE

This is to certify that the dissertation entitled "**Judicial Review and Judicial Activism with Special Reference to Public Interest Litigation**" submitted by **Mr. Nikhil Purohit** in partial fulfillment of the requirement for the awarding the Degree of BA.LL.B(H)., to Amity University of Jaipur, Rajasthan, is a record of the candidate's own work carried out by him under my supervision. The matter embodied in this dissertation is original and has not been submitted for the award of any other degree.

Supervisor & Guide

Dr. Abhishek Baplawat

Assistant Professor
Deptt. Of Amity University of Jaipur, Rajasthan

**FORCED AND COMPULSORY LABOUR IN
INTERNATIONAL HUMAN RIGHTS LAW**

SYNOPSIS

Submitted by

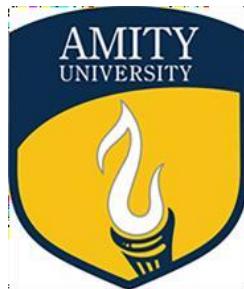
Nissi Samuel Saji

In partial fulfillment for the award of

degreeOf

B.A.LL.B. (HONS)IN

LAW



AT

AMITY LAW SCHOOL AMITY

UNIVERSITY RAJASTHAN JAIPUR

SUBMITTED TO:

Dr. ASHU MAHARSHI

ASSOCIATE PROFESSOR

SUBMITTED BY:

NISSI SAMUEL SAJI

B.A.LL.B. (H) 10th SEM

CERTIFICATE

This is to certify that NISSI SAMUEL SAJI Student of BA-LLB(Hons), X Semester has completed this Dissertation entitled "FORCED AND COMPULSORY LABOUR IN INTERNATIONAL HUMAN RIGHTS LAW" in partial fulfilment of the requirement for the degree of BA-LLB(Hons) under my guidance and supervision.

This Dissertation is fit for submission and evaluation for the above purpose.

**ANALYTICAL STUDY OF PRISON SYSTEM IN INDIA
AND ITS REFORMATION**

Dissertation submitted in partial fulfilment for the academic requirement of Degree of
Bachelor of Law [B.A. LL. B (H)] in (Criminal Law honours.)
at
Amity University, Rajasthan

SUBMITTED BY

Prabal Bakliwal
A21511116017
Batch – 2016-2021

UNDER THE SUPERVISION OF
Asst. Prof. Prateek Deol



AT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN, JAIPUR



CERTIFICATE

This is to certify that work titled “**Analytical Study of Prison System in India and its Reformation**” is a piece of research work done by **Mr. Prabal Bakliwal** of batch **2016-2021** under my guidance and supervision for the degree of **B.A.L.L.B (Hons.)** at Amity Law School, Amity University Rajasthan, Jaipur. The candidate has put in attendance of more than 20 days with me. To the best of my knowledge and according to his declaration belief the thesis; Embodies the work of the candidate himself; Has duly completed; Fulfills the requirements of the ordinance relating to the B.A. L.L.B. (H) degree of the university; Is up to the standard of both in respect of content and language for being referred to the examiner.

Mr. Prateek Deol

Assistant Prof.

Research Guide

Amity Law School

AUR, Jaipur

**MARGINAL INCREASE IN INSIDER TRADING ITS REGULATORY
MECHANISM- AN ANALYTICAL STUDY**

Dissertation submitted in partial fulfilment for the academic requirement of Degree of
Bachelor of Law [B.A. LL. B (H)] in (International Trade Law)

at

Amity University, Rajasthan

SUBMITTED BY

Rainy Jain

A21511116052

Batch - 2016- 2021

UNDER THE SUPERVISION OF

Asst. Prof. Abhishek Baplawat



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN, JAIPUR



CERTIFICATE

This is to certify that **RAINY JAIN (2016-2021)** enrolment number- **A2151111605** is a student of Amity Law School, Amity University Rajasthan has completed his dissertation, to be submitted in partial fulfilment of the requirement for the degree of Bachelors of Law bearing the title **“MARGINAL INCREASE IN INSIDER TRADING AND ITS REGULATORY MECHANISM- AN ANALYTICAL STUDY”**. To the best of my knowledge the dissertation is a result of his research, is an original work carried out by my student under by supervision.

DR. ABHISHEK BAPLAWAT
Assistant Professor,
Amity Law School
Amity University Rajasthan

**“An Empirical Study Of Public Interest Litigation In India with International
Perspective”**

A Dissertation Report

Submitted by

SACHIN SINGH RATHORE

In partial fulfilment for the award of degree Of

BA LLB [H]



SUPERVISOR

Mr. Prateek Deol

ASSISTANT PROFESSOR

AMITY LAW SCHOOL

RESEARCH SCHOLAR

Mr. Sachin Singh Rathore

B.A. LL.B {H} 10TH SEM

Enrollment no:- A21511116015

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN JAIPUR

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that work titled "An Empirical Study Of Public Interest Litigation In India with International Perspective" is a piece of research work done by **Sachin Singh Rathore** of batch **2016-21** under my guidance and supervision for the degree **BA LLB[H]** at Amity Law School, Amity University Rajasthan, Jaipur. The candidate has put in an enhance of more than 30 days with me.

- ❖ To the best of my knowledge and according to his declaration belief the thesis
- ❖ Embodies the work of candidate himself;
- ❖ Has duly been completed;
- ❖ Fulfils the requirement of the ordinance relating to BA LLB Degree of the university;

Mr. Prateek Deol
Assistant Professor
Research Guide
Amity Law School,
Amity University Rajasthan

Date : April 2021

Place: Jaipur

Honor Killings- Social- Legal Dimensions

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of **Bachelor of Laws (B.A. LL.B.(H.))** in **(Criminal Law)**

At

AMITY UNIVERSITY RAJASTHAN

SUBMITTED BY

Sahida Parveen

A21511116006

UNDER THE SUPERVISION OF

Dr. Vinod Kumar

Associate Professor



SP-1 Kant Kalwar,
NH11C, RIICO Industrial Area, Jaipur, Rajasthan
303007

SUPERVISOR'S CERTIFICATE

It gives me pleasure to certify that **Sahida Parveen**, Student of BA.LL.B. (10TH Semester), bearing **Criminal Law Hons.** has completed his Dissertation entitled “**HONOUR KILLINGS: SOCIO-LEGAL DIMENSIONS**” under my supervision **Dr. Vinod Kumar**, has shown her keen interest in the aforesaid study of Law and has conducted this work for the submission in partial fulfillment of the requirement for award of the degree of Bachelor of Laws.

Place: Jaipur
Date: 30th April 2021

**EFFICACY OF DISPUTE SETTLEMENT MECHANISM
UNDER WTO: AN ANALYTICAL STUDY**

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of
Bachelor of Laws (B.A. LLB (H.)) in International Trade Law

At
Amity University, Rajasthan

SUBMITTED BY

Shallu Bishnoi
A21511116004

UNDER THE SUPERVISION OF
MR. SHOBHITABH SRIVASTVA

Asst. Prof.
Amity Law School



**Amity University, SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur,
Rajasthan 303007**

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**



CERTIFICATE

This is to certify that **Ms. Shallu Bishnoi** enrolment number: **A21511116004** is a student of Amity Law School, Amity University Rajasthan has completed his dissertation, to be submitted in partial fulfilment of the requirement for the degree of Bachelors of Law bearing the title **“EFFICACY OF DISPUTE SETTLEMENT MECHANISM UNDER WTO: AN ANALYTICAL STUDY”**. To the best of my knowledge the dissertation is a result of his research, is an original work carried out by my student under by supervision.

MR. SHOBHITABH SRIVASTVA
Assistant Professor,

Amity Law School
Amity University Rajasthan

ROLE OF F.I.R IN CRIMINAL JUSTICE SYSTEM

A Dissertation

Submitted by

SHINAM KHAN

In partial fulfilment for the award of

degree Of

B.A.LL.B (HONS)



**AMITY LAW SCHOOL
AMITY UNIVERSITY
JAIPUR**

**Submitted By
SHINAM KHAN
B.A.LL.B (HONS.)
10thsemester
2016-2021
A21511116036**

**Supervised By
DR. ASHU MAHARSHI
Associate Professor
Amity Law School**

CERTIFICATE

This is to certify that **MISS SHINAM KHAN**, Enrollment No. **A21511116036** has submitted his dissertation titled, **ROLE OF FIR IN CRIMINAL JUSTICE SYSTEM: A COMPREHENSIVE STUDY** in partial fulfillments of the requirement for the award of Degree of **BA.LLB (HONS.)** for the academic year **2016-2021** of, **AMITY UNIVERSITY RAJASTHAN** under my guidance and supervision. It is also affirmed that, the dissertation submitted by him is original, bona-fide and genuine research done by him.

Date: **20 APRIL 2021**

Place: **Jaipur**

DR. ASHU MAHARSHI

Guide and Supervisor

Faculty of law, ALS, Jaipur

**INTERNATIONAL COURT OF JUSTICE
AND ITS ROLE IN DEVELOPMENT OF
INTERNATIONAL AIR LAWS**

DISSERTATION

In partial fulfillment for the award of degree

Of

**BA LL.B (H)
IN LAW**



**AT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

**SUBMITTED BY:-
SHIVANSH KHARE
BA.LLB(H),
2016-2021**

**SUBMITTED TO:-
Mr. VEDANSH SHARMA
Assistant Professor**

CERTIFICATE

This is to certify that SHIVANSH KHARE enrollment no. A21511114005 has submitted his dissertation titled “**INTERNATIONAL COURT OF JUSTICE AND ITS ROLE IN DEVELOPMENT OF INTERNATIONAL AIR LAWS**” in partial fulfillment of the requirement

for the award of degree of the AMITY UNIVERSITY RAJASTHAN under my guidance and

supervision. It is affirmed that the dissertation submitted by him is original, bonafide and genuine

research done by him.

Date: 3rd MAY 2021
PLACE-JAIPUR

MR. VEDANSH SHARMA
ASSISTANT PROFESSOR

**RIGHTFULNESS OF FIR IN CASES OF SEXUAL
ASSAULT IN INDIA: AN ANALYTICAL STUDY**

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of
BALLB(H)

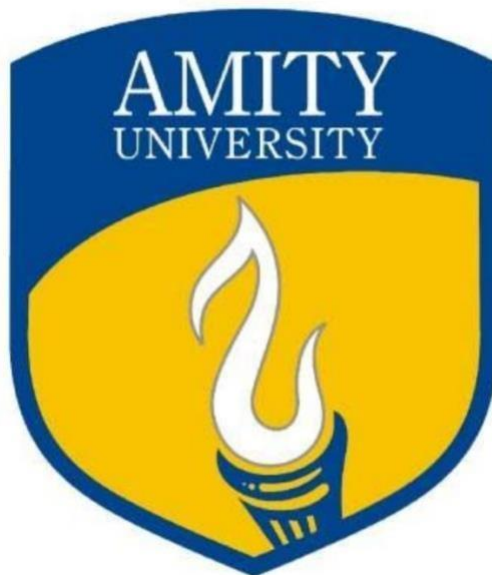
At
Amity Law School, Jaipur

SUBMITTED BY

Shubham Swami
A21511116013

UNDER THE SUPERVISION OF

Mr. Shobhitabh sriwastav
Assistant professor



**Amity University Jaipur Campus. SP-1, Kant Kalwar, RIICO Industrial Area, NH-
11C, Jaipur, Rajasthan, 303002**

**A STUDY OF CORPORATE SOCIAL RESPONSIBILITY
PRACTICES IN INDIA - A CRITICAL EVALUATION**

**Dissertation Submitted in Partial Fulfillment of the Academic Requirement
of Degree of Bachelor of Laws B.A. LL.B.(H) in (Criminology)**

At

Amity University

SUBMITTED BY

Name: Tushar Ranjan

Enrollment Number: A21511116001

UNDER THE SUPERVISION OF

SONALI BHATNAGAR



SP-1 Kant Kalwar, NH-11C, RIICO Industrial Area, Jaipur , Rajasthan



DISSERTATION SUBMITTED TO AMITY UNIVERSITY RAJASTHAN IN PARTIAL
FULFILMENT OF THE REQUIREMENT FOR THE DEGREE OF

Bachelor of Arts and Bachelor of Legislative Law (BA LLB) Honours

A CRITICAL ANALYSIS OF ARMED FORCES SPECIAL POWERS ACT IN INDIA

UNDER THE SUPERVISION OF

Dr. Vinod Kumar

Associate Professor

Udit Malik

A21511116009

BATCH- 2016-21

CERTIFICATE

On the basis of declaration submitted by Udit Malik, student of BA LLB (H), I hereby certify that the dissertation titled “**A Critical Analysis of Armed Forces Special Powers Act India**” submitted to the Amity Law School in partial fulfilment of the requirement for the award of the degree of B.A.LL.B (H) by the Amity University Rajasthan has been carried out by her under my guidance and supervision.

Dr. Vinod Kumar

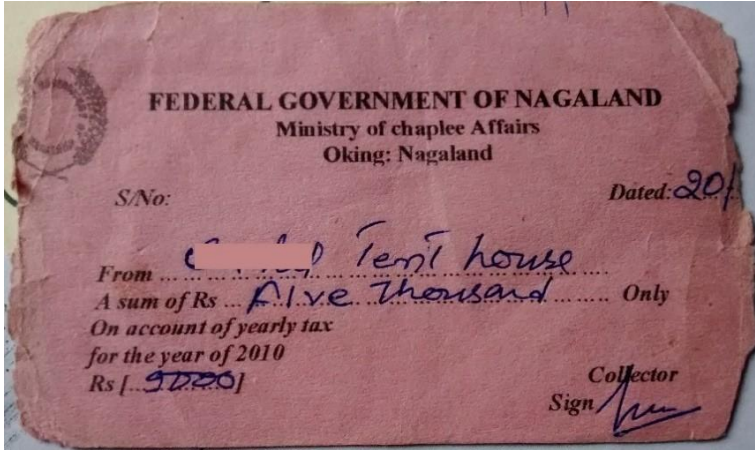
Associate Professor (Supervisor)

Place: Jaipur

Date: 30th April 2021

Appendix 5
(Some documents from field)

Receipt of tax collected from Federal Government of Nagaland from a businessman:



Entry Pass (Pass for inner line permit), issued by Government of People's Republic of Nagaland:

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF NAGALIM

Card No. 2nd 242 **ENTRY PASS**

1. Name _____ Age 45
S/o, D/o, W/o LAKHAN RAI

2. Permanent Address _____
Disst

3. Present Address SIGNAL BASTI Dimapur

4. Occupation/Profession LABOURER
Community HINDU

5. Date of Issue 7/11/06 Date of Expiry _____

Signature of the Issuing Authority: [Signature]

IMPORTANT NOTES

1. This entry pass is valid only for one year, after which it is renewable on expiry.
2. The Government reserves the right to cancel the pass of individuals without further notification if indulging in any act detrimental to the nation.
3. Card holder must carry it at all times if _____ days.
4. Rules & Regulations for entry pass _____ as may be found necessary.

RENEWAL

1) _____ To _____ 2) _____ To _____

[Photograph of Lakhan Rai]

[Purple circular stamp: NAGALIM FOREST DEPARTMENT]

(Source: Field Research)

Liberal Feminism with Respect to Judgements - An Indian Context

A Dissertation Report

Submitted By

VAISHALI CHOPRA

BA LL. B (H)

In partial fulfillment for the award of degree

Of

B. A. LLB (H)

IN

LAW



AT

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

Submitted By: -

Vaishali Chopra

BA LLB (H)

2016-21

A21511116041

Supervised By: -

Dr. Puneet Bafna

Associate Professor

April, 2021

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Vaishali Chopra**, B.A.LL. B (Hons.), X Semester, student of Amity Law School, Amity University Rajasthan has done this Dissertation paper work on the topic **Liberal Feminism with Respect to Judgements - An Indian Context** under the guidance of **Dr. Puneet Bafna**, Associate Professor, Faculty of Law, Amity Law School.

Dr. Puneet Bafna
Associate Professor
Amity Law School,
Amity University Rajasthan

**EMPATHIZING TO THE OTHER HALF : AN ANALYTICAL
STUDY OF HUMAN RIGHTS AND THE INDIAN
JUDICIARY'S PRONOUNCEMENTS ON WOMEN RIGHTS**



**AMITY
UNIVERSITY**

A dissertation submitted to the Amity Law School(ALS), Amity University, Jaipur is the partial fulfilment for the reward degree in “Bachelor in Arts and Bachelor of Laws [BA.LL.B(H)]

SUBMITTED BY:-

Vipul Ojha

BA LL.B(H) 10th Semester

Enrolment no.- A21511116037

Batch: 2016-2021

UNDER SUPERVISION & GUIDANCE OF:

Mr. Vedansh Sharma

Assistant Professor, ALS

April,2021

AMITY LAW SCHOOL, AMITY UNIVRSITY, JAIPUR

CERTIFICATE

This is to certify that the Dissertation entitled **Empathizing to the other half: An analytical study of Human rights and the Indian Judiciary's pronouncements on Women rights** is a bona fide record of independent research work done by **VIPUL OJHA of BA.LL.B(H) 10TH Sem.**, Enroll. no-A21511116037 under my supervision and submitted to Amity University, Amity Law School in partial fulfilment for the award of the Degree in Bachelor in Arts and Bachelor of Laws [BA.LL.B(H)]

Mr. Vedansh Sharma

Assistant Professor (ALS)

A SOCIOLEGAL STUDY OF CHILD LABOUR

**DISSERTATION SUBMITTED TO THE AMITY UNIVERSITY,
JAIPUR IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE AWARD OF THE DEGREE OF
BA LLB (H)**



Submitted By:-

VISHAL TIWARI

BA LLB(H)

10th Semester

A21511116002

Submitted To:-

Dr.Vinod Kumar

(Associate professor)

SUPERVISOR'S CERTIFICATE

This is to certify that dissertation on: A sociological study on child labor, given to Amity University, Jaipur in fulfillment of the BA LLB(H), 10th semester, course requirements is an original and bona fide research work done by _____ in my supervision. Hence, this is an ideal piece of work for being evaluated. This Dissertation has never been submitted at any other platform for the purpose of fulfilling degree requirements.

Supervisor's Signature

AMITY UNIVERSITY , JAIPUR, 303007

[ESTABLISHED UNDER AMITY UNIVERSITY RAJASTHAN ACT 2008]

DATE:
PLACE: JAIPUR

CERTIFICATE BY CANDIDATE

I, the candidate, hereby declare that the Dissertation : A Sociological Study of Child Labor, submitted to Amity University, Jaipur, in partial fulfillment of the requirement of the BA LLB(H) course, 10th semester, is a plagiarism free work. I anticipate that this research will aid in the enhancement of the reader's awareness and the formulation of policies. To the highest possible standard, all of the mentioned information here is accurate.

INDEPENDENCE AND ACCOUNTABILITY OF JUDICIARY: A CRITICAL ANALYSIS

A Dissertation Report

Submitted by

YAGYA KALLA

In partial fulfillment for the award of degree

Of

B.A.LL.B (H)

IN

LAW



AT

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

Submitted By

Yagya Kalla

B.A.LL.B (H) X Semester

Batch: - 2016-2021

EnrollNo. A21511116046

Guided By

Mr. Keshav Jha

Assistant Professor

Amity Law School

April,2021

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that work titled "INDEPENDENCE AND ACCOUNTABILITY OF JUDICIARY: A CRITICAL ANALYSIS" is a piece of research work done by **Yagya Kalla** of batch **2016-21** under my guidance and supervision for the degree **B.A.LL.B (Hons.)** at Amity Law School, Amity University Rajasthan, Jaipur. The candidate has put in an endance of more than 30 days with me.

- ❖ To the best of my knowledge and according to his declaration belief the thesis
- ❖ Embodies the work of candidate herself;
- ❖ Has duly been completed;
- ❖ Fulfils the requirement of the ordinance relating to B.Com.LL.B (Hons.) Degree of the university;
- ❖ Is up to the standard both in respect of content and language for being referred to the examiner

Mr. Keshav Jha
Assistant Professor
Research Guide
Amity Law School,
Amity University Rajasthan

Date: 20 May 2021

Place: Jaipur

**“A SOCIO LEGAL RESEARCH ON CHILD ABUSE
AND JUVENILE DELINQUENCY WITH ITS
EFFECTS IN INDIA”**

Dissertation Submitted in Partial Fulfilment of the Academic Requirement of
Degree of **Bachelor of Laws (BBA.LL.B.(H.), 10TH Sem)** in (**Corporate Law**)

At
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN

SUBMITTED BY-

Aayushi Devpura

A21521516002

UNDER THE SUPERVISION OF

**Mr Hemant Singh
(Assistant Professor)
Amity Law School**



SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

ACKNOWLEDGENT

I am delight to place on record the invaluable co-operation of certain individuals who supported me in completing this work. I would like to express my appreciation for all the efforts, to everyone who have directly or indirectly contributed their ideas in successful completion of my project. While offering this piece of work I am obliged my sincere thanks, deep respect and gratitude to my teacher and research guide Assistant Professor, Mr. Hemant Singh of Amity Law School for his support, constructive and meticulous guidance and functional freedom which exonerated me to consummate the small work assigned to me.

I am grateful to Amity Law School for providing facilities without which I wouldn't have been able to complete my assignment, in due course time. I would also thank to my all friends, seniors for their necessary help and mental and moral support throughout my work.

Aayushi Devpura

Place: Amity Law School, Jaipur
Rajasthan

DECLARATION

TO WHOMSOEVER IT MAY CONCERN

I, **Aayushi Devpura**, the author of this 'Dissertation', solemnly declare that, the content of the present 'Thesis' entitled, "**SOCIO LEGAL RESEARCH ON CHILD ABUSE AND JUVENILE DELINQUENCY WITH ITS EFFECTS IN INDIA**" are original and outcome of my independent research. This is to certify that the following paper has been submitted in partial fulfilment of the requirement for the award of Degree of **BBA. LL.B (H)** to the Amity University Rajasthan.

I have completed the research work under the guidance and supervision of Mr. Hemant Singh, Assistant Professor at Amity Law School.

AAYUSHI DEVPURA

BATCH: 2016-2021

ENROLLMENT NO.: A21521516002

CERTIFICATE

This is to certify that the work entitled, “**SOCIO LEGAL RESEARCH ON CHILD ABUSE AND JUVENILE DELINQUENCY WITH ITS EFFECTS IN INDIA**” is a piece of research work done by **Ms. Aayushi Devpura** under my guidance and supervision for the award of degree of **BBA.LL.B(H)**, at Amity Law School, Rajasthan. The candidate has put in attendance of more than 60 days with me.

To the best of my knowledge and according to her declaration belief, the thesis

1. Embodies the work of the candidate herself.
2. Has duly been completed.
3. Fulfils the requirements of the ordinance relating to the degree of B.ALL.B(H) of the university, and
4. Is up to the standard both in respect of content and language for being referred to the examiner.

Mr. Hemant Singh
Ass. Professor

**ROLE OF DIRECTORS IN COMPANIES:
A MODERN SCENARIO IN CONTEXT OF THE COMPANIES
ACT 2013**

**A Dissertation
Submitted by**

ADITYA THANVI

In partial fulfillment for the award of degree

Of

B.BA LLB (H)

IN

CORPORATE LAW



AT

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

Submitted By:

ADITYA THANVI

B.BALLB (H)

2016-2021

Enroll No. A21521516032

Supervised By:

Dr. ABHISHEK BAPLAWAT

Professor

Amity Law School

APRIL2021
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR



ACKNOWLEDGMENT

This Dissertation report has been able to get its final shape with the help and support of my supervisor at Amity Law School Jaipur, my parents and my beloved laptop. My most sincere thanks go to all persons whose expertise and in-depth knowledge of the subject matter has helped me to cast this project into reality. It would have been difficult to accomplish this study without their guidance and support.

With immense pleasure, I express my deepest sense of gratitude to **Prof. Dr. Abhishek Baplawat** for guiding me through the fundamental framework of the submission and her for her humble nature. Her valuable insight proved a turning stone in framing the research. I would also like to thank her for steering and guiding me for academics as well as non-academic purposes of the dissertation. The genuine and solemn support of all these people was beyond just crediting; nevertheless, I would also be grateful to all my friends and family for their constant support and encouragement.

Aditya Thanvi

B.BA LLB (H) SEM-10TH

DECLARATION

I, Aditya Thanvi, the author of this 'Non Doctoral Thesis', solemnly declare that, the content of present 'Thesis' entitled, "**ROLE OF DIRECTORS IN COMPANIES: A MODERN SCENARIO IN CONTEXT OF THE COMPANIES ACT 2013**", are original and outcome of my independent research. To the best of my knowledge and belief no one has so far has been awarded the degree of B.BA LLB(H) here to before, on the same topic.

I have completed my research work under the supervision of my guide Professor **Dr. ABHISHEK BAPLAWAT** Faculty of Law, Amity Law School, Amity University Rajasthan, Jaipur.

PLACE: JAIPUR

ADITYA THANVI

APRIL 2021

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR



CERTIFICATE

This is to certify that the **Dissertation** entitled, “**Role of Directors in Companies: A Modern Scenario**” submitted by “**Aditya Thanvi**” in partial fulfillment of the requirements for the award of “**B.BA LLB(H)**” at the “**Amity Law School, Amity University Rajasthan**” is an authentic work carried out by him, under my supervision and guidance.

To the best of my knowledge, the matter embodied in the project has not been submitted to any other University / Institute for the award of any Degree.

April, 2021

Dr. ABHISHEK BAPLAWAT

(Professor)

Amity Law School

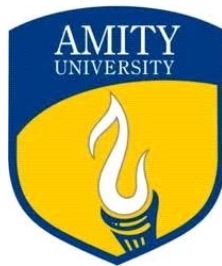
**“AN ANALYSIS ON CHILD AND
ADOLESCENT ILL-TREATMENT WITH
SPECIAL REFERENCE TO INDIA”**

DISSERTATION

SUBMITTED BY-

AJAY SARASWAT

In partial fulfillment for the award of degree of



BB.A.LL.B(H)

AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

Submitted by-

Ajay saraswat

BB.A.LL.B (H) 10th SEM

2016-2021

A21521516014

Supervised by-

Ms. Sonali Bhatnagar

Assistant Professor

Amity Law School

April,2021

ACKNOWLEDGENT

I am delight to place on record the invaluable co-operation of certain individuals who supported me in completing this work. I would like to express my appreciation for all the efforts, to everyone who have directly or indirectly contributed their ideas in successful completion of my project. While offering this piece of work I am obliged my sincere thanks, deep respect and gratitude to my teacher and research guide Assistant Professor, Ms. Sonali Bhatnagar, of Amity Law School for her support, constructive and meticulous guidance and functional freedom which exonerated me to consummate the small work assigned to me.

I am grateful to Amity Law School for providing facilities without which I wouldn't have been able to complete my assignment, in due course time. I would also thank to my all friends, seniors for their necessary help and mental and moral support throughout my work.

Date:

Ajay saraswat

Place: Amity Law School, Jaipur

Rajasthan

DECLARATION

TO WHOMSOEVER IT MAY CONCERN

I, **Ajay saraswat**, the author of this ‘Dissertation’, solemnly declare that, the content of the present ‘Thesis’ entitled, “**AN ANALYSIS ON CHILD AND ADOLESCENT ILL-TREATMENT WITH SPECIAL REFERENCE TO INDIA**” , are original and outcome of my independent research. This is to certify that the following paper has been submitted in partial fulfilment of the requirement for the award of Degree of **BB.A. LL.B (H)** to the Amity University Rajasthan.

I have completed the research work under the guidance and supervision of Ms. Sonali Bhatnagar, Assistant Professor at Amity Law School.

April, 2021

Ajay saraswat

Ms. Sonali Bhatnagar

Assistant Professor

Amity Law School, Jaipur

Rajasthan.

CERTIFICATE

This is to certify that the work entitled, “AN ANALYSIS ON CHILD AND ADOLESCENT ILL-TREATMENT WITH SPECIAL REFERENCE TO INDIA” is a piece of research work done by **Mr.Ajay Saraswat** under my guidance and supervision for the award of degree of **BB.A LL.B(H)**, at Amity Law School, Rajasthan. The candidate has put in attendance of more than 60 days with me.

To the best of my knowledge and according to her declaration belief, the thesis

1. Embodies the work of the candidate himself.
2. Has duly been completed.
3. Fulfils the requirements of the ordinance relating to the degree of B.ALL.B(H) of the university, and
4. Is upto the standard both in respect of content and language for being referred to the examiner.

Date:

MS. SONALI BHATNAGAR

Place: Amity Law School, Jaipur

Research Guide

Rajasthan

Assistant Professor

Amity Law School, Jaipur

Rajasthan

FEDERALISM IN INDIA IN CURRENT SCENARIO:
A COMPARATIVE STUDY

Dissertation Report

Submitted by

AKSHAT POKHARNA

In partial fulfillment for the award of degree

Of

B.B A. LL.B (H)

IN

LAW

AT

AMITYLAW SCHOOL

AMITYUNIVERSITYRAJASTHAN

JAIPUR



Submitted By

AKSHAT POKHARNA

B.B A.LL.B (H) X Semester

Batch: - 2016-2021 Amity Law School

Enrollment No. A21521516020

Supervised By

Mr. HEMANT SINGH

Associate Professor

ACKNOWLEDGEMENT

I am delighted to place on record the invaluable co-operation of certain individuals who supported me in completing this work. I would like to express my appreciation for all the efforts, to everyone who has directly or indirectly contributed their ideas in successful completion of my project. While offering this piece of work I obliged my sincere thanks, deep respect and gratitude to my teacher and research guide **Mr. HEMANT SINGH**, Faculty of Amity Law School for his support and guidance which helped me to complete the work assigned to me.

I am grateful to Amity Law School for providing facilities without which I wouldn't have been able to complete my assignment, in due course time.

AKSHAT POKHARNA

BB.A.LL.B. (Hons.) X Semester

Amity Law School

A21521516020

Place: Jaipur

Date: April, 2020

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Mr. AKSHAT POKHARNA** B.B.A.LL.B (Hons.), X Semester, student of Amity Law School, Amity University Rajasthan has done this Dissertation paper work on the topic **FEDERALISM IN INDIA IN CURRENT SCENARIO : A COMPARATIVE STUDY** under the guidance of **Mr. Hemant singh**, Associate Professor, Faculty of Law, Amity Law School.

Mr. Hemant Singh
Associate Professor
Amity Law School,
Amity University Rajasthan

**"Breaking the barriers for a free market: A critical analysis of
Competition Act, 2002 with special reference to cartelization"**

**Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of
Bachelor of Laws (B.B.A.LL.B.(H.)) in International Trade Law**

At

AMITY UNIVERSITY RAJASTHAN

SUBMITTED BY

ANIL JAT

A21521516036

UNDER THE SUPERVISION OF

MR. VEDANSH SHARMA

Assistant professor

Amity law school

Amity University Rajasthan



**Sp-1, kant kalwar, RIICO Industrial Area,
NH-11C, Jaipur, Rajasthan**

CERTIFICATE

This is to certify that the research work entitled "**Breaking the barriers for a free market: A critical analysis of Competition Act, 2002 with special reference to cartelization**" is the work done by Anil Jat under my guidance and supervision for the partial fulfilment of the requirement of B.B.A., LL.B. (Hons.) degree at Amity Law School, Rajasthan.

Mr. Vedansh Sharma

Amity Law School

ACKNOWLEDGEMENT

I would like to express my sincere gratitude to **Mr. Vedansh Sharma** for his guidance and assistance in this dissertation report. The legal discussions with him were always been very insightful, and I will always be indebted to him for his valuable advice and the knowledge he shared with me during the research period. His prompt responses and availability despite his constantly busy schedule were truly appreciated. He always helped me in all the legal and social issues during the production of this report.

I would like to extend my sincere thanks to my friends and classmates. Finally, I express my deep sincere thanks to my Parents, who motivate and encourage me without which would not have been possible.

ANIL JAT
B.B.A LL.B(H)
2016-2021
A21521516036

DECLARATION

I declare that the dissertation entitled "**Breaking the barriers for a free market: A critical analysis of Competition Act, 2002 with special reference to cartelization**" is the outcome of my own work conducted under the supervision of Mr. Vedansh Sharma, at Amity Law School, Amity University Rajasthan.

I declare that the dissertation comprises only of my original work and due acknowledgement has been made in the text to all other material used.

Thank You.

ANIL JAT

BBA. LL B (H)

X Semester

Amity University Rajasthan, Jaipur

**STUDY RELATED TO: MONEY LAUNDERING: CRITICAL STUDY OF
ROLE PLAYED BY BANKING SECTOR IN INDIA AND UK**

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of
Bachelor of Laws (B.B.A. LL.B.(H.)) in (Corporate)

At

Amity Law School
Amity University Rajasthan

SUBMITTED BY

**Arpit Mehta
A21521516034**

UNDER THE SUPERVISION OF

Keshav Jha
Professor
Amity Law School



**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
SP-1 Kant Kalwar, NH11C, RIICO Industrial Area,
Jaipur, Rajasthan 303007**

CERTIFICATE

This is to certify that **Mr. Arpit Mehta** student of BBA LL.B.(H) has completed his dissertation, to be submitted in partial fulfilment of the requirement for the degree of Master of Laws bearing the title “**STUDY RELATED TO MONEY LAUNDERING: CRITICAL PERSPECTIVES OF ROLE PLAYED BY BANKING SECTOR IN UK AND INDIA**”. It is further certified that this work is the result of his own efforts and is fit for evaluation.

Arpit Mehta

BBA LL.B (H)

2016 - 2021

A21521516034

Sir Keshav Jha

Professor

Amity Law School

ACKNOWLEDGMENT

I have taken efforts in this project. However, it would not have been possible without the kind support and help of many individuals. I would like to extend my sincere thanks to all of them.

I am highly indebted to **Sir Keshav Jha** for his guidance and constant supervision as well as for providing necessary information regarding the project & also for his support in completing the project.

I would like to express our gratitude towards our teachers & library staff of Amity law school, Amity University Rajasthan, for their kind co-operation and encouragement which help me in completion of this project.

I would also like to appreciate all the efforts put forth by my parents; without their constant bolster it would have not been possible.

Thank You.

ARPIT MEHTA

BBA. LLB (Hons.)

X Semester

2016-2021

A21521516034

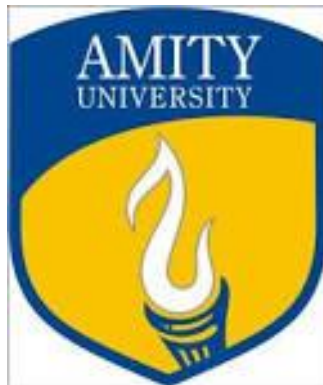
**THE DISSERTATION
ON
SEDITION LAWS: A COMPREHENSIVE STUDY**

SUBMITTED TO AMITY UNIVERSITY RAJASTHAN

In partial fulfillment of the requirement

For the degree of

BACHELORS OF LAWS



SUPERVISOR:
PRATEEK DEOL
ALS

SUBMITTED BY:
ARVIND SINGH
B.B.A, L.L.B, SEM X

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN, JAIPUR
2016-2021

SUPERVISOR'S CERTIFICATE

This is to certify that the project report on **SEDITION LAWS: A COMPREHENSIVE STUDY** submitted by **ARVIND SINGH, BBA L.L.B (5 Year)**, submitted to Amity Law School, Amity University, Rajasthan in partial fulfillment of requirements of Dissertation Submission for LLB course. It is an original *bona fide* research work carried on under my supervision and guidance. No part of this study has been submitted to any University, Institution or Organization for any research or award of any degree or diploma whatsoever.

PROF. PRATEEK DEOL

DATE:

PROFESSOR OF LAW

DECLARATION BY THE CANDIDATE

I, *Arvind Kumar Singh*, student of Amity Law School, Amity University, Rajasthan do hereby solemnly declare that the dissertation work Entitled: **SEDITION LAWS: A COMPREHENSIVE STUDY** submitted in partial fulfillment of the requirements of the LL.B., Five Year Course, is an original and bona-fide research work of mine under the supervision of *Prof. Prateek Deol*, Professor of Law, Amity Law School, Amity University, Rajasthan. No part of this dissertation, may it be, a paragraph, or text, or chapter, has been lifted from the scholarly work of any other person and posted under my name.

I declare that the reference taken from the works of others from books or journals or from the websites have been cited by me.

All the information declared hereby is true to best of my knowledge.

PLACE:RAJASTHAN

ARVIND KUMAR SINGH

DATE:

ROLL NO:A U R
LLB (FIVEYEARCOURSE)
AMITY LAW SCHOOL
AMITY UNIVERSITY,
RAJASTHAN

**A COMPREHENSIVE STUDY OF PROBATION LAWS IN INDIA
AND ITS RELEVANCE IN REFORMATIVE OUTLOOK**

Dissertation Submitted in Partial Fulfilment of the Academic Requirement of Degree of
Bachelor of Laws (B.B.A.LL.B.(H.) in (Criminology)

At

Amity University Rajasthan

SUBMITTED BY

Chitranshu Vaishnav

A21521516029

UNDER THE SUPERVISION OF

Dr. Govind Singh Rajpal

Assistant Professor



SP-1, Kant Kalwar, RIICO Industrial Area, NH-11C, Jaipur, Rajasthan

CERTIFICATE

This is to certify that Mr. Chitrang Vaishnav has submitted his Dissertation titled “**A Comprehensive Study of Probation Laws in India & Its Relevance in Reformative Outlook**”, in partial fulfillment of the requirement for the award of Degree of Bachelor of Laws for academic year of 2016-2021 of, **Amity Law School, Amity University Rajasthan** under my guidance and supervision. It is also affirmed that, the dissertation submitted by him original, bona-fide and genuine research done by him.

Date :

Dr. Govind Singh Rajpal,
Assistant Professor,
Amity Law School,
Amity University Rajasthan.

ACKNOWLEDGEMENT

I feel proud to acknowledge the able guidance of my esteemed supervisor Dr. Govind Singh Rajpal, Assistant Professor, Amity Law School, Amity University Rajasthan, who helped me to complete my dissertation successfully. His mentorship is paramount in the successful completion of my work. His continues encouragement, patient guidance, responsive support and valued suggestions are greatly appreciated for which my mere expression of thanks does not suffice.

I owe my gratitude to all those people who have made this dissertation possible and because of whom my experience has been one that I will cherish forever. And I could only hope that the lessons learnt during the entire interaction would help me a great deal in establishing a better path and gain in depth approach of topic involved herein. And I wish to emulate it with utmost sincerity.

I am greatly indebted to the various writers, jurists and all of others from whose writings and literature and eventually my family for the immeasurable support to the core.

Chitranshu Vaishnav

B.B.A.- LL.B. (H.)

A21521516029

Batch: 2016-21

EMERGING TRENDS IN TRADEMARKS LAW: NATIONAL AND INTERNATIONAL SCENARIO WITH EMPHASIS ON DILUTION OF TRADEMARKS

A Dissertation Report

Submitted by

DEEPANSHU HEDA

*In partial fulfilment for the award of degree
Of*

B.B.A.LL.B. (HONS)

IN

LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By

DEEPANSHU HEDA
B.B.A.LL.B. (HONS)
2016-2021
A21521516012

Supervised By

Dr. PUNEET BAFNA
ASSOCIATE PROFESSOR
AMITY LAW SCHOOL

APRIL, 2021

CERTIFICATE

This is to certify that the project Deepanshu Heda student of B.B.A LL.B. (H), 10th Semester has prepared a Dissertation report entitled “***EMERGING TRENDS IN TRADEMARKS LAW: NATIONAL AND INTERNATIONAL SCENARIO WITH EMPHASIS ON DILUTION OF TRADEMARKS***” for the partial fulfillment for the award degree of aforesaid course at Amity Law School under my guidance. He has carried out the work at department of Amity Law School at Amity University Rajasthan.

Date:

Signature:

Dr. Puneet Bafna

ASSOCIATE PROFESSOR

AMITY LAW SCHOOL

ACKNOWLEDGEMENT

This dissertation is an effort by me with astute guidance of our esteemed Dean Dr Saroj Bohra. I have been fortunate to learn the concepts which would have been impossible without valuable guidance of my faculties. I am grateful to a number of people who have guided and supported me throughout the research process and provided assistance for my work. I would first like to thank my supervisor, Dr. Puneet Bafna who guided me in selecting the final theme for this research. My mentor was there throughout my preparation of the proposal and the conceptualization of its structure. I would not have been able to do the research and achieve learning in the same manner without his help and support. His recommendations and instructions have enabled me to assemble and finish the dissertation effectively. I would also like to thank all my instructors and teachers, who throughout my educational career have supported and encouraged me to believe in my abilities. They have directed me through various situations, allowing me to reach this accomplishment. Finally, my family and friends has supported and helped me along the course of this dissertation by giving encouragement and providing the moral and emotional support I needed to complete my thesis. To them, I am eternally grateful.

Deepanshu Heda
B.B.A. LL.B(H), 10th Semester
Amity Law School

**GENDER DISCRIMINATION AND UNFAIR WORK PAYMENT:
AN ANALYTICAL STUDY**

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of **Bachelor
of Laws (B.B.A LL.B.(H.) in Criminal Law**

At

AMITY UNIVERSITY RAJASTHAN

SUBMITTED BY

DHRITI SHARMA

A21521516015

UNDER THE SUPERVISION OF

MR. VEDANSH SHARMA



**SP-1, Kant Kalwar, RIICO Industrial Area,
NH-11C, Jaipur, Rajasthan**

CERTIFICATE

This is to certify that the research work entitled “**Gender discrimination and unfair work payment: An analytical study**” is the work done by Dhriti Sharma under my guidance and supervision for the partial fulfilment of the requirement of B.B.A., LL.B. (Hons.) degree at Amity Law School, Rajasthan.

Mr. Vedansh Sharma

Amity Law School

ACKNOWLEDGEMENT

I would like to express my sincere gratitude to **Mr. Vedansh Sharma** for his guidance and assistance in this dissertation report. The legal discussions with him were always been very insightful, and I will always be indebted to him for his valuable advice and the knowledge he shared with me during the research period. His prompt responses and availability despite his constantly busy schedule were truly appreciated. He always helped me in all the legal and social issues during the production of this report.

I would like to extend my sincere thanks to my friends and classmates. Finally, I express my deep sincere thanks to my Parents, who motivate and encourage me without which would not have been possible.

DHRITI SHARMA

B.B.A LL. B

2016-2021

A21521516015

ANTI- DUMPING AGREEMENT IN THE WTO: A REFERENCE TO INDIAN LAW

A Dissertation Report

Submitted by
Ishant Prajapati

In partial fulfilment for the award of degree

Of

BBA LL.B (HONS.)

**IN
LAW**



AT

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

Submitted By
Ishant Prajapati
BBA LL.B(Hons.) X Sem.
2016- 2021
A21511113004

Supervised By
Mr. Keshav Jha
Asst. Prof.
Amity Law School

ACKNOWLEDGEMENT

I am delight to place on record the invaluable co-operation of certain individuals who supported me in completing this work. I would like to express my appreciation for all the efforts, to everyone who have directly or indirectly contributed their ideas in successful completion of my dissertation. I would like to express the deepest appreciation to my teacher and research guide *Asst. Prof. Keshav Jha, Amity Law School* who has the attitude and the substance of a genius: she continually and convincingly conveyed a spirit of adventure in regard to research. Without her guidance and persistent help this dissertation would not have been possible.

I am grateful to Amity Law School for providing facilities without which I wouldn't have been able to complete my dissertation, in due course time. I would also thank to my all friends, seniors for their necessary help and mental and moral support throughout my work.

Date: 15 March, 2018

Place: Amity Law School, Jaipur

Ishant Prajapati

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that the dissertation entitled ***ANTI- DUMPING AGREEMENT IN THE WTO: A REFERENCE TO INDIAN LAW*** is a Bonafede record of independent research work done by ***Mr. Ishant Prajapati X SEMESTER*** under my supervision and submitted to AMITY LAW SCHOOL in fulfilment for the award of the Degree of BBA LL.B(HONS.)

Date: 15 March, 2018

Mr. Keshav Jha

Faculty of Amity Law School

A STUDY ON FINANCIAL SCAMS & FRAUDS UNDER
CORPORATE LAW

DISSERTATION

Submitted by

JASWANT PAL BHATI

In partial fulfillment for the award of degree

Of

BBA LL.B (H)

IN LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

SUBMITTED BY:-

JASWANT PAL BHATI
(H), Xth SEM
A21521516005
BATCH-2016- 2021

SUPERVISED BY:

MR. KESHAV JHA **BBALLB**
ASST. PROFESSOR
AMITY LAW SCHOOL
AMITY UNIVERSITY JAIPUR

DECLARATION

I declare that the dissertation entitled “**A STUDY ON FINANCIAL SCAMS AND FRAUDS**

UNDER CORPORATE LAW” is the outcome of my work conducted under the supervision of

Mr. Keshav Jha, at Amity Law School, Amity University, Rajasthan.

I declare that the dissertation comprises only of my original work and due acknowledgement has

been made in the text to all other material used.

Signature and Name of Student:

JASWANT PAL BHATI

BBA.LLB(H)

A21521516005

CERTIFICATE

This is to certify that **MR. JASWANT PAL BHATI** , Enrollment No. **A21521516005** has submitted his Dissertation titled,“ **A STUDY ON FINANCIAL SCAMS AND FRAUDS UNDER CORPORATE LAW** ”in partial fulfillment of the requirement for the award of Degree of Bachelor of Laws for academic year of 2016-2021 of, **AMITY LAW SCHOOL, AMITY UNIVERSITY RAJASTHAN, JAIPUR** under my guidance and supervision. It is also affirmed that, the dissertation submitted by her is original, bona- fide and genuine research done by her.

Place: JAIPUR

Guide and Supervisor

Date:30.04.2021

MR. KESHAV JHA

Asst. Professor

ALS, AUR

**MARITIME TRADE UNDER INTERNATIONAL
COMMERCIAL LAWS – A CRITICAL STUDY**

A Dissertation Report

Submitted by

JAY KUMAR SHARMA

In partial fulfilment for the award of degree

Of

BBA LL.B (HONS.)

**IN
LAW**



AT

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

Submitted By

Jay Kumar Sharma

BBA. LL.B (H)

2016 – 2021

A21521516003

Supervised By

Mr. Keshav Jha

Assistant Professor

Amity Law School

CERTIFICATE

This is to certify that **Mr. Jay Kumar Sharma** student of **BBALL.B.(H)** has completed his dissertation, to be submitted in partial fulfillment of the requirement for the degree of Bachelors of Laws bearing the title *“maritime trade under international commercial laws – a critical study”*. It is further certified that this work is the result of his own efforts and is fit for evaluation.

Jay Kumar Sharma
BBA LL.B (H)
2016 – 2021
A21521516003

Mr. Keshav Jha
Assistant Professor
Amity Law School

ACKNOWLEDGEMENT

It is with immense joy and pleasure that I record my deep sense of indebtedness and gratitude to *Mr. Keshav Jha* my esteemed guide, for his noble guidance and continuous galvanizing encouragement which has been the source of inspiration and great driving force throughout the span of this work. It was very kind of him to have spent a lot of his valuable time in the supervision of this work.

I want to take this opportunity also to express my genuine respect and gratefulness to all my other teachers, friends and family members, who have helped me in my study.

I express my sincere thanks to *Mr. Keshav Jha* who took personal pain to help and direct me in collection of study material and prepare this dissertation at appropriate stages.

Thank You.

JAY KUMAR SHARMA

BBA. LLB(H)

X Semester

A21521516003

2016-2021

Privatization of Government Sector and Growth of Multinational Companies in India : A Critical Analysis

A Dissertation Report

Submitted by

MAITRAYI PARASHAR

In partial fulfilment for the award of degree

Of

BBA LL.B (H)

IN

LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By

Maitrayi Parashar

BBA LL.B (H) X Semester

Batch: - 2016-2021

Enroll No. A21521516011

Supervised By

Mr. Hemant Singh

Assistant Professor

Amity Law School

March, 2021

ACKNOWLEDGEMENT

I am delighted to place on record the invaluable co-operation of certain individuals who supported me in completing this work. I would like to express my appreciation for all the efforts, to everyone who have directly or indirectly contributed their ideas in successful completion of my project. While offering this piece of work I obliged my sincere thanks, deep respect and gratitude to my teacher and research guide **Mr. Hemant Singh**, Faculty of Amity Law School for his support and guidance which helped me to complete the work assigned to me.

I am grateful to Amity Law School for providing facilities without which I wouldn't have been able to complete my assignment, in due course time.

Maitrayi Parashar

BBA.LL.B. (Hons.) X Semester

Amity Law School

A21521516011

Place: Jaipur

Date: 30th March, 2021

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that **Ms. Maitrayi Parashar**, BBA .LL.B (Hons.), X Semester, student of Amity Law School, Amity University Rajasthan has done this Dissertation paper work on the topic '**Privatization of Government Sector and Growth of Multinational Companies in India : A Critical Analysis**' under the guidance of **Mr. Hemant Singh**, Assistant Professor, Faculty of Law, Amity Law School.

Mr. Hemant Singh
Assistant Professor
Amity Law School,
Amity University Rajasthan

The South China Sea

(A sea of rich minerals and conflicting political interests)

DISSERTATION

Submitted By

MAYANK DADHICH

B.B.A LL. B (Hons.)

In partial fulfilment for the award of degree

Of

Bachelors of Business Administration and Legum Baccalaureus

(Honors)



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR, INDIA

Mayank Dadhich
B.B.A LL. B (H.)

2016 - 2021

A21521516027

Dr. G.S. Rajpal
Assistant Professor

Amity Law School

CERTIFICATE

This is to certify that **Mr. Mayank Dadhich** student of **B.B.A LL.B. (H.)** has completed his dissertation, to be submitted in partial fulfilment of the requirement for the degree of Master of Laws bearing the title “**The South China Sea; A sea of rich minerals and conflicting political interest**”. It is further certified that this work is the result of his own efforts and is fit for evaluation.

Mayank Dadhich

B.B.A LL. B (H.)

2016 - 2021

A21521516027

Dr. G.S. Rajpal

Assistant Professor

Amity Law School

ACKNOWLEDGMENT

I would like to thank my faculty supervisor, **Asst. Prof. Dr. G.S. Rajpal**, for the patient guidance, encouragement and advice he has provided throughout my time as his student. I have been extremely lucky to have a supervisor who cared so much about my work, and who responded to my questions and queries so promptly.

Thank You,

Mayank Dadhich

B.B.A. LL.B(H.)

10th Semester

A21521516027

2016-2021

**SECTION 498A OF THE INDIAN PENAL
CODE, 1860 : BOON OR BANE ?**

**DISSERTATION SUBMITTED TO THE AMITY UNIVERSITY,
JAIPUR IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE AWARD OF THE DEGREE OF
BBA LLB (H)**



Signature of the Supervisor

-

Submitted By

Mohd Fazil

10th Semester

Enrollment Number

AMITY UNIVERSITY , JAIPUR, 303007

**[ESTABLISHED UNDER AMITY UNIVERSITY RAJASTHAN ACT
2008]**

Professor

Date

Amity University

Place

SUPERVISOR'S CERTIFICATE

This is to certify that the dissertation Entitled on: "Section 498A : Boon or Bane ?", submitted to Amity University, Jaipur in partial fulfillment of the requirement of the BBA LLB, 10th semester, course is an original and bona fide research work carried out by Mr. Fazil Mohd under my supervision and guidance . Further, this work is fit for evaluation. This Dissertation has not been presented to any university or institution for award of any other degree or diploma.

Supervisor's Signature

AMITY UNIVERSITY , JAIPUR, 303007

[ESTABLISHED UNDER AMITY UNIVERSITY RAJASTHAN ACT 2008]

DATE:
PLACE: JAIPUR

CANDIDATE'S CERTIFICATE

I, the undersigned, hereby solemnly declare that the Dissertation Entitled: “**Section 498A : Boon or Bane ?**”, submitted to Amity University, Jaipur, in partial fulfillment of the requirement of the BBA LLB course, 10th semester, is an original and bona fide research work of mine. I hope that this work will be helpful in enhancing the knowledge of reader and framing of policies in the future course. All the information declared hereby is true to best of my knowledge.

Mohd Fazil

■

Ad Hoc versus Institutional Arbitration: A longevous battle.

**Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree
of Bachelor of Laws (B.B.A. LL.B.(H.)) in (International Trade Law)**

At
AMITY UNIVERSITY

SUBMITTED BY

Rahangdale Nikhilesh LomakkumarA21521516031

UNDER THE SUPERVISION OF

Mr. Prateek Deol Assistant Professor



SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

CERTIFICATE

This is to certify that **Rahangdale Nikhilesh Lomakkumar** is a student of **Five-year Integrated Program in B.B.A; L.L.B (Hons.)** at **Amity University, Jaipur** and has worked under my supervision and guidance for the work titled: **“Ad Hoc versus Institutional Arbitration: A longevous battle”**. This said Dissertation work is submitted by way of complete fulfilment of B.B.A; L.L.B (Hons.) program in International Trade Law. This work is comprehensively complete and sufficient to standards of academic requirements.

Dated: 30.04.21

[Signature of the Research Supervisor]

Mr. Prateek Deol Assistant Professor Amity University, Jaipur

DECLARATION

I, **Rahangdale Nikhilesh Lomakkumar**, hereby declare that the dissertation work titled: **“Ad Hoc versus Institutional Arbitration: A Longevous battle”** is a record of individual research work carried out by me under the supervision of **Mr. Prateek Deol**, Assistant Professor, Faculty of Law, **Amity University, Jaipur**. This has not been submitted for the award of any diploma, degree or similar title to this or to any other university.

Date: 30.04.21

[Student’s Signature]

B.B.A;L.L.B (Hons.)

International Trade Law(Batch 2016-2021)

Enrollment No: A21521516031

Amity University, Jaipur

**THE COMPETITION ACT, 2002: A BREAKTHROUGH IN
COMBATING THE CARTELS IN INDIA**

A Dissertation

Submitted by

PRAKRITI GHATIYA

In partial fulfillment for the award of degree

Of

BBA LL.B (H)

IN

LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By

Prakriti Ghatiya

BBA. LL.B (H)

2016 – 2021

A21521516017

Supervised By

Mr. Keshav Jha

Assistant Professor

Amity Law School

CERTIFICATE

This is to certify that **Ms. Prakriti Ghatiya** student of **BBALL.B.(H)** has completed her dissertation, to be submitted in partial fulfillment of the requirement for the degree of Bachelors of Laws bearing the title “*The Competition Act, 2002: A Breakthrough In Combating The Cartels In India*”. It is further certified that this work is the result of her own efforts and is fit for evaluation.

Prakriti Ghatiya
BBA LL.B (H)
2016 – 2021
A21521516017

Mr. Keshav Jha
Assistant Professor
Amity Law School

ACKNOWLEDGMENT

It is with immense joy and pleasure that I record my deep sense of indebtedness and gratitude to *Mr. Keshav Jha* my esteemed guide, for his noble guidance and continuous, galvanizing encouragement which has been the source of inspiration and great driving force throughout the span of this work. It was very kind of his to have spent a lot of his valuable time in the supervision of this work.

I want to take this opportunity also to express my genuine respect and gratefulness to all my other teachers, friends and family members, who have helped me in my study.

I express my sincere thanks to *Mr. Keshav Jha* who took personal pain to help and direct me in collection of study material and prepare this dissertation at appropriate stages.

Thank You.

PRAKRITI GHATIYA

BBA. LLB(H)

X Semester

A21521516017

2016-2021

**ENVIRONMENTAL LAW; BRIDGING THE GAP BETWEEN
VICARIOUS AND CORPORATE LIABILITIES.**

**A Dissertation
Submitted by
RITANSHU SHARMA**

In partial fulfillment for the award of degree

Of
**B.BA L.L.B (H)
IN
CORPORATE LAW**



**AT
AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

**Submitted By:
RITANSHU SHARMA
B.BA L.L.B (H)
2016-2021
Enroll No. A21521516019**

**Supervised By:
Dr. ABHISHEK BAPLAWAT
Professor
Amity Law School**

APRIL 2021

DECLARATION

I, Ritanshu Sharma, the author of this 'Doctoral Thesis', solemnly declare that, the content of present 'Thesis' entitled, "**ENVIRONMENTAL LAW; BRIDGING THE GAP BETWEEN VICARIOUS AND CORPORATE LIABILITIES**", are original and outcome of my independent research. To the best of my knowledge and belief no one has so far has been awarded the degree of B.BA L.L.B(H) here to before, on the same topic.

I have completed my research work under the supervision of my guide Professor **Dr. ABHISHEK BAPLAWAT** Faculty of Law, Amity Law School, Amity University Rajasthan, Jaipur.

PLACE: JAIPUR

RITANSHU SHARMA

APRIL 2021

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR



CERTIFICATE

This is to certify that the **Dissertation** entitled, “ENVIRONMENTAL LAW; BRIDGING THE GAP BETWEEN VICARIOUS AND CORPORATE LIABILITIES” submitted by “**Ritanshu sharma**” in partial fulfillment of the requirements for the award of “**B.BA L.L.B(H)**” at the “**Amity Law School, Amity University Rajasthan**” is an authentic work carried out by him, under my supervision and guidance.

To the best of my knowledge, the matter embodied in the project has not been submitted to any other University / Institute for the award of any Degree.

April, 2021

Dr. ABHISHEK BAPLAWAT

(Professor)

Amity Law School

**Apropos Dumping and Anti-Dumping in reference to
WT0: Comparative Analysis**



DISSERTATION

SUBMITTED TO

AMITY UNIVERSITY RAJASTHAN

In partial fulfillment of the requirement prescribed for the degree of

BACHELOR OF LAW

SUPERVISED BY:

Asst. Prof. Keshav Jha

Amity law school

Amity University Rajasthan

SUBMITTED BY:

Shubham Nawhal

BATCH 2016-2021

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN 2016

ACKNOWLEDGEMENT

I, Shubham Nawhal, would like to express my special thanks and gratitude to my guide and supervisor Asst. Prof. Keshav Jha who gave me the golden opportunity to do this wonderful project on the topic “Dumping and Anti-Dumping”, who also helped me in doing a lot of Research and I came to know about so many things which I was not aware about and I am really thankful to him for his continuous evaluation, comments and insights of my work for this dissertation.

I would also like to thank my parents and friends who helped me a lot in finalizing this project within the limited time frame. My heartfelt thanks to all the folks with whom I have discussed and debated over the various aspects adjoining the current title of the present Dissertation. It would have been difficult to accomplish this work without their support and guidance.

With immense pleasure, I express my gratitude towards Dr. Saroj Bohra (Dean, Amity Law School, Jaipur) for permitting me to undertake such interesting research work in the area of International Trade Law.

SHUBHAM NAWHAL

CERTIFICATE

This is to certify that the project entitled, "Apropos Dumping and Anti-Dumping in reference to WT0: Comparative Analysis" submitted by Shubham Nawhal in partial fulfillment of the requirement for the award of degree of BBA LLB (H) of Amity Law School, and is an authentic work carried out by him, under my supervision and guidance. To the best of my knowledge, the matter embodied in the project has not been submitted to any other University / Institute for the award of any Degree or Diploma.

Date: 30.04.2021

Mr. Keshav Jha

(Faculty ALS)

Amity University Rajasthan

(MR. KESHAV JHA)

Assistant Professor

Amity Law School, AUR

**“AN EMPIRICAL STUDY OF CORPORATE GOVERNANCE OF PUBLIC
COMPANIES WITH
REFERENCE TO CORPORATE FRAUDS”**

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of **Bachelor of
Laws (B.B.A.LL.B.(H.)) in International Trade Law**

At
Amity University Rajasthan, Jaipur

SUBMITTED BY

SHUBHANGI SINHA

ENROLLMENT NUMBER

A21521516030

UNDER THE SUPERVISION OF

MR. HEMANT SINGH
Assistant Professor
Amity Law School



**SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan
303007**

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that work titled' "AN EMPIRICAL STUDY OF CORPORATE GOVERNANCE OF PUBLIC COMPANIES WITH REFERENCE TO CORPORATE FRAUDS" is a piece of research work done by **SHUBHANGI SINHA** of batch **2016-21** under my guidance and supervision for the degree

B.B.A-L.L. B(H) at Amity Law School, Amity University Rajasthan, Jaipur. The candidate has put in an enhance of more than 30 days with me.

- ❖ To the best of my knowledge and according to her declaration belief the thesis
- ❖ Embodies the work of candidate herself;
- ❖ Has duly been completed;
- ❖ Fulfils the requirement of the ordinance relating to LLB Degree of the university;

Mr. Hemant Singh
Assistant Professor
Research Guide
Amity Law School,
Amity University Rajasthan

Date: _____ April 2021

Place: Jaipur

ACKNOWLEDGEMENT

I would like to express my appreciation and thanks to my teacher and research guide **Mr. Hemant Singh**, Faculty of Amity Law School, you have been a tremendous mentor for me. I would like to thank you for encouraging my research and for allowing me to grow as a researcher. Your advice on both research as well as on my career have been invaluable.

I am delighted to place on record the invaluable co-operation of certain individuals who supported me in completing this work. I would like to express my appreciation for all the efforts, to everyone who have directly or indirectly contributed their ideas in successful completion of my project.

I am grateful to Amity Law School for providing facilities without which I wouldn't have been able to complete my assignment, in due course time.

Shubhangi Sinha

BBA-LLB(H)

10thSemester

Amity Law School

A21521516030

Date: _____ April, 2021

Place: Jaipur

PROTECTION OF INTELLECTUAL PROPERTY RIGHTS IN INDIA

:A Detailed Scrutiny

A DISSERTATION

In Partial Fulfillment For The Award Of Degree

Of

Bachelor Of Laws (B.B.A.L.L.B(H)) at



**AMITY LAW SCHOOL, AMITY UNIVERSITY
RAJASTHAN, JAIPUR.**

SUPERVISOR:

ASST. PROF. DR. GOVIND RAJPAL

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

SUBMITTED BY:

SIMRAN BHATNAGAR

(A21521516026)

AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN



DECLARATION

I, Simran Bhatnagar, the author of this ‘Doctoral Thesis’, solemnly declare that, the content of present ‘Thesis’ entitled, **“PROTECTION OF INTELLECTUAL PROPERTY RIGHTS IN INDIA- A DETAILED SCRUTINY”**, are original and outcome of my independent research. To the best of my knowledge and belief no one has so far has been awarded the degree of B.BA L.L.B(H) here to before, on the same topic.

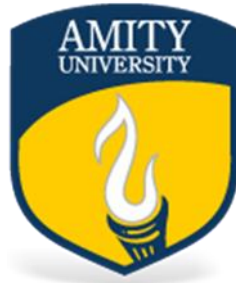
I have completed my research work under the supervision of my guide Professor **Dr. GOVIND SINGH RAJPAL** Faculty of Law, Amity Law School, Amity University Rajasthan, Jaipur.

SIMRAN BHATNAGAR

PLACE: JAIPUR

APRIL 2021

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN**



CERTIFICATE

This is to certify that the **Dissertation** entitled, “**PROTECTION OF INTELLECTUAL PROPERTY RIGHTS IN INDIA - A DETAILED SCRUTINY**” submitted by “**Simran Bhatnagar**” in partial fulfillment of the requirements for the award of “**B.BA L.L.B(H)**” at the "**Amity Law School, Amity University Rajasthan**" is an authentic work carried out by him, under my supervision and guidance.

To the best of my knowledge, the matter embodied in the project has not been submitted to any other University / Institute for the award of any Degree.

April, 2021

Dr. GOVIND SINGH RAJPAL

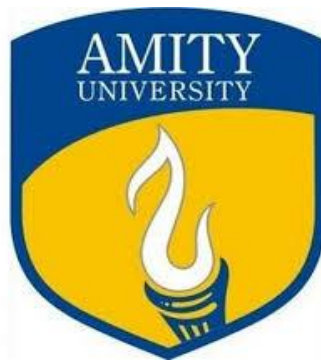
The Dissertation to be Submitted to

Amity Law School

Constituent college of

AMITY UNIVERSITY

Jaipur, Rajasthan



Topic :- Manace Of Drug Abuse And Crime Syndicates

**In partial fulfilment of the requirements for the Degree of Five Year BBA LL.B.
(Hons.) in Criminal Law**

Under the Guidance of:

Dr. Vinod Kumar

Associate Professor

Submitted by:

Suryadev Singh Shaktawat

BBA.LL.B(Hons.)

DECLARATION

I, hereby declare that the dissertation entitled “MANACE OF DRUG ABUSE AND CRIME SYNDICATES” is a record of individual and original research work carried out by me under the supervision of Dr. Vinod Kumar, Faculty of law, Amity University, Rajasthan. The same has not been submitted for the award of any diploma, degree, or similar title to any other university

Date:20/04/2021

Suryadev Singh Shaktawat

BBA LL.B.(Hons.)

Enrolment No A21521516037

Batch 2016-2021

CERTIFICATE

This is to certify that dissertation Entitled “MANACE OF DRUG ABUSE AND CRIME SYNDICATES” Which is being submitted by **Suryadev Singh Shaktawat** for the award of the degree of Bachelor of Laws is an independent and original research work carried out by he/her.

The dissertation is worthy of consideration for the award of Five Year BBA..LL.B.(Hons.) Degree of Amity Law School, AMITY UNIVERSITY, JAIPUR.

Suryadev Singh Shaktawat has worked under my guidance and supervision to fulfill all requirements for the submission of this dissertation.

The conduct of research scholar remained excellent during the period of research.

Date:20/04/2021

Suryadev Singh Shaktawat

BBA LL.B.(Hons.)

Enrolment No A21521516037

Batch 2016-2021

**Public Interest Consideration in Merger
and Amalgamation: A Brief Study in
Special Reference to Companies Act, 2013**

A Dissertation Report

Submitted By

Tanisha Goyal

In Partial fulfillment for the award of degree

Of

BB.A. LL.B. (H)

IN

LAW



AT

AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

JAIPUR

Submitted By:

Tanisha Goyal

BB.A LL.B (H)

2016-2021

A21521516038

Supervised By:

Dr. Abhishek Baplawat

Associate Professor

Amity Law School

Amity University Rajasthan

CERTIFICATE

This is to certify that, this dissertation on the topic titled as **“PUBLIC INTEREST CONSIDERATION IN MERGER AND AMALGAMATION: A BRIEF STUDY IN SPECIAL REFERANCE TO COMPANIES ACT, 2013”** submitted by **Tanisha Goyal** in partial fulfillment of the degree BBA LL. B (H) for the academic year 2016-2021 of the Amity Law School, Rajasthan is the product of the bona fide research carried out by her under my guidance and supervision.

Tanisha Goyal

BBA LL.B.(H)

2016-2021

Dr. Abhishek Baplawat

Associate Professor

Amity Law School

Date:

Place:

ACKNOWLEDGEMNT

I would like to express our special thanks of gratitude to our Director **Dr. Saroj Bohra**, and our faculty **Dr. Abhishek Baplawat**, who gave us the golden opportunity to do this assignment on **“PUBLIC INTEREST CONSIDERATION IN MERGER AND AMALGAMATION: A BRIEF STUDY IN SPECIAL REFERENCE TO COMPANIES ACT, 2013”** which also helped us in doing a lot of Research and we came to know about so many new things we are really thankful to them.

I would also like to thank the librarian and the photocopiers without whose help; we would never have been able to have started or finished our project.

Tanisha Goyal

BBA LL.B (H)

X Sem.

“PROTECTION OF RIGHTS OF MINORITIES UNDER THE INDIAN CONSTITUTION”

Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of **Bachelor of
Laws (B.B.A.LL.B.(H.))** in International Trade Law

At

Amity University Rajasthan, Jaipur

SUBMITTED BY

TUSHAR KUMAR

ENROLLMENT NUMBER

A21521516028

UNDER THE SUPERVISION OF

**Mr. Hemant Singh
Assistant Professor
Amity Law School**



**SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan
303007**

CERTIFICATE

This is to certify that **Mr. Tushar Kumar** student of **B.B.A. LL.B.(H)** has completed his dissertation, to be submitted in partial fulfillment of the requirement for the degree of Master of Laws bearing the title “**Protection of Rights of minorities under The Indian Constitution**”. It is further certified that this work is the result of his own efforts and is fit for evaluation.

Tushar Kumar

B.B. A. LL. B (H)

2016 - 2021

A21521516028

Mr. Hemant Singh

Assistant Professor

Amity Law School

ACKNOWLEDGMENT

It is with immense joy and pleasure that I record my deep sense of indebtedness and gratitude to **Mr. Hemant Singh** my esteemed guide, for his noble guidance and continuous, galvanizing encouragement which has been the source of inspiration and great driving force throughout the span of this work. It was very kind of him to have spent a lot of his valuable time in the supervision of this work.

I want to take this opportunity also to express my genuine respect and gratefulness to all my other teachers, friends and family members, who have helped me in my study.

I express my sincere thanks to **Mr. Hemant Singh** who took personal pain to help and direct me in collection of study material and prepare this dissertation at appropriate stages.

Thank You.

TUSHAR KUMAR
B.B. ALLB(H)

X Semester

A21521516028

2016-2021

DISSERTATION

RIGHT TO LIFE VS. RIGHT TO DEATH

Dissertation Submitted in Partial Fulfillment of The Academic Requirement Of Degree Of
Bachelor Of Laws (B.B.A. LL.B. (H)) in Corporate Law.

At

Amity University Rajasthan

SUBMITTED BY

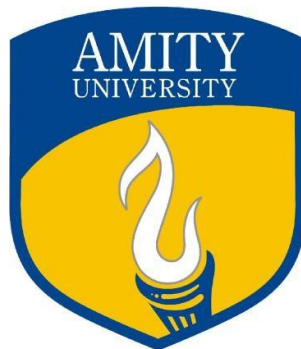
UMA JAIN

Enroll. No. A21521516013

UNDER THE SUPERVISION OF

Dr. ASHU MAHARSHI

Associate Professor



AMITY UNIVERSITY RAJASTHAN

Amity University Jaipur Campus. SP-1, Kant Kalwar, RIICO Industrial Area, NH-11C, Jaipur, Rajasthan

ACKNOWLEDGEMENT

I have written this Dissertation entitled “Right to Life Vs. Right To Death” under the supervision of Dr. Ashu Maharshi.

I found no words to express my sense of gratitude for Dr. Ashu Maharshi for providing the necessary guidance and constant encouragement at every step of his endeavour. The pain taken by him , scrutiny of the rough draft as well as his valuable suggestions to plug the loopholes therein have not only helped immensely in making this work see the light of the day, but above all, have helped in developing an analytical approach to this work.

I am grateful to my respected teachers of ALS, for their co-operation, guidance and their valuable time.

I am highly indebted to my classmate, library and office staff of the ALS for the support and co-operation extended by them from time to time.

I am thankful to my parents, my brother and all my well-wishers who helped me by giving necessary material relating to the study in question.

I cannot conclude without recording my gratefulness to Dr. Ashu Maharshi.

UMA JAIN

B.B.A. LL.B. (H.) 10TH SEM

A21521516013

Signature of Student

CERTIFICATE

This to certify that **Ms. Uma Jain** student of semester 10th , B.B.A. LL.B has carried out project titled “**Right to Life Vs. Right To Death**” under my supervision. It is an investigation report for a minor research project. The student has completed research work in stipulated time according to the norms prescribed for the purpose.

Dr. Ashu Maharshi

Associate Prof.

Amity Law School

Amity University Rajasthan

Date: 25.04.2021

Signature of supervisor

**“A STUDY OF ARTICLE 370 WITHIN THE
FRAMEWORK OF INDIAN
CONSTITUTION ”**

Dissertation Submitted in Partial Fulfilment of the Academic Requirement of
Degree of **Bachelor of Laws (BBA.LL.B.(H.), 10TH Sem)** in **(Criminal Law)**

At
AMITY LAW SCHOOL

AMITY UNIVERSITY RAJASTHAN

SUBMITTED BY-

Umaid Munjal

A21521516008

UNDER THE SUPERVISION OF

Mr Hemant Singh
(Assistant Professor)
Amity Law School



SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

CERTIFICATE

I have pleasure to certify that **Umaid Singh Munjal**, a student of **Amity Law School, Amity University, Jaipur** has pursued his research work and prepared the present dissertation titled, “**A Study Of Article 370 Within The Framework Of Indian Constitution**” under my guidance of Supervision. To the best of my knowledge, the present dissertation is the result of his original work and personal findings.

This is being submitted to **Amity University, Jaipur, Rajasthan for the degree of Bachelor of law (LL.B.) in Criminal Law** in partial fulfilment of the requirement of the said degree.

Mr .Hemant Singh
Assistant Professor

DECLARATION

The dissertation titled **A Study Of Article 370 Within The Framework Of Indian Constitution** submitted to **Amity University, Jaipur, Rajasthan** for the award of degree of **Bachelor of law (LL.B.) in Criminal law** is a result of my own ,original work ,under the supervision of Asst. Prof. Hemant Singh. This work has not been previously submitted to any other university for any other examination.

I also declare that all information in this project has been obtained by and presented in accordance with academic rules and ethical standards.

UMAID SINGH MUNJAL

BATCH-2016-2021

ENROLLMENT NO. -A21521516008

**ANALYSIS OF EXISTING INDIAN LAW AND LEGAL
PRACTICE ON CHILD ABUSE**

**Dissertation Submitted in Partial Fulfillment of the Academic Requirement of Degree of
Bachelor of Laws (B.B.A. LL.B (H)) in (Criminal Law)**

At
AMITY UNIVERSITY

SUBMITTED BY

**Umang Yadav
A21521516009**

UNDER THE SUPERVISION OF

**Dr. Govind Singh Rajpal
Assistant Professor**



SP-1 Kant Kalwar, NH11C, RIICO Industrial Area, Jaipur, Rajasthan 303007

ACKNOWLEDGEMENT

I take this opportunity with much pleasure to thank all the people who have helped me through the course of my journey towards producing this dissertation. I sincerely thank my dissertation supervisor, **Dr. Govind Singh Rajpal** and our esteemed Dean **Dr. Saroj Bohra**, for their guidance, help and motivation. I am immensely thankful for their guidance without which it would not have been possible for me to execute the task so smoothly. Apart from the subject of my research, I learnt a lot from them, which I am sure, will be useful in different stages of my life.

I also express a high degree of gratitude to all my friends for their contribution, co-ordination, encouragement and support in completion of the project. My sincere gratitude also goes to all those who instructed and taught me through the years. I am thankful to all other Fellow students (past and present) of **ALS, Amity University Jaipur, Rajasthan** with whom I share tons of fond memories. I would like to acknowledge the support and encouragement of my friends who stood by me through the very thick and thins of life specially.

While I have striven for accuracy, but for all errors and omissions which have a natural tendency of showing up later, I accept full responsibility.

Date: 30/04/2021

UMANG YADAV

Place: Jaipur

BBA LL.B. (Hons.)

A215121516009

CERTIFICATE

This is to certify that **Mr. Umang Yadav**, Enrollment No- **A21521516009** has submit his dissertation entitled **-ANALYSIS OF EXISTING INDIAN LAW AND LEGAL PRACTICE ON CHILD SEXUAL ABUSE** in partial fulfillment of the requirement for the award of Degree of **BBA LLB(H)** to Amity University Rajasthan under my guidance and supervision. The research is an original piece of research work by him and satisfies the requirements for submission as laid down in the regulations of the Amity University Rajasthan.

The conduct of research scholar remained excellent during the period of research.

Date: 30/04/2021

Place: Jaipur

Dr Govind Singh Rajpal

Guide and Supervisor,

Assistant Professor,

Amity Law School

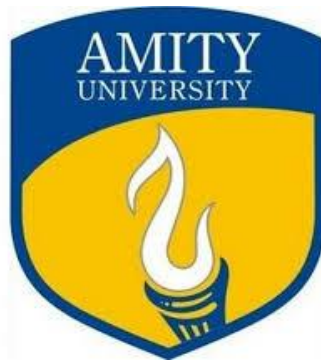
The Dissertation to be Submitted to

Amity Law School

Constituent college of

AMITY UNIVERSITY

Jaipur, Rajasthan



Topic :- A Study of Crime Against Women within the Family

**In partial fulfilment of the requirements for the Degree of Five Year BBA LL.B.
(Hons.) in Criminal Law**

Under the Guidance of:

Dr. Vinod Kumar

Associate Professor

Submitted by:

Vanshika Sharma

BBA.LL.B(Hons.)

DECLARATION

I, hereby declare that the dissertation entitled “**Crime Against Women within the Family**” is a record of individual and original research work carried out by me under the supervision of Dr. Vinod Kumar, Faculty of law, Amity University, Rajasthan. The same has not been submitted for the award of any diploma, degree, or similar title to any other university

Date:20/04/2021

Vanshika Sharma

BBA LL.B.(Hons.)

Enrolment No A21521516022

Batch 2016-2021

CERTIFICATE

This is to certify that dissertation Entitled “**Crime Against Women within the Family**” Which is being submitted by **Vanshika Sharma** for the award of the degree of Bachelor of Laws is an independent and original research work carried out by he/her.

The dissertation is worthy of consideration for the award of Five Year BBA..LL.B.(Hons.) Degree of Amity Law School, AMITY UNIVERSITY, JAIPUR.

Vanshika Sharma has worked under my guidance and supervision to fulfill all requirements for the submission of this dissertation.

The conduct of research scholar remained excellent during the period of research.

Date:20/04/2021

Vanshika Sharma

BBA LL.B.(Hons.)

Enrolment No A21521516022

Batch 2016-2021

**ANTI-DUMPING AGREEMENT IN THE WTO: A
REFERENCE TO INDIAN LAW**

A DISSERTATION REPORT

SUBMITTED BY

VIBHU AGARWAL

IN PARTIAL FULFILLMENT FOR THE AWARD OF DEGREE

OF

B.B.A.LL.B (HONS)



AT

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN
JAIPUR**

SUBMITTED BY: -

VIBHU AGARWAL

B .A. LL. B(HONS.)

10TH SEM

2016-21

A21521516007

SUPERVISED BY:-

DR, PUNEET BAFNA

ASST. PROF.

AMITY LAW SCHOOL

MAY, 2021

DECLARATION BY STUDENT

I certify that

The work contained during this report has been done by me under the guidance of my supervisor. The work has not been submitted to the other Institute for any degree or diploma. I even have conformed to the norms and guidelines given within the ethic of Conduct of the Institute. Whenever I even have used materials (data, theoretical analysis, figures, and text) from other sources, I even have given due credit to them by citing them within the text of the thesis and giving their details within the references. Further, I even have taken permission from the copyright owners of the sources, whenever necessary.

Date: MAY, 2021

VIBHU AGARWAL

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that the dissertation entitled ANTI- DUMPING AGREEMENT within the WTO: A regard to INDIAN LAW may be a bonafide record of independent research work done by VIBHU AGARWAL, B.B.A.LL.B (HONS.), X SEMESTER under my supervision and submitted to 'AMITY SCHOOL OF LAW' in fulfillment for the award of the Degree of B.B.A. LLB (HONS.)

Date: MAY, 2021

Dr. Puneet Bafna

Asst.prof.

Faculty of Amity Law School