



SYMBIOSIS LAW SCHOOL, NAGPUR

Constituent of Symbiosis International (DEEMED UNIVERSITY), Pune

Re-accredited by NAAC with "A++" – Awarded Category – I by UGC

Founder: Dr. S.B. Mujumdar, M.Sc. Ph.D.

Report on

Value – Added Course on “Guidance for Judicial Services Examination”

Organized by

**Symbiosis Centre for Competitive Examinations,
Symbiosis Law School, Nagpur**

February 21 – 28, 2023

The Symbiosis Centre for Competitive Examinations, Symbiosis Law School, Nagpur organised eight-day value-added course on ‘Guidance for Judicial Services Examination’ from 21st to 28th February, 2023. The inaugural session of the Guidance for Judicial Services Examination was held on February 21, 2023. The guest speaker was welcomed by Dr. Sukhvinder Singh Dari, Director, Symbiosis Law School, Nagpur and was presented with a memento. The welcome address was delivered by Ms. P. P. Akshimana, student member of SCCE, after which Mr. Parth Sharma, faculty in charge of the SCCE, gave an overview of the program and talked about its various components. He further familiarized the participants with the structure of the program and explained how it would be conducted, with special emphasis on the theme of judicial examinations. He reiterated that the primary focus of the program shall be on how students can best equip themselves to clear the esteemed judicial services examination, held across the country, to become young members of India’s judicial system. The Guest Speaker for the session on Constitutional Law was Adv. Rohit Agarwal, a practicing Advocate at Delhi High Court, New Delhi, dealt with concepts of Constitutional law, recent amendments as well as landmark cases to understand the theory and practice behind the Constitution of India.

He opened the session with a frank interaction with the students, asking them why they were aspiring jurists, and the students engaged in a very enthusiastic manner. He further elucidated the state-wise syllabus for the examination and then proceeded with the fundamentals of the subject,

starting with the basic question, "What is the Constitution?" He emphasized the works of Hans Kelsen, an Austrian jurist, legal philosopher, and political philosopher, elaborating on his Grundnorm theory in the Indian context. Various landmark case laws, namely, *B. R. Kapoor v. State of Tamil Nadu*, in which the ultimate sovereignty of the Constitution was reiterated as well as *Bhikaji v. State of M.P.*, in which the Doctrine of Eclipse was discussed, was introduced to the class. In his concluding remarks, he reiterated that a fiery drive is the need of the hour for students.

The second day began with a discussion on the provision of a Special Leave Petition (SLP) u/a 136 of the Indian Constitution, citing *Vishakha v. State of Rajasthan* as an example of the same. Moving forward, constitutional remedies in the form of Writs, which were described as the heart and soul of the Indian Constitution by Dr. B. R. Ambedkar were elaborated upon. The writs of Mandamus, Certiorari, Quo Warranto, Prohibition, and Habeas Corpus were talked about with the resource person providing several real-world scenarios to help us identify which writ would be an appropriate remedy for the same. To encourage class participation, Mr. Parth Sharma, faculty in-charge, SCCE came up with an ingenious way to keep the students motivated, increase class participation as well as keep morale boosted by awarding every right answer given by a student with chocolate. Moving on, a pillar of Indian society, the Executive, was discussed at length, including provisions on how a president is elected, to how the value of an MLA is determined along with the qualifications of the president and vice-president. The impeachment process for both the president and the vice-president was also discussed at length. The session concluded with a brief conversation on the pardoning powers of the President along with concepts such as commutation, remission, respite, and reprieve.

On the third day, one of the basic rights of every individual, the fundamental rights were discussed at length by the resource person. He emphasized the cruciality of those rights in our daily life. The discussion on fundamental rights went marvelously as the students had a lot to add, and they supported the arguments with their interpretation of the articles. Landmark cases like *Sukhdev v. Bhagat Ram*, *ADM Jabalpur v. Shivkant Shukla*, and *E. P. Royappa v. State of Tamil Nadu* were discussed at length. The connection of Article 14 with the 'Rule of Law' was established. Articles 20 and 21 were discussed extensively with the help of landmark cases was discussed at length. Moving on, the Fundamental Duties and Directive Principles of State Policy (DPSP) were analyzed by the resource person with a few insights from the students. The session ended with a

few suggestions by the resource person on how to go about preparing for the Judicial Services Examination.

The fourth day of the value-added course began with Adv. Shreyansh Ajmera, practicing Advocate at Jharkhand High Court, Ranchi, dealt with principles of the Indian Penal Code, 1860. The course enveloped an in-depth knowledge of the structure of the Indian Penal Code which includes content on abetment, offences against the State, body, sexual offences, property, etc.

The session began with a welcome address by Tejaswi Lal, a member of SCCE, and continued to outline the various statutes and circumstances that led to the final document that we know today as the Indian Penal Code. Its entire history, including the former name of the code and the reason why it took 25 years to implement it was taught to eager students with great gusto. Basic concepts which often get overlooked such as the difference between the terms 'illegal' and 'unlawful' as well as 'culpability' and 'liability' were used to sketch a rough outline of the day's topic in the minds of engrossed students. Cases such as the *Enrica Lexie* case and *Emperor v. Tatyah Mahadev* were also talked about. Further, general exceptions u/s 105 of the Indian Evidence Act and u/s 6 of the Indian Penal Code were deliberated upon with students engaging in discussions with the resource person as well as among themselves with great verve and brio. Legal maxims such as "*ignorantia juris non excusat*" along with "*volenti non fit injuria*" were also reviewed. The conversation then steered towards the meaning of consent with the case of *Basudev v. State of Pepsu* being used to drive the concept home.

The fifth day of the value-added course began with the topic of Abetment. The resource person along with the students had a very thorough discussion on the concepts of culpable homicide, murder, and culpable homicide not amounting to murder. Then the resource person moved on to the topic of offences affecting the human body. A healthy discussion was held on the same topic. The resource person also deliberated over the topic of Medical Negligence. The gross differentiation between 'force' and 'criminal force' and 'assault' and 'criminal use of force' was endorsed firmly by the resource person. Then the provision of rape u/s 375 of the Indian Penal Code and its essentials were discussed at length along with cases such as *Priya Patel v. State of Madhya Pradesh*, and *State of Punjab v. Gurmit Singh*. The conversation then steered to Section 377 and the case of *Navtej Singh Johar v. Union of India* was talked about. Then the resource person moved on to the topic of offences against the property such as theft, extortion, robbery, and

dacoity, and established the distinctions between them. The concepts of criminal breach of trust, trespass, cheating, and dishonest misappropriation of property were debated widely.

The sixth day of the session commenced with the topic of defamation. The resource person elaborated on the various nuances of defamation with real-life examples. Section 509, offences against the state such as sedition were elaborated extensively by the resource person. To conclude the session, the resource person highlighted the importance of consistent efforts to achieve your goals. He pointed out the important sections of the Indian Penal Code, which cannot be ignored from the perspective of the Judicial Services Examination.

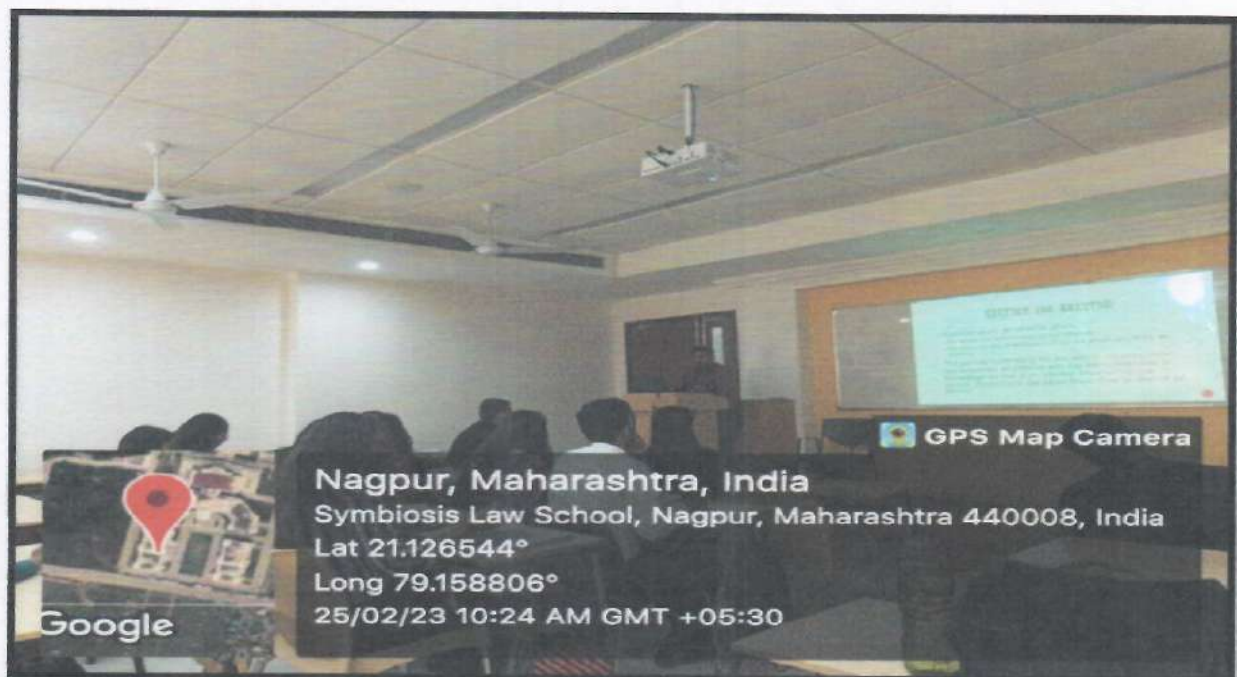
The second session of the sixth day began with the introduction of Adv. Rohit Masurkar, practicing Advocate at Bombay High Court, Nagpur Bench, Nagpur dealt with the Indian Contract Act, the Sale of Goods Act, the Indian Partnership Act, and the Specific Relief Act from the perspective of Judicial Services Examination.

The session began with a welcome address by Vaishnavi Tiwary, a member of SCCE, and continued to the basic concepts of the Indian Contract Act, of 1872. The resource person went into the depth of section 10 of the Act, which specifies what agreements are contracts. He bifurcated each and every word of the provision and made the students understand it thoroughly. Then the resource person moved on to the provision of communication, acceptance, and revocation of proposals. Afterward, he proceeded with the subject matter of coercion, undue influence, fraud, and misrepresentation. The session concluded with the resource person explaining the jurisprudence behind commercial laws.

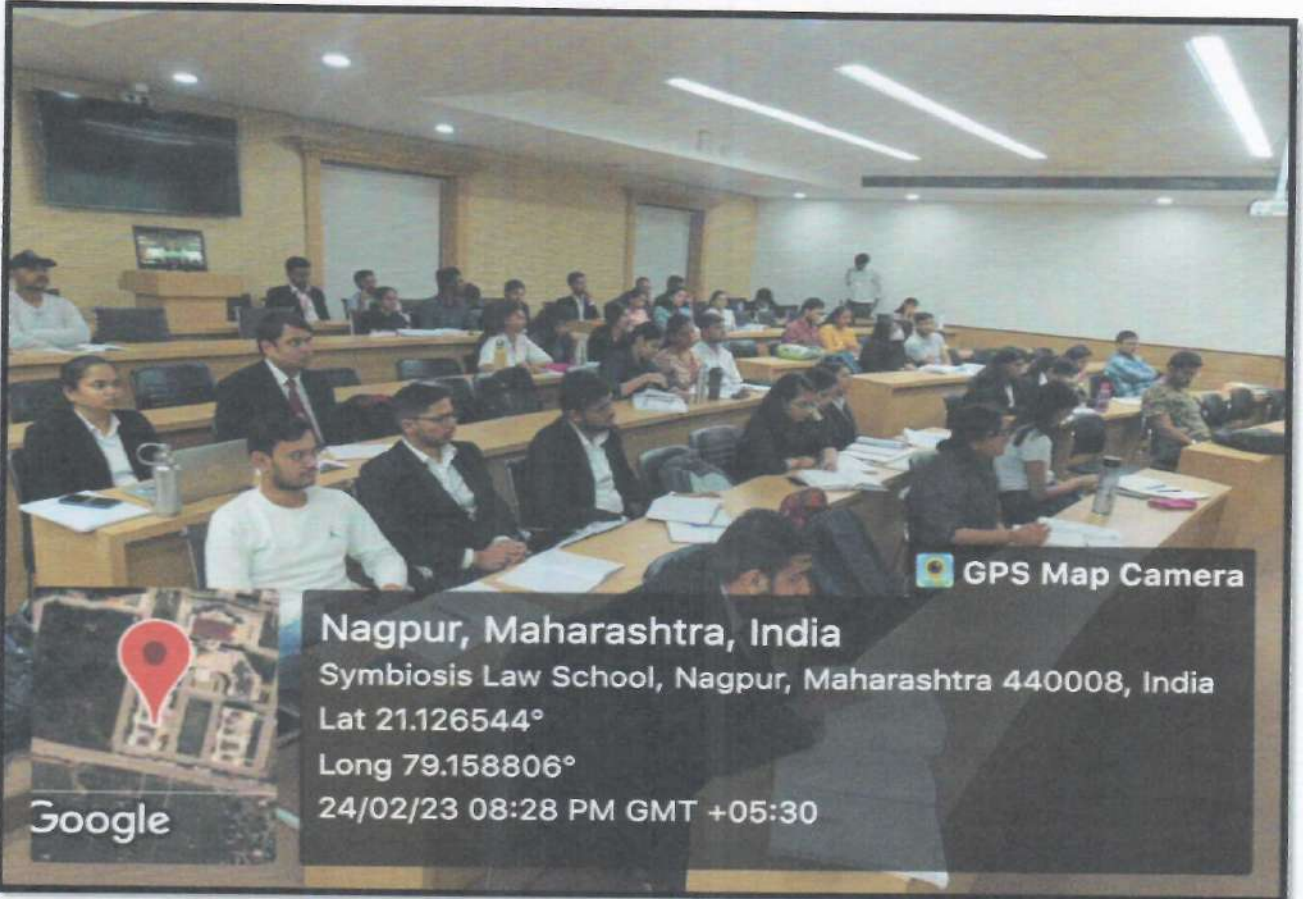
The seventh day of the session began with important sections of the Indian Partnership Act, of 1932. The resource person elaborated on the topic of formation, imposing restrictions on partners, implied authority of the partner as agent of the firm, firm's liability after the partner's death, rights of a transferee of a partner's interest, minor as a partner, introduction of a partner, retirement of a partner, expulsion of a partner, insolvency of a partner, and application for registration. He went into the depths of each provision and provided the students with insights per his understanding. Moving ahead, the resource person discussed the basic concepts of the Sale of Goods Act, of 1930. He explained the basic terms of the Act such as 'buyer', 'seller', 'goods', 'existing goods', 'future goods', 'delivery', 'mercantile agent', 'price', 'quality of goods', 'property', and 'insolvent'. He

concluded the session by throwing light on the importance of the Indian Partnership Act and the Sale of Goods Act.

The eighth and last day of the session began with a discussion on the Specific Relief Act, of 1963, which is a substantial law. He started with section 5 which is the recovery of specific immovable property. Further, he went into the depths of sections 6, 7, and 8. Then the resource person elaborated on the topic of the specific performance of contracts. He bifurcated the sections accordingly and pointed out the minute details of the sections. Afterward, he discussed the rectification of instruments, rescission of contracts, cancellation of instruments, and declaratory decrees. The resource person explained the jurisprudence behind every section. He concluded by specifying the importance of commercial laws from the perspective of Judicial Services Examination. The course concluded with the vote of thanks delivered by Mr. Preetraj Singh, Student in-charge SCCE followed by assessment through online MCQ examination conducted at the Computer Lab at SLS, Nagpur.



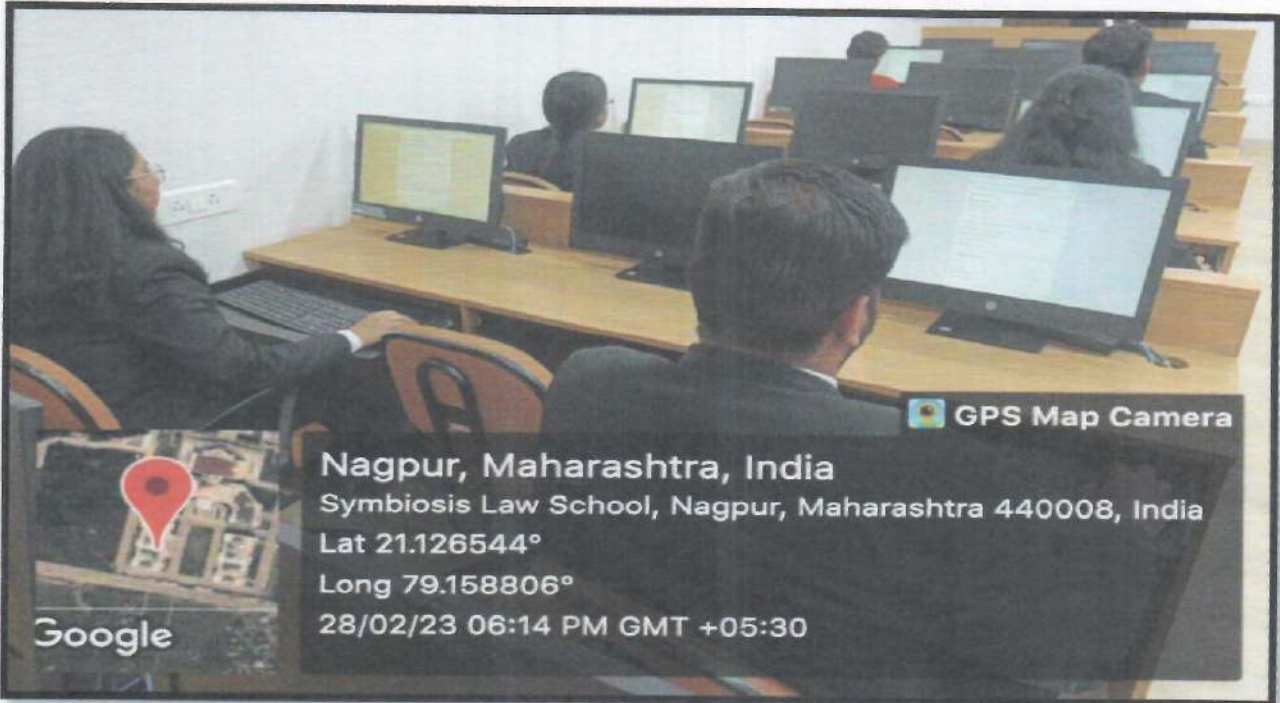




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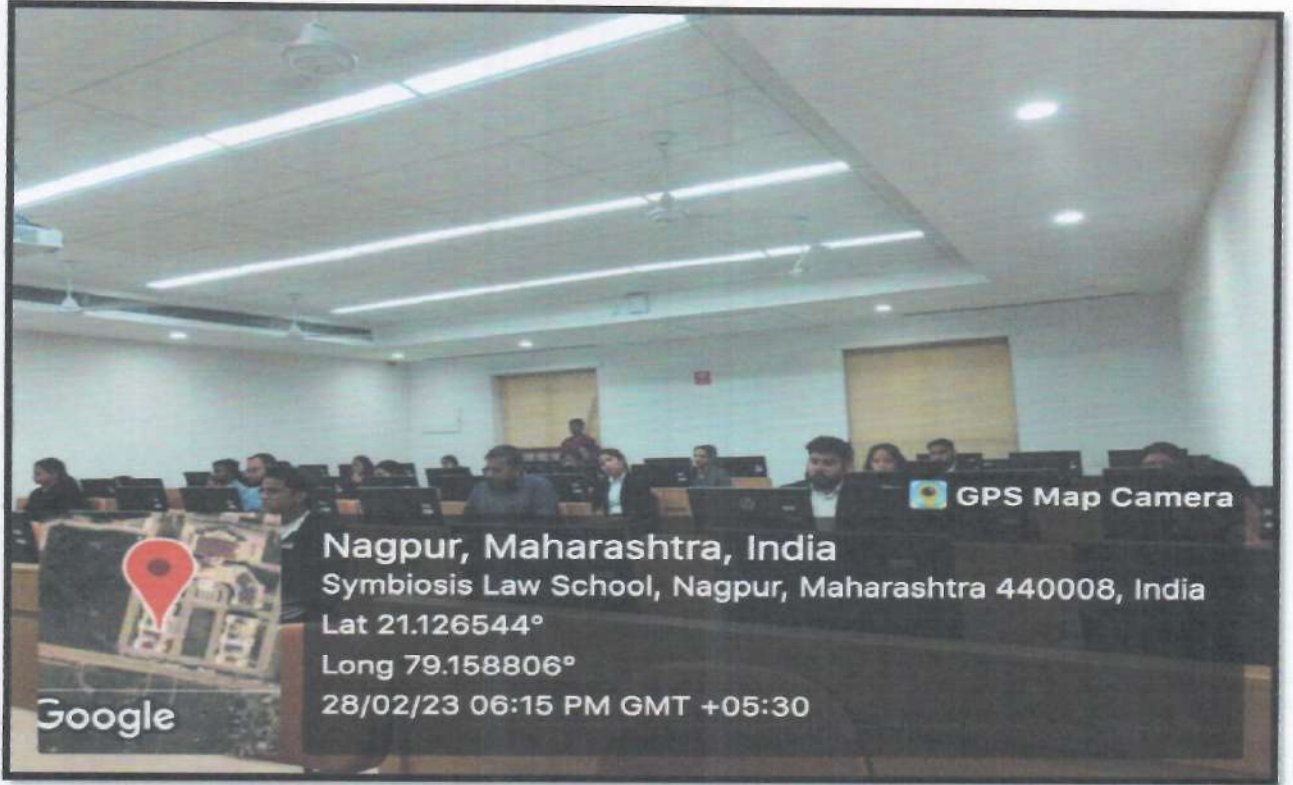
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