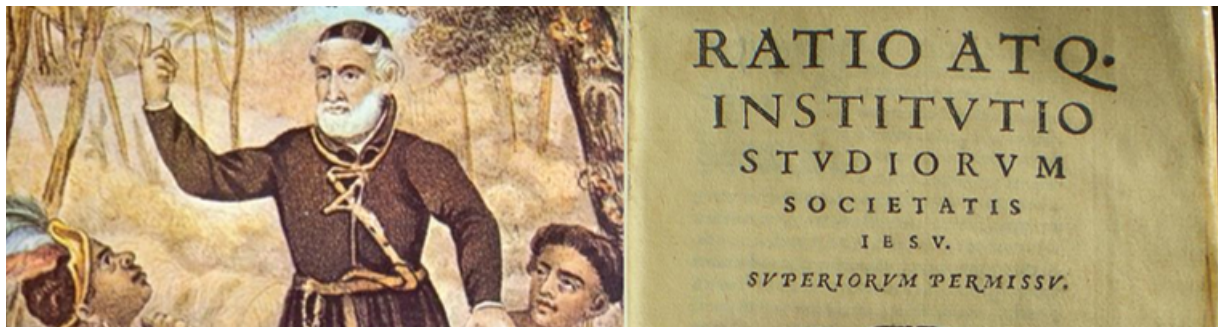


COURTS ON ITS OWN MOTION IN RE: SUICIDE COMMITTED BY SUSHANT ROHILLA

Law students can't be barred from exams for low attendance: Delhi High Court issues guidelines



The *Ratio Studiorum* ("The Method of Education") is one of the earliest attempts at standardising rules for education by Jesuits in 1599 that contained comprehensive instructional guides and orders on discipline.

• VARSHA TRIPATHI

The Delhi High Court, in *Courts on its Own Motion in re: Suicide Committed by Sushant Rohilla*, Law Student of IP University, issued comprehensive guidelines to reform legal education in India. The Division Bench of Justices Prathiba M. Singh and Amit Sharma held that no student shall be barred from taking semester examinations or progressing to the next semester due to shortage of attendance. The Court took cognisance of the case on basis of a letter written by a friend of the affected student.

The Court emphasized that law colleges cannot prescribe attendance norms stricter than those set by the Bar Council of India (BCI). However, to reflect attendance shortfall, institutions may deduct up to 5% marks under the percentage system or 0.33 points under the CGPA system. Colleges must inform students and parents about attendance status and arrange extra physical or online classes for those falling short.

Recognizing that the LL.B. is a professional course, the Court highlighted that practical exposure through moot courts and internships is as essential as theoretical classroom learning. The BCI was directed to re-evaluate attendance requirements for three- and five-year law programs, credit moot court activities, and ensure counsellors and psychiatrists are available in every college. The Court also asked the BCI to create a platform listing internship opportunities for students, especially from underprivileged backgrounds.

The judgment, following the tragic 2017 suicide of law student Sushant Rohilla, underlines that compassion, balance, and access to practical learning are vital for a healthy legal education system.



AGGRESSIVE MEDIA CAMPAIGNS IN THE MANU SHARMA VS NCT OF DELHI CASE (JESSICA LAL CASE) 1999, EVENTUALLY LED THE DELHI HIGH COURT TO TAKE SUO MOTU COGNIZANCE OF THE ACQUITTAL AND REOPEN THE CASE, WHICH ULTIMATELY LED TO CONVICTION.

SUO MOTO COGNIZANCE IN INDIA

'Court on its own motion' or *Suo Moto* or *Sua Sponte* cognizance refers to the court's power to initiate legal proceedings on its own, without a formal petition being filed. One of the earliest *suo moto* cases in India was initiated when in 1979, a widow wrote a letter to the editor of a newspaper complaining that she had not been paid the pension due to her after her husband's death. A judge of the Gujarat High Court, M.P. Thakker called upon the Regional Provident Fund Commissioner to provide an explanation and the pension was released the very next day.

Week-in-law

CASE NUMBER: CRL A(MD)NO.17 OF 2018)

Marriage does not entitle men to unquestioned authority: Madras High Court



Man beating a woman. After an 18th century print by Caspar Luyken.

As per a 2019–2020 survey by National Institutes of Health, 54% Indian women and 51% of Indian men believe it is justified for husbands to beat their wives.

In a significant pronouncement, the Madras High Court, through Justice L. Victoria Gowri, observed that the Indian marriage system must evolve from the shadow of male chauvinism into the light of equality and mutual respect. The remarks were made in *I v. DM, Criminal Appeal (MD) No. 17 of 2018*, decided in October 2025.

Justice Gowri stated that the misplaced endurance of women in oppressive marriages has emboldened generations of men to dominate and subjugate them. The Court described the victim—an octogenarian—as emblematic of Indian women who silently bore emotional cruelty, believing endurance to be a virtue.

The judgment emphasised that men must “unlearn the inherited dogma” that marriage grants unquestioned authority, reminding that a wife’s comfort, dignity, and safety are not secondary but central to the marital bond. Referring to Section 498-A IPC, the Court noted that its intent is not merely punitive but also reformatory—to awaken the social conscience against domestic cruelty.

Upon reconsideration of evidence, the High Court found the sessions court’s acquittal vitiated by misdirection and restored the husband’s conviction under Section 498-A IPC, directing maintenance of ₹20,000 per month.

Justice Gowri concluded that age cannot sanctify cruelty, observing that protection of elderly women from lifelong domestic oppression reaffirms the constitutional promise of dignity under Article 21. The ruling stands as a tribute to women seeking not vengeance, but recognition and respect.

Towards a Coherent Regulatory Framework for AYUSH in India

• AMEYA BATHLA SHARMA



As early as 1754 BCE, the Code of Hammurabi is the first code of laws to lay down regulations to govern various aspects of health practices- including fees payable to physicians for satisfactory services.

Introduction

India stands at a complex crossroads in regulating the interface between traditional and modern medicine. The statutory recognition of Ayurveda, Yoga, Unani, Siddha, and Homeopathy (AYUSH) systems reflects the country's pluralist medical heritage. Yet, as AYUSH practitioners increasingly seek prescriptive authority over modern pharmaceuticals, India faces difficult questions of law, patient safety, and public health. Unlike countries such as China or Thailand, which have adopted structured integrative models, India's regulatory environment remains fragmented; a patchwork of state-level directives, judicial interventions, and ad-hoc administrative measures. This essay analyses the gaps in India's current approach and outlines the reforms required to construct a coherent national framework.

I. The Current Regulatory Gaps

1. Fragmentation of Authority Health being a concurrent subject has created overlapping central and state-level roles. Some states have experimented with authorising AYUSH practitioners to prescribe limited allopathic drugs, but such measures are often contested, lack statutory clarity, and are struck down or stayed by courts. This decentralised experimentation has generated legal uncertainty rather than clarity.
2. Absence of a National Formulary for Cross-Practice Unlike Thailand, which maintains a restricted list of drugs for its Applied Thai Traditional Medicine practitioners, India lacks a codified formulary that defines the precise extent of AYUSH practitioners' prescriptive authority. This legal vacuum invites both informal cross-practice and frequent litigation.

3. **Judicial Emphasis on Procedural Safeguards without Policy Resolution** Indian courts have consistently underscored that AYUSH practitioners cannot claim MBBS equivalence. Yet, they have quashed prosecutions when state medical councils failed to follow proper statutory procedure. This judicial stance protects due process but does little to resolve the underlying policy dilemma.

4. **Patient Safety Concerns** Prescribing antibiotics, injectables, or controlled drugs requires knowledge of pharmacology, adverse drug reactions, and pharmacovigilance which are areas in which AYUSH curricula provide limited exposure. Without formal training mechanisms, expanded prescribing powers may compromise patient safety.

II. Lessons from Comparative Jurisdictions

- **China's Integrated Licensing System** China provides a national framework where Traditional Chinese Medicine (TCM) doctors may prescribe certain Western medicines, especially in integrative hospitals. This authority is tied to national licensing examinations and institutional safeguards.
- **Thailand's List-Bound Prescribing** Thailand has adopted a "middle-path" model: Applied TTM practitioners can prescribe a limited list of modern drugs, codified by law, particularly to serve rural areas. This balances access and safety.
- **South Africa's Cultural Recognition Model** South Africa recognises traditional healers but prohibits them from prescribing modern pharmaceuticals, ensuring a strict separation between systems.
- **North American Provinces and States** Canada and the United States offer prescribing rights to naturopaths, but only through statutory frameworks, accreditation-based biomedical training, and explicit formularies.

III. Reforms India Needs

- **Adopt a National Policy Framework** Parliament or the Ministry of AYUSH, in coordination with the Ministry of Health and Family Welfare, should create a uniform framework for prescribing authority. This should replace ad-hoc state-level experiments with a nationally coherent policy.
- **Define a Restricted Formulary** India should emulate the Thai and Canadian models by creating a clear, statutory list of permissible drugs that AYUSH practitioners may prescribe. This list should be limited to low-risk, commonly used medicines (analgesics, antipyretics, select antibiotics for minor conditions).
- **Mandatory Bridge Training and Certification** Any cross-prescriptive rights must be conditioned on completion of accredited biomedical training in pharmacology, diagnostics, and emergency care. Certification should be overseen by a central regulatory body with representation from both AYUSH councils and medical councils.
- **Strengthen Accountability Mechanisms** Clear lines of accountability are essential. Complaints of negligence or misrepresentation should be addressed through specialised tribunals or disciplinary boards with jurisdiction over cross-practice cases, rather than leaving disputes to fragmented state enforcement.

- Integrate AYUSH into Rural and Preventive Care Roles AYUSH practitioners should be positioned as key actors in preventive health, chronic disease management, and rural outreach. Limited prescribing rights should complement, not substitute, their traditional strengths.
- Institutionalise Evidence-Based Policy Policymaking must be informed by empirical data on patient outcomes, rather than political expediency or professional turf wars. Independent research on the impact of AYUSH cross-prescribing pilots should guide future reform.

Conclusion

India's current legal ambiguity neither protects patients fully nor empowers AYUSH practitioners coherently. The result is a grey zone of informal cross-practice, litigation, and professional conflict. To move forward, India must craft a structured, evidence-based framework: one that defines scope, mandates training, codifies formularies, and enforces accountability. By learning from comparative jurisdictions, India can evolve from regulatory uncertainty towards a pluralist yet safe model of integrative healthcare that respects its traditional systems while safeguarding modern standards of patient care.

*Ameya is a second year law student from CCSU and the
Treasurer of Okti Foundation.*

Read her monthly newsletter: [Unpublished](#)

Views are personal.



Judgement Writing Competition

1st NUJS Judgment Writing Competition (JWC) 2026

Organizers: The West Bengal National University of Juridical Sciences (WBNUJS), Kolkata.

Format: Judgment Writing Competition (JWC).

Submission Deadline: January 15, 2026

Registration Link/Brochure: [1st NUJS Judgment Writing Competition \(JWC\) 2026](#)

Blog Writing Competition

2nd DSNLU-BMC Blog Writing Competition 2025-26

Organizers: The Centre for Maritime, Admiralty, and Navigation Laws (C-MAN) at DSNLU, in partnership with Bose & Mitra & Co. (BMC).

Theme/Format: Blog Writing Competition focusing on contemporary maritime legal issues.

Prizes: Total cash prizes of ₹7,000. The top three submissions receive an internship opportunity at Bose & Mitra & Co.

Last Date of Submission: December 15, 2025.

Registration Fee: ₹250 per participant.

Registration Link/Brochure: [2nd DSNLU-BMC Blog Writing Competition](#)

Legal Internship

Bench Walk Law

Role: Law/Legal Internship

Location: Gurugram

Description: Intern responsibilities include assisting in drafting and reviewing documents, conducting research on case laws and legal developments, and assisting in secretarial work and compliances.

Desired Skills and Experience: MS-Office, MS-Word, Legal Research, Legal Drafting, English Proficiency (Spoken and Written).

Verified Link: <https://www.linkedin.com/jobs/view/4332323768>

Trial Advocacy Competition

Law Quest 2025-26

Organizers: Anjuman-I-Islam's Barrister A. R. Antulay College of Law (BARACL).

Format: Multi-Event Law Fest (Typically a combination of Moot Court, Paper Presentation, etc.).

Deadline: December 5, 2025

Registration Link/Brochure: [Law Quest 2025-26](#)

Legal Internship

RSA Law Consultants

Role: Legal Internship

Location: Defence Colony, New Delhi

Description: Offers hands-on exposure to corporate and commercial litigation, arbitration, and insolvency matters (NCLT, NCLAT, Delhi High Court), along with corporate advisory work.

Eligibility: Law students in their 3rd, 4th and 5th year (5-year course) or final year (3-year course). Requires strong research and exposure to drafting; prior experience in similar areas is an advantage.

Application Procedure: Send CV to info.rsawalawconsultants@gmail.com with the subject line: "Application for Internship – [Month of Application]"

Associate Role

Adobe

Role: Associate Legal Counsel – India (Job)

Location: Bangalore

Description: The role is for a qualified lawyer with hands-on experience in negotiating revenue and major IT contracts, and experience in commercial law, technology/IP, and data privacy.

Experience: 1–3 years of experience.

Verified Link: <https://www.linkedin.com/jobs/view/4323971959>

Drafting Competition

1st GNLU's National Public Interest Litigation (PIL) Drafting Competition

Organizers: Centre for Constitutional and Administrative Law, Gujarat National Law University (GNLU), Silvassa.

Format: National Public Interest Litigation (PIL) Drafting Competition (online).

Prizes: Total cash prizes of ₹45,000.

Last Date to Register: November 20, 2025.

Deadline for PIL Draft Submission: January 5, 2026.

Registration Link/Brochure: [1st GNLU's National PIL Drafting Competition](#)

Remote Role

Elevate (Med Legal Team)

Role: Coordinator-Litigation (Job)

Location: Remote

Description: A Litigation Coordinator role in the Med Legal team. Responsible for collaborating with the life care planning and scheduling team to provide support to law firm, insurance company, and corporate customers with their bodily injury claims and litigation.

Experience: Minimum 2 years of working experience in operations, preferably in a legal background.

Verified Link: <https://www.linkedin.com/jobs/view/4332021599>

Legal Trainee

Scoutit

Role: Legal-Trainee (Job)

Location: Amaravati, Andhra Pradesh (Hybrid)

Salary: Rs. 5 LPA

Responsibilities: Assisting in handling legal and compliance matters related to labour laws, ESI/PF, factory and pollution control, land, and local authorities. Also involves drafting/reviewing simple legal and commercial documents, and liaising with government departments and advocates.

Eligibility/Experience: 0-2 years of relevant work experience. Must know the local language (Telugu) (read, write, speak).

Verified Link: <https://www.linkedin.com/jobs/view/4319163093>



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