



NEWSLETTER

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Legal Chronicles

JUDGEMENT ANALYSIS

R.G. ANAND VS. M/S DELUX FILMS AND ORS. (AIR 1978 SC 1613)

A play named 'Hum Hindustani' was written by RG Anand, appellant, in 1953 which was a big hit amongst the masses when performed for the first time and was re-performed in subsequent years. The success inspired the appellant to adapt the play into cinematographic film. The respondent was a film producing company which came to know about appellant's intention and approached him to take the idea forward. However, after discussion, respondent didn't revert back to appellant. After some time, appellant got the news that respondent was making a film named 'New Delhi' which he believed to be imitation of his play. When appellant asked about it to the respondent, the latter assured him that the film is not in any way imitation of his play. However, when film got released in 1956 and appellant watched it, he observed that film was indeed a copy of his stage show. The Trial Court refused to grant permanent injunction against respondent holding that there is no similarity between play and film. The High Court of Delhi refused to set aside the order of Trial Court as prayed by appellant and refused to entertain his plea. Appeal was filed in the Supreme Court.

The Appellant argued that the Trial Court was incorrect in its decision as the film of respondent has inescapable similarity with the play. The storyline is more or less similar relating to the location, families involved has similar backgrounds i.e.. Punjabi and Madrasi. It was contended that respondent tried to copy the stage show which clearly was breach of the copyright of appellant as respondent made the film without permission from the appellant. The Respondent strictly denied the claims of appellant stating that film and play stood apart from each other and both of them had different events involved in them and their essence varied to great extent. The Respondent submitted that the Trial Court was correct in its evaluation and there is no breach of copyright of appellant.

The Supreme Court held that even though film and play had idea of provincialism but the similarities between them are negligible. They both are very different in context and various plots put the film are not there in the play. Justice Fazal Ali presided over the court's decision in which it was determined that despite the fact that both the play and the film are based on the concept of 'Provincialism,' the two are very distinct. The play only depicts one aspect of 'Provincialism' during the marriage, but the film depicts other aspects as well, such as 'Provincialism' when renting out outhouses. The film also depicts the evil of dowry, which is not depicted in the play. Ordinary man wouldn't scan any similarity between the two. Hence, there is no breach of the Copyright of Appellant. The Supreme Court also laid down guidelines to determine the breach of Copyright.

The decision marked the beginning of a new era under the Copyright law, clarifying that copyright does not apply to mere ideas, but rather to the expression of thoughts/ideas, etc. This was a landmark judgment that laid down the principle of idea-expression dichotomy. According to this principle, ideas cannot be protected under copyrights. Even though this is a former copyright-related judgment, it became a guiding light for numerous copyright infringement cases.

Activities

Justice R.C. Lahoti Memorial Moot Court Competition 2024



In the realm of legal education, School of Law has once again demonstrated its commitment to foster academic excellence and practical legal skills through the successful organization of Justice R.C. Lahoti Memorial Moot Court Competition. The competition, held on 01-02 March 2024, served as a dynamic platform for aspiring legal minds to engage in rigorous intellectual discourse and hone their advocacy skills. Drawing participation from 16 teams representing law schools from across the nation, the competition showcased a diverse array of perspectives and legal acumen. By bringing together students from various backgrounds, the event not only facilitated healthy competition but also promoted collaboration and exchange of ideas, enriching the overall learning experience. Central to the competition's ethos was the exploration of emerging issues at the intersection of law and artificial intelligence. The competition unfolded over two exhilarating days, characterized by a blend of intense competition and camaraderie.

The event commenced with a grand inaugural ceremony, marked by dignitaries welcome and the symbolic lighting of the lamp. Dr. Prashant Bhalla, Chancellor of MRU, delivered the welcome address, reflecting on Justice R.C. Lahoti's pivotal role as a founding member of the Advisory Board and elucidated the significance of dedicating the moot court competition to his memory. Dr. I.K. Bhatt, Vice Chancellor of MRU, presented a poignant video illustrating the life and enduring legacy of Justice R.C. Lahoti. Honourable Mr. Justice U.U. Lalit, Former Chief Justice of India, elaborated on Justice Lahoti's profound contributions to the legal and academic spheres.

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Shri Divyakant Lahoti, Advocate on Record, fondly reminisced about his uncle, Justice Lahoti, and shed light on why the title "Karmyogi" was befitting of his legacy. Prof.(Dr.) Kanu Priya, Dean, School of Law, extended a heartfelt vote of thanks, expressing gratitude to all participants and organizers for their invaluable contributions for making the event possible.

Following the spirited inaugural ceremony, the competition commenced promptly. Sixteen esteemed guest judges, specially invited to adjudicate the preliminary rounds, were provided with comprehensive briefings on the moot problem, highlighting key legal nuances and anticipated arguments. They were acquainted with the scoring criteria and encouraged to offer constructive feedback to the participating teams. The initial rounds witnessed intense debates among the teams, each showcasing their legal acumen and advocacy skills. Post-lunch, the second round unfolded, continuing the fervent exchange of arguments. As the day drew to a close, the eagerly awaited moment arrived to announce the four teams advancing to the semi-finals. The anticipation among participants and spectators was palpable. Based on cumulative scores from both rounds, the deserving teams securing spots in the semi-finals were Trinity Institute of Professional Studies, Bennett University, Northcap University, and Maharaja Surajmal Institute.

The second day of the competition witnessed a thrilling semi-final showdown between Trinity Institute of Professional Studies and Northcap University, as well as between Bennett University and Maharaja Surajmal Institute. With the semis being knockout rounds, the competition intensified, leading to tightly contested battles. After a gruelling round, the stage was set for the finals between Bennett University and Trinity Institute of Professional Studies. The final round was presided over by a distinguished four-judge panel, comprising of Dr. Pavan Duggal, Cyber Law Expert and Advocate Supreme Court of India and Founder of Pavan Duggal Associates; Mr. Sudhir Sharma, Senior Partner at C&S Partners; Mr. Bhuwan Yadav, Senior Manager (Law) at GAIL (India) Limited; and Mr. Maninder Singh, Senior Advocate. Lasting over two hours, the finals witnessed a fiercely contested exchange of arguments, with both teams showcasing their advocacy prowess and legal expertise.

Following the culmination of the final round, the stage was set for the valedictory ceremony, where the results would be announced, and certificates distributed. Dr. Sanjay Srivastava, Vice Chancellor of MRIIRS, delivered the opening remarks, expressing his delight at the impeccable organization of the event and the remarkable calibre of the participants. Each of the distinguished judges from the finals was invited to share their insights and feedback on the rounds and the participants. All the judges lauded the participants for their exceptional performances. Dr. Pavan Duggal highlighted the contemporary relevance of the moot court topic, drawing parallels with Elon Musk's lawsuit against OpenAI. Mr. Sudhir Sharma expressed astonishment at the participants' ability to effectively argue on topics they had not yet studied in law school. Mr. Maninder Singh underscored the importance of comprehensive legal knowledge when arguing in higher courts, while Mr. Bhuwan Yadav emphasized the significance of clarity regarding case facts in trial courts. These valuable insights, coupled with the unanimous observation of the exceptional talent displayed by the participants added richness to the ceremony.

The esteemed chief guest for the valedictory ceremony was Justice K.K. Lahoti, the younger brother of Justice R.C. Lahoti. He reminisced about their upbringing in Guna, a quaint town in Madhya Pradesh, where Justice R.C. Lahoti's innate curiosity was evident from a young age. Justice Lahoti described his brother as an early riser with a penchant for gifting books and delivering memorable lectures. He recounted a particular book authored by Justice R.C. Lahoti, where he offered a unique interpretation of the Preamble of the Indian Constitution. Justice Lahoti commended the finalists and expressed a tinge of envy towards the younger generation, reflecting on the absence of such enriching extracurricular activities during his student days. He shared an intriguing 9th-century anecdote of the 42-day debate between Adi Guru Shankaracharya and Mandan Mishra on Advaita Vedanta, using it as a metaphor to emphasize the importance of maintaining composure amidst fervent arguments. Concluding his remarks, he gracefully requested the announcement of the competition winners.

The culmination of the two-day event reached its pinnacle with the eagerly awaited announcement of the results. Ms. Rakshita Singh, a student from Trinity Institute of Professional Studies, New Delhi, was awarded the prestigious title of Best Speaker. Bennett University clinched the award for Best Memorial (Respondent), while Fairfield Institute of Management and Technology secured the accolade for Best Memorial (Appellant). Ms. Rakshita Singh received a cash prize of 10,000 INR for her outstanding oratory skills, whereas both the Best Memorial (Appellant) and Best Memorial (Respondent) received a cash prize of 5,000 INR each in recognition of their exemplary written submissions.

Last but certainly not least, the highlight of the event was the presentation of the flagship prizes. The victorious Trinity Institute of Professional Studies team, comprised of Ms. Jahnvi Berlia, Ms. Rakshita Singh, and Mr. Parth Sehgal, secured the grand prize of 40,000 INR for their stellar performance in the finals. Meanwhile, the runner-up position, accompanied by a prize of 20,000 INR, was claimed by the formidable all-female team from Bennett University, featuring Ms. Aditi Raj, Ms. Shreya Singh, and Ms. Leena Bharti. The exhilaration among the winners was palpable, marking a fitting conclusion to the event. Prof.(Dr.) Kanu Priya, Dean, School of Law, extended gratitude to Mr. Krishna Deo Singh Chauhan, the architect of the moot proposition, for his invaluable contributions. The event was brought to a close with a comprehensive vote of thanks delivered by Prof.(Dr.) Kaveri Sharma, Head of the Department, School of Law, acknowledging the collective efforts of all involved.

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Knowledge Steez

- “Centre for Legislative Studies and Research, School of Law, in association with Knowledge Steez organised an Intra college Abstract Writing Competition on 21st March 2024. Participants demonstrated their creativity and academic knowledge by crafting concise yet compelling summaries of various contemporary topics. Judges evaluated entries based on clarity, originality, and adherence to the theme, ultimately selecting winners who exemplified excellence in abstract writing. The winners of the competition were :

- 1 Roopal Sharma (1st position)
- 2 Anushka Goyal (2nd position)
- 3 Aishwarya Sareen (3rd position)

Session on Bloom Taxonomy

- Prof (Dr.) Kanu Priya, Dean School of Law took a session on “Bloom’s Taxonomy” on 13th March 2024. Dr. Kanu Priya discussed the intricacies of Bloom’s Taxonomy with the faculty members and explained how the understanding of Blooms taxonomy can be beneficial in achieving the Course and Program Outcomes.



Pledge Drive

- On 21st March 2024, the faculty and students of School of Law took pledge to save water to observe Water Day.



Expert Sessions



“Comprehensive overlook of Laws relating to Children with Special emphasis on Cybercrimes”

- Research Committee and Legal aid Committee, School of Law organised expert session on “Comprehensive overlook of Laws relating to Children with Special emphasis on Cybercrimes” on 14th March 2024. The resource person for the session was Mr. Lalit Kumar, Secretary, East Delhi District Legal Services Authority. The focus of the session was on the necessity of comprehensive laws to safeguard children, emphasizing their vulnerability and the importance of special legislation. The session aimed to raise awareness among attendees about legal frameworks and measures aimed at protecting children from various forms of exploitation and abuse. The session commenced with insights into various international and national laws concerning children, emphasizing the role of the Constitution as the foundation of all laws. The Resource Person elaborated key legislations such as the Prohibition of Child Marriage Act, 2006, and The Child Labour (Prohibition and Regulation) Act, 1986, highlighting provisions aimed at rehabilitating and protecting vulnerable children. Additionally, he addressed challenges within the juvenile justice system, advocating for effective implementation and the need for separate juvenile justice boards to ensure the fair treatment of children.

Student Achievements

- Anshu Janmeda, Yashika Malhotra and Prachi students of BBA LLB Xth Semester participated in International Seminar on Exploring the Role of International Institutions in Resolving Contemporary Issues organised by Faculty of Law, Banaras Hindu University held on 1st-3rd March, 2024. They presented a paper titled: "Resolving International Disputes: Exploring Mechanisms and Challenges in contemporary legal framework".



Faculty Accomplishments

- Prof.(Dr.) Kanu Priya conducted a one day session on POSH(Protection of Women from Sexual Harassment at Workplace) at RACL, Geartech Ltd., Noida on 8th March 2024.
- Mr. Bharatendu Aggarwal, Ms. Chaitali Wadhwa and Ms. Asmita Patel took Radio Sessions on “Talk on Alternative Dispute Resolution”, “Women Rights” and “Fundamental Rights” respectively. The sessions are part of initiative by School of Law in collaboration with Manav Rachna Radio for creating awareness in neighborhood.
- Dr. Sumbul Fatima attended International Winter Graduate Course on “Criminal Psychology and Criminal Profiling” organised by International Institute of Justice and Police Sciences in collaboration with South Asian Society of Criminology and Victimology.
- Ms. Yamini Atreya and Ms. Simran Singh attended an event "Global Spirituality Mahotsav" by the Ministry of Culture in collaboration with Heartfulness. The theme of the event was "From Inner Peace to World Peace". It united individuals from over 100 countries, including 300+ spiritual and faith-based organizations, yoga institutions, and holistic wellness experts.
- Ms. Asmita Patel served as a judge for the second time at the Justice Hidayatullah International Moot Court Competition organized by Hidayatullah National Law University, Raipur in collaboration with AZB & Partners from 15th to 17th March, 2024. The moot problem was based on Competition Law.
- Prof.(Dr.) Kaveri Sharma and Ms. Vani Kataria were specially invited for the Convocation ceremony of Department of Forensic Science and Department of Traffic Management, Institute of Road Traffic Education, Faridabad.



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