

TISS TEAM BOUTS SEXUAL ABUSE

Re: The Economics Times, Wednesday, 01.08.2018



Tata Institute of Social Sciences (TISS), through project 'Koshish' acted as whistle-blower; unveiling squalid prevalence of sexual abuse in the Shelter homes in Muzaffarpur by the owner Brajesh Thakur. A team consisting of seven young psychologists conducted a social audit in Bihar in the month of October last year which led them to revelations of the act. The team of TISS travelled over 38 districts, auditing about 110 institutions for almost seven months. Women member talked with girls in discreet, so that girls could confide in them. According to TISS report sexual assault has now been proven against three dozen girls. Mohd. Tarique, who headed the team of TISS, appreciated the Bihar Government for having conducted social audit which is not a mandate under Law. The Hon'ble Apex Court has sought information pertaining to audit from the government agencies with respect to the shelter homes being run by the NGO's.

HOME BUYER BEFORE IRB

Re: The Times of India, Thursday, 02.08.2018



Mr. Surjendu Sekhar Kuila and Pooja Bhatnagar have approached the National Company Law Tribunal (NCLT) and filed Insolvency Proceedings against Granite Gate Properties Pvt Ltd. The company is the construction wing of 3C Company and Builders and has failed to provide with the possession within the stipulated time period for property located in Sector 110, Noida. This case is the first instance after the buyers were brought at par with the financial creditors.

The tribunal has asked for detailed reply from the builder.

HAGUE ON KIDS - INDIA NOT A SIGNATORY

Re: The Times of India, Thursday, 02.08.2018



Presently, India is not a signatory to Hague Convention relating to the custodial issues of children across borders whose parents are in matrimonial discord. The Ministry states that in India, these issues are first assailed before Integrated Nodal Agency for NRI's and then to the National Commission for Protection of Child Rights. Whether, India should be a signatory to the global pact is still not decided by the concerned agencies but probably having an international governing body might expedite the resolution of issues for the children.

COMMERCIAL DISPUTE LAW AMENDED

Re: The Times of India, Thursday, 02.08.2018



Bill to amend the law for speedy disposal of commercial disputes across the country was introduced in Lok Sabha on Wednesday, seeking to reduce the pecuniary jurisdiction of commercial courts from existing Rs 1 crore to Rs 3 lakh. The amended legislation – Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018 – will replace an ordinance promulgated in May. Whether it will enhance and overburden the judiciary or lead to expeditious disposal under the nomenclature of Commercial courts is for us to witness in the implementation of the law.

AMAZON ORDERED TO DELIST FAKE RESELLERS

Re: The Economic Times, Friday, 03.08.2018



Delhi High Court has strictly directed Amazon Seller Services to delist some sellers on the plea of Beverly Hills Polo Club that its counterfeits were being sold on the e-commerce site. The Court in the intellectual property litigation vide order dated July 16, 2018 stated that the Defendant has to remove any seller or URL violating the rights of the Plaintiff. This order shall have bearing on the liability of the online portals who are not taking appropriate measures to oust the fake companies or resellers.

MANAGERS FOR JUDICIARY

Re: The Times of India, Thursday, 03.08.2018



Apex Court ordered the chief secretaries to form panels ensuring that each District Court should appoint a Manager possessing MBA Degree. The role of the manager would be to reduce the workload of the judges as well as expedite the disposal of the cases in a systematic manner. The nomenclature of Court managers would enable the district judges to handle their core work and other things can be supervised by them. Also, better infrastructure facilities shall supplement the disposal of cases in the lower courts. The matter is pending adjudication and we are all awaiting to witness an efficacious judicial process.

HUL TO OWN ADITYAA

Re: The Economic Times, Tuesday, 07.08.2018



Hindustan Unilever (HUL) has confirmed to take over the ice cream brand Adityaa Vijaykanti Dairy and Food Products (VDFPL) product so as to enhance its share in the market arena. After the sell-out, VDFPL will continue to pursue its dairy business. HUL said VDFPL will manage the business jointly until the transaction is completed.

RERA IMPACT

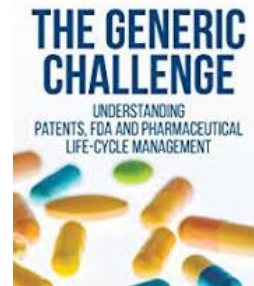
Re: The Economic Times, Tuesday, 07.08.2018



RERA finally a reality for the construction sector. The big players are controlling the market largely due to their compliances and deterring unorganized players at the same time. Thus, the aspect of stricter regulations has helped larger conglomerates to expand and also the consumers are safeguarded against the non-performance by these companies.

GENERIC MARKET OF USA

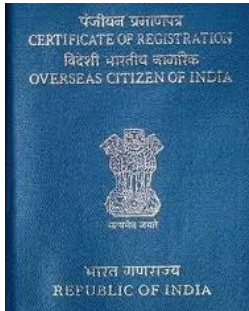
Re: The Times of India, Thursday, 09.08.2018



The generic share in the USA Market has grown to nearly 40% despite the regulatory concerns and pricing. A steady increase in drug approvals and portfolio rationalization by MNCs resulted in India's volume share rising by 5% over the last few months, though value is still impacted due to price erosion. The use of branded combination medicines costs dearly to the

economy as a whole and thus the alternative use of generic medicine was assessed to be more than millions. Thus, the researchers have highlighted that the prices of branded drugs has increased and those of generic drugs continued to decrease which explains the price difference.

OCIS RIGHTS UPHELD
Re: The Times of India, Monday,
13.08.2018



The Delhi High court has stated that an Overseas Citizen of India (OCIs) have fundamental rights of equality before law and freedom of speech and expression in the same way as any other India citizen does. Justice Vibhu Bakhru's observation came while asking the Government to provide the basis on which the OCI registration of a US Based Indian origin doctor was cancelled. The OCI holders have all rights as per Section 7 and thus the right under Article 14, 19 and 21 are to be extended to them. The matter and issue is pending adjudication, however the rights of OCI as codified have been clarified by the Hon'ble Delhi High Court.

TCS SUED FOR IP INFRINGEMENT
Re: Mint, Tuesday, 21.08.2018



Simonelli Innovation LLC, has assailed and sued Tata Consultancy Services Limited (TCS) in a Texas court, contending infringement and wrongful use of the Intellectual property services and trade secrets for building its own business. The company has sought loss of business, revenue, goodwill by violation of the Alliance Agreement entered into between the parties which was for providing prototyping

services to clients. This is the second case against TCS within past few years and earlier also TCS was ordered to pay USD 420 million as damages. However, TCS states that the order has not attained finality and is under challenge.

JOHNSON & JOHNSON HELD LIABLE
Re: The Times of India, Saturday,
25.08.2018



US multinational Johnson & Johnson has been ordered to pay compensation to patients who have suffered for faulty hip replacement implants sold by J & J in India. CDSCO has to set up a committee to evaluate and monitor the remittance of the compensation after due verification. Though the base amount has been 20 Lacs, but each case shall be determined separately. This order is in line with the orders passed by US Courts where around USD 2.5 billion was paid in compensation. The hip implant being defective was manufactured by DePuy Orthopedics led to further complications and the patients were not even aware of the same like decreased mobility, their ability to work, etc.

SECOND MARRIAGE VALIDATED?????
Re: Sunday Times, Sunday, 26.08.2018



Hindu Marriage Act prohibits second marriage and precludes the solemnization of second marriage during the tenure of first marriage. The Supreme Court recently while adjudicating a matter stated that the Section 15 of the Act does not pendency of an appeal or litigation. The law and courts categorically stated that only after the appeal against divorce decree by a spouse has been dismissed, the person can remarry. The Hon'ble Supreme Court has stated

that the second marriage shall not be void if solemnized during the pendency of appeal. The said order has probably made the provision ambiguous as the law stated that the validity of the second marriage shall be subject to divorce or appeal against that decree being dismissed. However, with this order even the second marriage during the appeal shall not be void. The order has its foundation on the premise that the act is a social beneficial legislation and thus wider interpretation should be made instead of stricter.

ANGRY BIRD INDIA PURSUIT
Re: Mint, Tuesday, 28.08.2018



Rovio Entertainment, the corporation holding "Angry Birds" is evaluating avenues for expanding its ambit in India widely. They intend to enter into new franchise, licensing agreements for a nationwide presence. Though it entered the market with its video games, the move is to develop the business in supplemental avenues as well including merchandising, toys, entertainment, books, amusement parks, etc. Rovio, prepares to kick off its second film in the coming year after the grand success of the first film. We shall preview the business strategy and its implementation in the dwindling Indian market.

INDIA POST REVAMPED
Re: The Economic Times, Friday,
31.08.2018



India Post and its Banking branch will be opening more than 650 branches across the nation. India Post Payments Bank (IPPB) will be the fourth entity after approval from RBI of these banks. The bank shall offer saving, current accounts and other banking operations

as well and optimize its wide spread network for the same. It is an opportunity for the Post office to revive its worth and reach out to people at a mass level.

STARBUCKS V/S SARDARBUKSH
Re: The Economic Times, Wednesday,
29.08.2018



Whether Starbucks and Sardarbuksh are similar, identical, deceptive is an issue pending adjudication before the Delhi High Court. The coffee chain Sardarbuksh has been sued by the US Coffee giant on the premise of having a deceptively similar logo. The Delhi High Court permitted the Defendants to launch its new outlets with the new logos of "Sardarji Buksh". However, the final decision shall be a precedent for both Indian businesses as well as foreign brands.

 **KNOWLEDGENTIA**
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