

DELHI SECRETARIAT DEPARTMENT OF LAW AND
JUSTICE AND LEGISLATIVE AFFAIRS



4 WEEK INTERNSHIP REPORT

SUBMITTED BY:-

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Introduction:

During my internship at the Delhi Secretariat, which spanned from the 1st to the 31st of July, I had the unique opportunity to gain firsthand experience in various facets of the legal system. This month-long journey was both enlightening and transformative, allowing me to delve deep into the workings of the legal and legislative processes.

One of the highlights of the internship was visiting the Tis Hazari Court and the Saket Court. Here, I had the privilege of observing live trials and cross-examinations, witnessing the appearances of both accused individuals and witnesses. These experiences provided invaluable insights into courtroom dynamics, legal arguments, and the intricate procedures of judicial proceedings. Watching seasoned lawyers in action and understanding their strategies was an educational experience that deepened my appreciation for the legal profession.



Additionally, I had the opportunity to visit the Parliament, where I gained a comprehensive overview of criminal laws. This visit was particularly enriching as it allowed me to understand the legislative process behind the creation and implementation of laws. The discussions and briefings provided a clear picture of how laws are debated, formulated, and enacted. Interacting with key figures, including the Law Minister and several deans from National Law Universities (NLUs), was a highlight of this visit. These interactions were incredibly informative, offering diverse perspectives on the legal landscape and the challenges faced in the administration of justice.

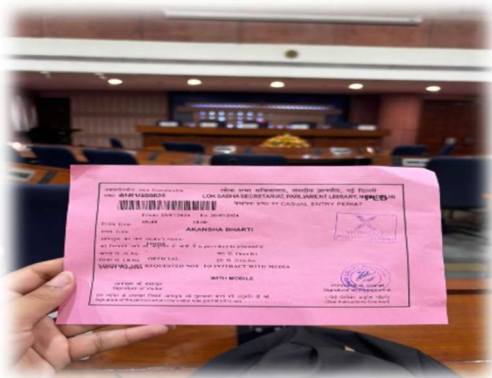
Moreover, throughout the internship, I engaged in various research projects and assisted in drafting reports on current legal issues. These tasks honed my analytical and writing skills, as I delved into complex legal topics and presented findings in a clear and concise manner. Collaborating with experienced legal professionals and fellow interns provided a stimulating environment for learning and growth.

Attending workshops and seminars was another significant aspect of the internship. These sessions covered a wide range of topics, from recent developments in criminal law to the role of technology in the legal field. The knowledge gained from these sessions was instrumental in broadening my understanding of contemporary legal issues and trends.

Overall, this internship at the Delhi Secretariat was a remarkable experience that enriched my knowledge of the legal system and provided numerous opportunities for professional growth. The exposure to real-world legal settings, combined with the chance to interact with esteemed legal professionals, has been invaluable in shaping my career aspirations. This experience has not only solidified my interest in pursuing a career in law but also equipped me with practical skills and insights that will undoubtedly benefit me in my future endeavors.



A Week at the Delhi Secretariat: An Enriching Experience



My first week at the Delhi Secretariat attending various seminars and lectures was nothing short of enlightening. It was an excellent opportunity to learn about the intricate workings of the government, legislative processes, and the judicial system. Here's a detailed account of my experiences:

Day 1: Introduction to Delhi as the National Capital

The week commenced with a seminar led by Mr. Manmeet Walia, the Joint Secretary of the Delhi Government. His lecture provided a comprehensive introduction to Delhi's rich history and its evolution as the national capital. Mr. Walia eloquently explained how Delhi's strategic location and historical significance contributed to its designation as the capital of India. He highlighted key milestones in Delhi's development, from ancient times through the Mughal era, British colonial rule, and eventually, its status in independent India. This session set a strong foundation for understanding the city's unique administrative and political significance.



Day 2: Legislative Drafting and the Constitution

On the second day, we had an insightful lecture by Mr. Taranjit Singh, Assistant Legal Advisor. Mr. Singh's expertise in legislative drafting was evident as he delved into the nuances of the legislative process. He discussed the constitutional perspective of legislation, explaining how laws are crafted and the importance of precision in legislative language. The session covered both primary and secondary legislation, elucidating the difference between the two and their

respective roles in governance. Mr. Singh's lecture was particularly beneficial in understanding how laws are formulated, debated, and enacted, providing a clear view of the legislative framework within which the government operates.

Day 3: Central-State Relationships and Constitutional Provisions

The third day brought an engaging discussion with Mr. Manish Kumar Gaur, Joint Secretary of Law (LW). Our focus was on the central-state relationship as outlined in Article 239AA of the Indian Constitution. Mr. Gaur explained the special status of Delhi, its legislative assembly, and the distribution of powers between the central government and the Delhi government. This session was incredibly informative, shedding light on the complex governance structure and the ongoing negotiations and collaborations between different levels of government. The insights gained were invaluable for understanding the practical challenges and dynamics of federalism in India.

Day 4: UPSC Preparation Insights

The fourth day was dedicated to career guidance, specifically about preparing for the UPSC examinations. We were privileged to interact with Mr. Shubhankar Ghosh, Additional Secretary in the Home Department, and Ms. Navneet Mann, Special Secretary in the Home Department. Both speakers shared their personal journeys and strategies for UPSC preparation. They emphasized the importance of a structured study plan, consistent effort, and staying updated with current affairs. Their tips on time management, choosing optional subjects, and handling exam stress were incredibly practical and motivating. This session was not only about exam preparation but also about understanding the dedication and resilience required to succeed in the civil services.

Day 5: Understanding Criminal Law

Our week concluded with a session led by a public prosecutor who provided an overview of criminal law as practiced in district and high courts. The discussion covered the various stages of criminal proceedings, from investigation and charge-sheeting to trial and judgment. The prosecutor shared real-life case studies, highlighting the complexities of criminal law and the importance of a thorough understanding of legal procedures. This session was crucial for

appreciating the practical aspects of law enforcement and judicial processes, offering a realistic view of the challenges faced by legal professionals in the criminal justice system.

Reflections

The first week at the Delhi Secretariat was a profound learning experience. Each day brought new insights into different aspects of governance, law, and public administration. The sessions were not only academically enriching but also provided practical knowledge and career guidance. Interacting with esteemed professionals and gaining firsthand knowledge about the legislative and judicial processes was immensely beneficial. This week laid a strong foundation for my understanding of public administration and legal frameworks, and I look forward to the remaining duration of my internship with great enthusiasm.

Conclusion

The first week at the Delhi Secretariat was a profound learning experience. Each day brought new insights into different aspects of governance, law, and public administration. The sessions were not only academically enriching but also provided practical knowledge and career guidance. Interacting with esteemed professionals and gaining firsthand knowledge about the legislative and judicial processes was immensely beneficial. This week laid a strong foundation for my understanding of public administration and legal frameworks, and I look forward to the remaining duration of my internship with great enthusiasm.



Second Week Experience at Tis Hazari Court

Reporting to Director of Prosecution: Sanjay Soni, Public Prosecutor (Room 176)

Day 1: Assignment to Court



On the first day of my second week, I reported to Director of Prosecution Sanjay Soni in Room 176. Mr. Soni allotted us to different courts, and I was assigned to work under Public Prosecutor Ravinder Singh. In this court, the presiding judge was Sh. Chatinder Singh, Judicial Magistrate First Class. I had the opportunity to sit next to PP Ravinder Singh and observe the court proceedings closely. That day, there were a total of 66 cases on the docket, most of which were related to theft and the appearance of the accused.

Day 2: State vs. Untress

On the second day, I reported to the same courtroom. One notable case I observed was State vs. Untress. This case involved the appearance of the Investigation Officer (IO). Watching the proceedings provided me with insight into the role and responsibilities of an IO in court.

Day 3: Homework Assignment

On the third day, Sanjay Soni sir gave us a homework assignment. We were tasked with writing about the trial of warrant cases by a magistrate. We diligently researched and wrote our findings in our notebooks, which we later presented to sir for his review.



Day 4: State vs. Rashid

The fourth day was particularly interesting as I witnessed the case of *State vs. Rashid*. This case was related to the robbery of a mobile phone, and the FIR was registered under Sections 392/34. The accused had also snatched a gold chain from the victim, Vishal, at Kashmiri Gate. The case was at the stage of examination-in-chief, where all the accused were to be examined. Additionally, the Sub-Inspector (SI) involved in the case was also to be examined by the Hon'ble Court.

Days 5 and 6: Court Strike

The next two days, I had to take off due to a strike that was going on at Tis Hazari Court. This pause in proceedings provided an unexpected but necessary break.

Conclusion

My second week at Tis Hazari Court was a blend of intensive learning and hands-on experience. From observing a wide range of cases to understanding the detailed procedures followed in court, every day offered something new. Despite the interruption caused by the strike, the week was incredibly informative and solidified my understanding of the judicial process.

Week 3 Experience at Saket District Court

Day 1: July 15, 2024

I visited Block 2 of the Saket District Court and met D.P. Singh, a public prosecutor. He assigned me to different courts for the week, noting that one day would be a holiday for Moharram.

Day 2: July 16, 2024

I attended the court of Ms. Deeksha Madaan, JMFC (Mahila Court), in Room 208 on the 2nd floor of the main building. Here, I observed cases related to domestic violence, abuse, and divorce.

Day 3: July 17, 2024

I witnessed the case DRI vs. Nicholas Ssenoga, an NDPS sampling case. The accused, an Ethiopian national, was caught by the CBI at Delhi airport with 870 grams of cocaine. The offense was punishable under sections 21, 23, and 29 read with 8(c) of the NDPS Act, 1985.

Day 4: July 18, 2024

I was assigned to the courtroom of Sh. Kawal Singh, JMFC (NI Act), in Room 207 on the 2nd floor of the main building. This court primarily dealt with cases of bank and company check bounces. Due to an ongoing strike, many main counsels were absent, but I was given case files to study and observed video appearances. The afternoon was less eventful with no significant cases.

Day 5: July 19, 2024

I continued in the courtroom of Sh. Kawal Singh, JMFC (NI Act). The day was relatively quiet due to the ongoing strike, with limited activity in the courtroom. However, I used this time to



delve deeper into the case files provided and gain a better understanding of the legal intricacies involved in financial disputes.

Conclusion and Key Learning Points

My experience at the Saket District Court was enriching and provided a broad exposure to various types of cases. I learned about the procedural aspects of different courts and gained insights into the judicial handling of domestic violence, NDPS offenses, and financial disputes. The opportunity to study case files and observe courtroom proceedings significantly enhanced my understanding of legal processes and judicial conduct.

Office Experience at the Law Department: Analyzing a Case File

During my internship at the Delhi Secretariat, I had the opportunity to work closely with Mr. Taranjit Singh. One particularly memorable experience was when Mr. Singh entrusted me with a case file to read, analyze, and provide my insights.

Subject: Opinion in respect of Judgement dated 09.01.2024 passed by the Hon'ble High Court of Delhi in Carl.A. 217/2017 titled 'state (GNCT of Delhi) vs Netrapal singh & Ors.'

- **Brief of the case:**

Chetan Prakash Sharma's Writ Petition and Subsequent Legal Proceedings

- **Background:**

Chetan Prakash Sharma filed a petition in 2005, claiming he had videos of police officers taking bribes from bootleggers. The High Court directed the Commissioner of Police to investigate, which led to an FIR being filed.

- **Investigation:**

1. Sharma, in his statement on 07.05.2007, said he wanted to expose police corruption. He was informed by a bootlegger, Daya Shankar, about police coercion and bribes.
2. Sharma filmed 10 police officials taking bribes and submitted the video to the court.
3. The video was sent to the Central Forensic Sciences Laboratory, which confirmed no tampering.

4. Based on Sharma's evidence, charges were filed against nine police officers under the Prevention of Corruption Act.

- **Trial Court Acquittal (12.08.2015):**

1. Unreliable Testimony: Sharma's testimony was considered hearsay because it relied on what Daya Shankar told him. Key witnesses, including Daya Shankar, did not support the prosecution.
2. Issues with Video Evidence: The video had time gaps, suggesting potential tampering or incomplete recording. The forensic expert couldn't confirm the video's originality.
3. Lack of Direct Evidence: There was no direct proof that the accused demanded or accepted bribes.

- **High Court Judgment (09.01.2024):**

1. Limited Scope of Appeal: The High Court noted that an appeal against acquittal requires the trial court's view to be reasonable. The trial court's decision was found to be reasonable.
2. Proof of Demand and Acceptance: The prosecution failed to prove that the accused demanded or accepted bribes. Daya Shankar's inconsistent testimony and Sharma's hearsay evidence were insufficient.
3. Inadmissibility of Video Evidence: The video was inadmissible because the original recording device wasn't produced and there was no Section 65B certificate under the Indian Evidence Act, which is needed for electronic records in court. Additionally, Sharma's claim about using a new blank cassette was contradicted by other recordings found on it.

- **Conclusion:**

The High Court upheld the trial court's decision to acquit the accused. The prosecution couldn't provide solid proof of bribe demands or acceptance, and the key video evidence was inadmissible.

My Legal Opinion on the Acquittal of Accused in Corruption Case

- **Key Evidence:**

Sharma recorded videos of police officers accepting bribes, which he submitted to the court. Forensic analysis confirmed no tampering, but the original recording device was not presented. Key witness Daya Shankar, whose statements were pivotal, turned hostile during the trial.

- **Legal Analysis and Opinion:**

1. **Hearsay Evidence:** The reliance on hearsay evidence significantly weakens any criminal case. Direct testimony from witnesses who can confirm the alleged events is critical. In this case, Sharma's testimony was largely based on second-hand information from Daya Shankar, who later turned hostile, undermining the prosecution's case.
2. **Video Evidence:** The credibility and admissibility of video evidence are paramount. The video in question had gaps and time inconsistencies, raising doubts about its authenticity. The legal requirement under Section 65B of the Indian Evidence Act mandates a certificate for electronic evidence to be admissible. The failure to produce this certificate and the original recording device rendered the video inadmissible.
3. **Proof of Demand and Acceptance:** Proving demand and acceptance of bribes is essential in corruption cases. The prosecution did not present solid evidence to prove this. The hostile stance of Daya Shankar and the hearsay nature of Sharma's testimony meant that the core elements of the alleged crime were not substantiated.
4. **Limited Scope of Appeal:** The High Court's stance that an appellate court should not overturn an acquittal unless the trial court's decision is unreasonable or perverse is well-established in law. The trial court's view was deemed reasonable based on the presented evidence.

Opinion:

Given the circumstances and the legal requirements, the acquittal of the accused by both the trial court and the High Court appears justified.

The prosecution's case was fundamentally flawed due to:

- Lack of direct and reliable testimony.
- Inadmissibility of key video evidence.
- Inability to prove demand and acceptance of bribes.

To strengthen future cases, it is crucial to:

- Ensure direct, corroborative testimonies from witnesses.
- Properly handle and authenticate electronic evidence as per legal standards.
- Address any inconsistencies or gaps in evidence before trial.

The High Court's decision aligns with the principles of criminal justice, ensuring that convictions are based on reliable and admissible evidence, proving guilt beyond a reasonable doubt. Thus, the acquittal is legally sound and consistent with established judicial standards.

I meticulously went through each document, noting down key points and discrepancies. My analysis focused on understanding the legal arguments presented by both sides, the validity of the evidence, and the application of relevant laws. I also paid attention to precedents that could influence the outcome of the case.

After a thorough examination, I compiled my findings and views into a detailed report. I highlighted potential weaknesses in the plaintiffs' case, strong points in the defense, and suggested strategies that could be employed in court.

Presenting my analysis to Mr. Singh was both nerve-wracking and exhilarating. He reviewed my report carefully, asked insightful questions, and provided valuable feedback.

This experience not only enhanced my understanding of legal procedures but also boosted my confidence in handling real-life legal documents. It was a pivotal moment in my internship, affirming my interest in pursuing a career in law.

Parliament Visit Experience: A Deep Dive into New Criminal Laws



During my internship at the Delhi Secretariat, I had the incredible opportunity to visit the Parliament for a two-day session. This visit was organized to provide interns with firsthand exposure to legislative processes and interactions with eminent legal professionals. The highlight of this visit was meeting with a Supreme Court advocate and other distinguished individuals from

prestigious law backgrounds.

On the first day, we were welcomed into the Parliament and given an overview of the session's agenda. We attended discussions on the newly proposed criminal laws, which were designed to reform the existing legal framework significantly. The atmosphere was charged with anticipation as lawmakers debated the potential impacts of these laws.

One of the most memorable moments was a dedicated session with a Supreme Court advocate who shared insights into the intricacies of the new criminal laws. He discussed the rationale behind these reforms, their expected benefits, and potential challenges in their implementation. His analysis was both profound and accessible, shedding light on complex legal principles and their practical implications.

Throughout these two days, we also had the chance to interact with several prominent legal experts and court professionals. These interactions were invaluable, as they shared their experiences with landmark cases and provided us with a deeper understanding of the judicial system's inner workings. Their stories highlighted the importance of diligence, integrity, and continuous learning in the legal profession.

One of the sessions focused on critically analyzing the best and not-so-good aspects of the new criminal laws. We discussed how the new provisions aimed to enhance justice delivery, protect victims' rights, and streamline legal processes. However, we also debated the potential drawbacks, such as the risk of misinterpretation and the challenges in ensuring uniform application across diverse jurisdictions.

Witnessing these debates and discussions was a fascinating experience. It underscored the dynamic nature of lawmaking and the careful deliberation required to balance innovation with practicality. The opportunity to observe seasoned legal professionals in action and engage with them broadened my perspective on the law.

This visit to Parliament was a transformative experience. It deepened my understanding of the legislative process, enhanced my knowledge of criminal law reforms, and inspired me to pursue excellence in my legal career. The insights gained and the connections made during these two days will undoubtedly influence my future endeavors in the field of law.

Overall Experience:

These experiences have profoundly impacted my perspective on the legal profession. They have enhanced my understanding of legal procedures, improved my analytical skills, and provided me with a broader view of the challenges and advancements in the field of law. The opportunity to observe and engage with seasoned professionals has reinforced my commitment to pursuing a career in law.



I am deeply grateful to Manmeet Walia Sir and Mr. Taranjit Singh Sir for their guidance and support throughout this journey. Their insights and mentorship have been invaluable, helping me navigate these experiences and grow both personally and professionally. Thank you for

providing me with such meaningful opportunities and for your continued encouragement in my legal career.