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S.K. SINGHI
Founder & Managing Partner

Message from the Managing Partner

Hello Readers,

We recently celebrated a very special day - Teachers' Day!

As we take a moment to appreciate the incredible educators who have shaped us, I want to share a few thoughts with you all.

As associates, we often find ourselves in roles where we're not just colleagues, but also mentors, guides, and teachers to each other. We learn from Each Other, Grow Together, and Uplift One Another.

Just like our favorite teachers, we have the power to Inspire, Motivate, and make a Lasting Impact on those around us. So, let's Embrace this Spirit of Teaching and Learning, and Continue to Support Each Other in Our Journey towards Excellence.

'The Only Mantra of Success & Personal Development is to Work as A Team and for Achieving the Goal of the organization rather than for Individual self-goals'

To our Associates who are also Teachers, Mentors, or Coaches, thank you for all that you do.

Your Dedication, Patience, and Passion are truly making a Difference.

And to Everyone, let's Remember that we're all Students and Teachers in our own ways.

Let's keep Learning, Growing, and Celebrating Each Other's Successes.

Best wishes





How to Make Law Affordable to the Public?

-By: Ankur Singh, Joint Managing Partner

The Indian legal system faces several challenges, including delayed justice and lengthy court proceedings, which have led to a massive backlog of cases. The Inefficiency in the Judicial System is primarily due to the need for adequate infrastructure, judges, and outdated procedures. Access to justice and legal aid are needed, particularly for marginalised communities. The laws and guidelines are complex and must be made easier for citizens to understand and navigate. The overburdened courts need help with an excessive workload and pendency of cases, which leads to stress for judges and court staff.

More adoption of technology is needed to streamline processes and improve efficiency. Laws must keep pace with social, economic, and technological changes, and the judicial system should enhance transparency and accountability. The High Cost of Litigation has made justice inaccessible to many.

The time has come to introduce an alternative Dispute Resolution Mechanism. Such a platform would increase public awareness of legal rights and procedures and improve the efficiency, effectiveness, and accessibility of the Indian legal system. Making the law affordable for the Indian public requires a multi-faceted approach. Some of the steps initiated by various law firms so far are :

1. Legal Literacy Programs

Workshops, seminars, and online resources are provided to educate citizens about their rights and the legal process.

2. Pro Bono Services

Lawyers are encouraged to offer free or low-cost services to marginalised communities and individuals who cannot afford legal representation.

3. Legal Aid Clinics

Law Firms have established clinics in rural areas staffed by law students, lawyers, and paralegals to provide free or low-cost legal assistance.

4. Online Legal Resources

Some law firms have developed user-friendly websites and mobile apps that provide legal information, forms, and guidance.

However, Alternative Dispute Resolution is the best solution for providing pre-litigation advice that saves time and money for clients in changed circumstances.

The time has come to promote mediation, arbitration, and other alternative dispute resolution methods to reduce litigation costs and time.

Implementing these measures will help make the law more affordable and accessible to the Indian public.

Benefits of Alternative Dispute Resolution (ADR):

- **Cost Savings:** ADR is often less expensive than litigation.
- **Time Efficiency:** ADR processes are typically faster than traditional litigation.
- **Flexibility:** ADR offers flexible scheduling and procedures.
- **Confidentiality:** ADR processes are often private and confidential.
- **Long-Time Relationships:** ADR encourages collaborative problem-solving.
- **Expertise:** ADR neutrals often possess specialised expertise.
- **Party Control:** Parties have effective control over the process and outcome.
- **Reduced Stress:** ADR can be less aggressive and stressful.
- **Increased Satisfaction:** Parties are more likely to be satisfied with ADR outcomes.
- **Reduced Court Congestion:** ADR helps alleviate court backlogs.

Additional Benefits of Alternate Dispute Resolution Process:

- Improved communication and understanding between parties
- Creative and customised solutions
- Reduced risk of appeal
- Faster enforcement of agreements

It is less formal and less intimidating than traditional litigation

By choosing ADR, parties can resolve disputes efficiently, effectively, and amicably without requiring lengthy and costly litigation. The ADR is the right solution in the present legal scenario in the country. Let us take it forward.

Rightly said, "The courts of this country should not be the places where resolution of disputes begins. They should be where the disputes end after alternative methods of resolving disputes have been considered and tried."



The Interplay between Law and ESG: A Harmonious Relationship

-By: Hargovind Sachdev, Banking Advisor

The intersection of law and Environmental, Social, and Governance (ESG) factors has become increasingly significant in recent years. As the world grapples with the challenges of climate change, social inequality, and corporate accountability, the relationship between law and ESG has become harmonious and interdependent.

Laws and regulations provide the groundwork for ESG considerations. Statutes such as the Companies Act of 2013 in India mandate companies to undertake CSR activities that align with the social and environmental aspects of ESG. Similarly, environmental laws like the Environment Protection Act 1986 govern ecological conservation and sustainability.

ESG factors shape legal frameworks and inform policy decisions. The growing emphasis on climate action has led to developing laws and regulations supporting renewable energy and carbon reduction. The social aspect of ESG has also influenced laws related to labour rights, diversity, and inclusion.

The governance pillar of ESG is deeply rooted in legal principles. Laws such as the Securities and Exchange Board of India (SEBI) regulations ensure corporate governance transparency, accountability, and ethical conduct. ESG considerations influence legal frameworks for executive compensation, board diversity, and stakeholder engagement.

The interplay between law and ESG presents both challenges and opportunities. Ensuring compliance with evolving ESG regulations can be daunting, but it encourages innovation, responsible business practices, and long-term sustainability.

Enforcing law to comply with Environmental, Social, and Governance (ESG) guidelines in India requires a multi-faceted approach:

1. Regulatory Framework

Strengthen existing laws and regulations, such as the Companies Act of 2013 and the Environment Protection Act of 1986. Introduce new laws and regulations addressing specific ESG aspects, like climate change and labour rights.

2. Mandatory Disclosure

SEBI can mandate listed companies to disclose ESG performance and risks in their annual reports. Companies can be required to report on ESG metrics, such as carbon footprint, water usage, and diversity.

3. Compliance Mechanisms

Establish an ESG compliance framework for companies, with clear penalties for non-compliance. Set up an independent ESG regulatory body to oversee compliance and provide guidance.

4. Stakeholder Engagement

Encourage active engagement between companies, investors, and stakeholders on ESG issues. Foster a culture of transparency and accountability.

5. Capacity Building

Provide training and capacity-building programs for regulators, companies, and stakeholders on ESG issues. Encourage ESG-related research and development.

6. Incentives and Penalties

Offer incentives for companies demonstrating strong ESG performance, such as tax benefits or subsidies. Impose penalties for non-compliance, including fines, reputational damage, or legal action.

7. International Cooperation

Collaborate with international organisations and countries to adopt best practices and align with global ESG standards. Encourage Indian companies to adopt global ESG frameworks and guidelines.

8. Judicial Activism

Encourage the judiciary to play an active role in enforcing ESG-related laws and regulations. Support public interest litigation on ESG issues.

As the world grapples with complex sustainability challenges, the interplay between law and ESG will remain crucial in promoting responsible business practices, environmental stewardship, and social responsibility. Laws provide the foundation for ESG considerations, while ESG factors inform and shape legal frameworks.

SKS LEGAL QUIZ SEPTEMBER 2024

We welcome young law college students to participate in this Quiz.

**The winners shall be offered priority apprenticeship at any of our offices at Kolkata, New Delhi and Mumbai.
For replies please click on this link : [September 2024 Quiz](#)**

1. What is the primary purpose of the Companies Act 2013 in India?

- a) To promote foreign investment
- b) To regulate and govern companies
- c) To protect shareholder interests
- d) To facilitate mergers and acquisitions

2. Which of the following types of companies is not recognised under the Companies Act 2013?

- a) Public Company b) Private Company
- c) Partnership Firm d) One-Person Company

3. What is the minimum number of directors required for a Public Company under the Companies Act 2013?

- a) 2 b) 3 c) 5 d) 7

4. What is the purpose of the Memorandum of Association (MOA) in a company?

- a) To define the company's internal governance
- b) To outline the company's business objectives
- c) To specify the company's share capital
- d) To describe the company's management structure

5. Which of the following is NOT a type of share capital under the Companies Act, 2013?

- a) Equity Shares b) Preference Shares
- c) Debentures d) Loan Capital

6. What is the role of the Registrar of Companies (ROC) in India?

- a) To register new companies b) To regulate existing companies
- c) To dissolve companies d) To all of the above

7. What is the purpose of an Annual General Meeting (AGM) in a company?

- a) To elect new directors b) To declare dividends
- c) To present annual accounts d) All of the above

8. Which of the following is a ground for winding up a company under the Companies Act, 2013?

- a) Insolvency b) Losses
- c) Change in management d) Merger with another company

9. What is the role of an Independent Director in a company?

- a) To represent shareholder interests
- b) To provide expertise and guidance
- c) To oversee company management
- d) To all of the above

10. Which of the following is NOT a company merger under the Companies Act, 2013?

- a) Horizontal Merger b) Vertical Merger
- c) Conglomerate Merger d) Hostile Takeover

Social Events



Birthday Celebration at our Delhi Office



Birthday Celebration at our Mumbai Office



Birthday Celebration at our Kolkata Office

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