

Savitribai Phule Pune University

QIP

Navjeevan Education Society's

NAVJEEVAN LAW COLLEGE

- State Level Seminar

Year 2017-2018

OBJECT:-

1. To create awareness about Professional Negligence and growing law relating to it.
2. To initiate a forum wherein All professionals like Doctors, Lawyers, Judges, Academicians and law students can come together and discuss the pros and cons of Negligence and Consumerism.

SCOPE:-

It extends to Legal Profession, Medical Profession, etc

SUB THEMES:-

1. Medical Negligence
2. Criminal Negligence
3. Contributory Negligence
4. Novus Actus Interveniens
5. Error of Judgment
6. Res Ipsa Loquitur
7. Vicarious liability
8. Team Negligence
9. Respondent superior
10. Quack
11. Right of privacy
12. Expert witness
13. Causation
14. Safeguards against Frivolous and vexatious complaints
15. Nervous shock
16. Eggshell skull rule
17. Meaning and object of compensation
18. Calculation of Quantum of Damages
19. Negligent advice
20. Contempt of Court
21. Deficiency in service
22. Defences against claims for medical negligence
23. Mediclaim

CALL FOR PAPER PRESENTATIONS:-

Teachers, Research Scholars, members of legal fraternity, Medical Profession & students are invited to participate/present their papers on above themes Abstract of not more than 300 words and should reach to the following address till 1st December 2017

Navjeevan Education Society's
Navjeevan Law College

Shivshakti Chowk. 4th Scheme, Cidco, Nashik-422008
E-Mail Id: - nav.lawcollege@gmail.com

REGISTRATION FEES

- A) Rs.300/- For Teachers/Research Scholars/Doctors
- B) Rs.150 /- Other Students
- C) Rs.100/- For Navjeevan Students

Registration fees to be paid through DD/Cash can be made in favour of Principal, Navjeevan Law College, payable at Nashik. Participants have to bear their travel expenses, no accommodation will be provided.

PATRON OF THE SEMINAR

Subhash G.Deshmukh

Managing Trustee, Navjeevan Education Society

Vijaya S. Deshmukh

Chairperson, Navjeevan Education Society

Vijay Kale

Secretary , Navjeevan Education Society

Mrs.Mangal Pawar

Joint Trustee, Navjeevan Education Society

Dr.Preeti Kulkarni

Director Navjeevan Institute of Management

DIRECTOR OF THE SEMINAR

Dr.Kundendu Kumar Deo

Principal NLC

CO-ORDINATOR OF THE SEMINAR

Dr.Shahista S.Inamdar (Asst.Prof)

8446541984

email-shahista.inamdar@yahoo.com

SEMINAR COMMITTEE

Makrand S.Pande (Asst.Prof)

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Samir N.Chavan (Asst.Prof)

9404556100

Mr.Anil P.Deshmukh

8888829691

Pradhnya P. Sawarkar(Asst.Prof)

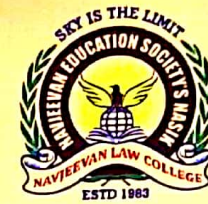
7776868428

Mrs.Mangal A.Patil (Librarian)

7887741006

Mr.Mahendra U.Vinchurkar

8888829688



Navjeevan Education Society's

NAVJEEVAN LAW COLLEGE

Shivshakti Chowk. 4th Scheme, Cidco, Nashik-8

ORGANIZES

Two Days State Level Seminar
on

PROFESSIONAL NEGLIGENCE & CONSUMERISM

9th and 10th Dec 2017

PROFESSIONAL NEGLIGENCE & CONSUMERISM

• Sponsored by •
Savitribai Phule Pune University

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DEAR SIR/MADAM

It gives us immense pleasure to invite you all to Participate in the two day State Level seminar on "Professional Negligence & Consumerism" we also extend your cooperation for Paper presentations.

ABOUT COLLEGE:-

Navjeevan Education Society's Navjeevan Law College was started in 1999 with a motto to offer "to society makers and upholders of law, instilling the virtues of integrity, loyalty and social values." It is a well-known phenomenon that law is a social change, as there is evolution in the society, the law needs to be changed, to meet the challenges in this Global world, Navjeevan Law College prepare the students to face the competitive world to achieve the goal.

The Courses offered by the college include three year LLB course, five year BA LLB Course, Diploma in taxation as well as labour laws and labour welfare. The college is receiving grant-in-aid from the Govt. Of Maharashtra. The college is re-accredited by NAAC With 'B' Grade.

For the overall development of our students, besides the regular curriculum, we focus on co-curricular activities like Moot-Court, Legal-Aid along with various extra-curricular activities like Debate, Sports, Power-Point Presentations, Audio-visual Aids, Etc.

VENUE

Navjeevan Law College, Shivshakti Chowk,

4th Scheme, Cidco, Nashik-8

HOW TO REACH

About 14 kms, from Nashik Road Railway Station and 4.8 Km from Thakkar Bazzar (New CBS Bus Stand)

THEME OF THE SEMINAR:

With a professional person, the word 'Negligence' has a special meaning. It is defined as the omission to do something which a reasonable person would do, or doing something which a reasonable person would not do. The consequences of negligence, product liability, etc, are covered in India under The Consumer Protection Act. Specific occupations have been accorded professional status like Architects, Engineers, Surveyors, Accountants, Solicitors, Advocates, Medical Practitioners, Insurance brokers, etc. Professional negligence is a breach of the duty of care between professionals and their clients. The duty of care is a common law arrangement where the client expects a level of professionalism and standards commonly held by those in the profession. The most common term for medical professional negligence is medical malpractice. For this instance, the patient expects the doctor and his subordinates to adhere to standards that would prevent undue harm and distress to patients under his or her care. Negligence on the part of the doctor while performing his duties as a professional is malpractice, which breaches the duty of care that the patient has put in the doctor and will involve legal penalties.

WHAT IS A "DUTY OF CARE"? Duty of care is a broad legal definition that protects individuals from others that engage in activities that could potentially harm others if proper precautions are not taken. This ranges from operating a moving vehicle to performing surgery. This also covers situations where individuals may suffer economic or emotional damage due to poor advice or conduct. A manufacturer has a duty of care to the consumer as the consumer will assume that product he or she is buying is safe and adheres to standards set by the government and common practices. The standard for this was set in the case of *Donoghue v Stevenson* where a ginger beer manufacturer allowed a snail into Stevenson's bottle. British courts ruled that Stevenson was owed a duty of care by Donoghue to ensure the safety of his manufacturing process to his customers.

WHAT ARE OTHER FORMS OF PROFESSIONAL NEGLIGENCE? A lawyer may engage in legal malpractice if he not only deploys a questionable legal strategy but also makes critical errors that no "reasonable attorney" would make.

In a case such as this, an expert witness may be necessary to prove that the lawyer was negligent and breached his duty of care with his client. Similarly, any instance where a client relies on a professional to fulfill his or her duty of care can be a form of professional negligence if the professional commits an egregious breach of conduct. by this definition, a professional that dispenses poor investing advice while breaching the common duty of care placed in financial advisors, then the client is entitled to damages. If a mental health professional behaves unethically and violates common practice, than he too has engaged in malpractice. Lastly, builders & architects maintain a duty of care with owners and tenants to ensure that the building they erect will adhere to government regulations and common practices for the construction of buildings. Professional Negligence is defined as lack of reasonable care and skill or willful negligence on the part of a medical practitioner in the treatment of a patient whereby the health or life of a patient is endangered. It is not mere neglect or carelessness; it is neglect or carelessness where there is a legal duty to take care and failure in that duty causes damage/ injury. Any want of proper skill or care that causes the patient's death, diminishes his chances of recovery, prolongs his illness or increases his suffering constitutes injury in a legal sense. However negligent a doctor may be, the patient is not entitled to any compensation if no damage has occurred.

Damage to the patient may be physical, mental or financial and includes such rather nebulous concepts as 'pain and suffering' which often clear up remarkably quickly once the case is settled. Damages are assessed by the Court under a number of different headings, viz, loss of present and future earning power of the damaged person; actual medical and surgical care costs and the reduction in quality of life which may be caused by lameness, deafness, blindness, and so on.

An action for negligence in such cases may be brought against a medical practitioner in a civil or criminal court as the case may be and the negligence is accordingly known as civil or criminal negligence.

Navjeevan Education Society's
Navjeevan Law College, Nashik.
साधनव्यवर्तीचे भानधन देयक व प्रवास खर्चाच्या देयकांवा तपशील

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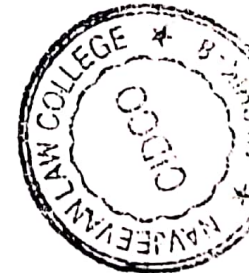
Sr. No.	Name	Address & contact No.	Date
1	Mr. Pradeep Ghuge	Joint Charity Commissioner, Nashik Joint Charity Commissioner office, Dwaraka, Nashik Email- ghugepb@gmail.com Mo.9404877233	9/12/2017
2	Adv. Nagnath Gorwadkar	Banglow No-3, Shree Gajanan Complex, Opp. Yeolekar Mala, College Road, Nashik 422005. Email- nmgorwadkar@yahoo.com Mo. 9823075464	9/12/2017
3	Mr. Prashant Nimbalkar	Life Coach, HR Consultant, World wide Makers, Pune. Mo. 9423494387	9/12/2017
4	Mrs. Sarika Janardhan Sagar	Pune District education association Law College, Hadpsar, Pune Email- sagar.sj79@gmail.com Mo. 9422157157	9/12/2017
5	J.C. Shirsale	Retired District Judge, Nashik Mo. 9421836298	9/12/2017
5	Mr. Milind Sonawane	Precident District Consumer forum, District Court compound, Nashik Mo. 8421584006	10/12/2017
6	Dr. Rajendra Kulkarni	B/3, Archit Vihar Society, bhavik Nagar, Gangapur road Nashik. Email- rajakulkarni@hotmail.com Mo. 9823067946	10/12/2017

Sr. No.	Name	Address & contact No.	Date	I
7	Dr. Manish Sonawane	Gokhale Education Society's N.B.T. Law College, Vidyanagar Nashik. Email- monte78@rediffmail.com Mo. 9923626291	10/12/2017	
8	Adv. Jalindar Targe	Vice Precident Nashik BAR Association NashikMo-9822510107	10/12/2017	
10	Dr. S. S. Inamdar	Seminar Co-ordinator Email- shahista.inamdar@yahoo.com Mo- 8446541984	10/12/2017	
Total				

Shahista

Name & Sign. Of Co-ordinator

Dr. S. S. Inamdar



TWO DAYS STATE LEVEL SEMINAR

NAVJEEVAN EDUCATION SOCIETY'S
Navjeevan Law College
CIDCO, Nashik

Organiser
 Two Days State Level Seminar
 On
**"Professional Negligence
 &
 Consumerism"**
 Date : 9th & 10th December 2017

Resource Person
 9th December 2017

Mr. Pradeep Ghuge
 (Joint Charities Commissioner) Nashik

Adv. Nagnath Gorwadkar
 (Leading Practitioner) Nashik

Mr. Prashant Nimbhalkar
 (H.B. Consultant, Pune)

Ms. Sarika Janardhan Sagar
 (Asst. Prof. Pune District Education
 Association's Law College, Pune)

Patron of The Seminar
Hon. Subhash G. Deshmukh
 Managing Trustee, N.E.S. Nashik

Director of The Seminar
Dr. Kundendu Kumar Deo
 Principal, NLC

Chief Guest
Hon. Justice Bharti Dangre
 Bombay High Court, Mumbai

President of Valedictory Function
Adv. Nitin B. Thakare,
 President, Nashik Bar Association

Sponsored by
 Savitribai Phule Pune University, Pune.

Resource Person
 10th December 2017

Mr. Milind Sonawane
 (President of District Consumer
 Forum, Nashik)

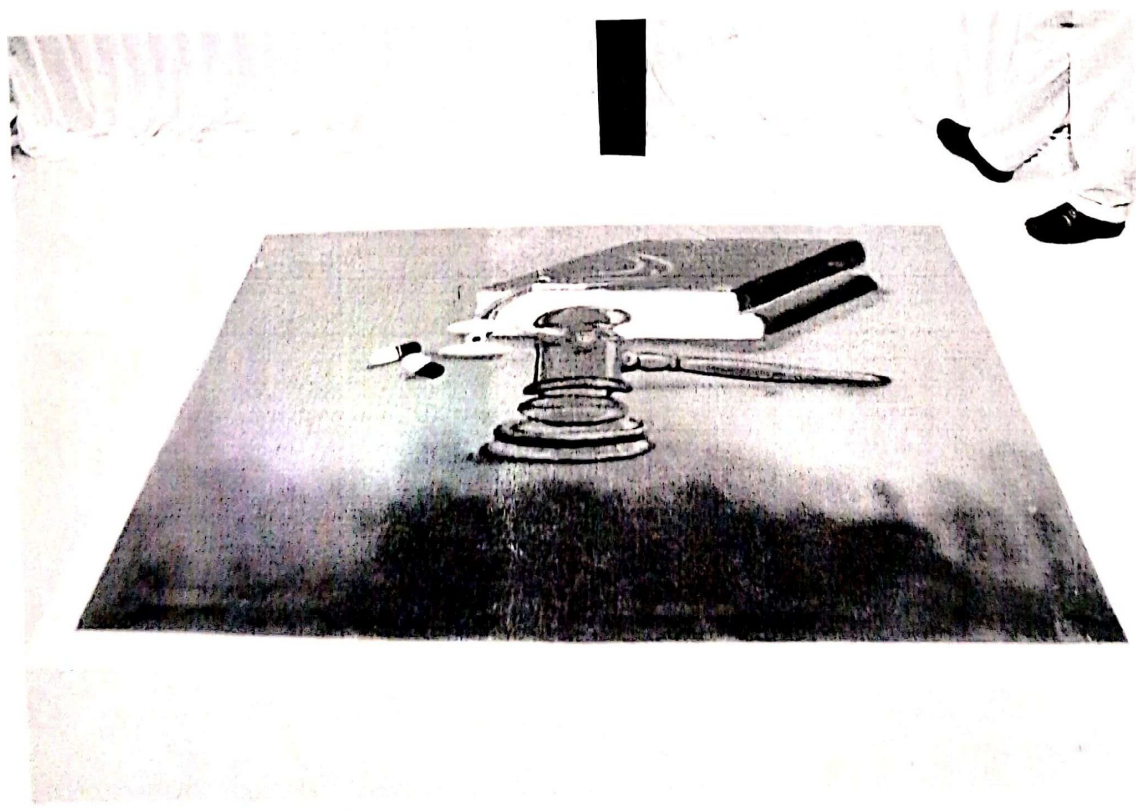
Dr. Rajendra Kulkarni
 (Assistant Professor, USP Medical
 College, Nashik)

Dr. Manish Sonawane
 (Assistant Professor, SBI Law
 College, Nashik)

Patron of The Seminar
Hon. Vijaya S. Deshmukh
 Chairperson, N.E.S. Nashik.

Co-ordinator of the Seminar
Dr. Shahista S. Inandar
 Asst. Prof. NLC

DAY I 9/12/2017





Justice Bharti Dange Inaugurating the Seminar
 in presence of Patron of the Seminar Mrs. Girish...



Dr. K. V. Rao Inaugurating the Seminar and Guest of...



Dr. K. K. Bhoj addressing welcome of all the dignitaries



Shri Subhash G. Deshmukh (Gen. Sec) enlightening participants and wishing them great success

9/12/17



Technical Session III : Mr. Prashant Nimbalkar
Life Coach NLP, Worlddominators, Pune
Topic: Negligent Advice and Safeguards against
Fraudulent & vexatious Complaint



Technical Session IV : Saurika Juvardhan Super Consumer
Topic: Impact of Professional Negligence - Consumer
Legal Remedies

10/12/17
Day 2



Technical Session V - Mr. Milind Sonawane (President District Consumer Forum)
Topic - Procedures of Consumer Forum Simplified



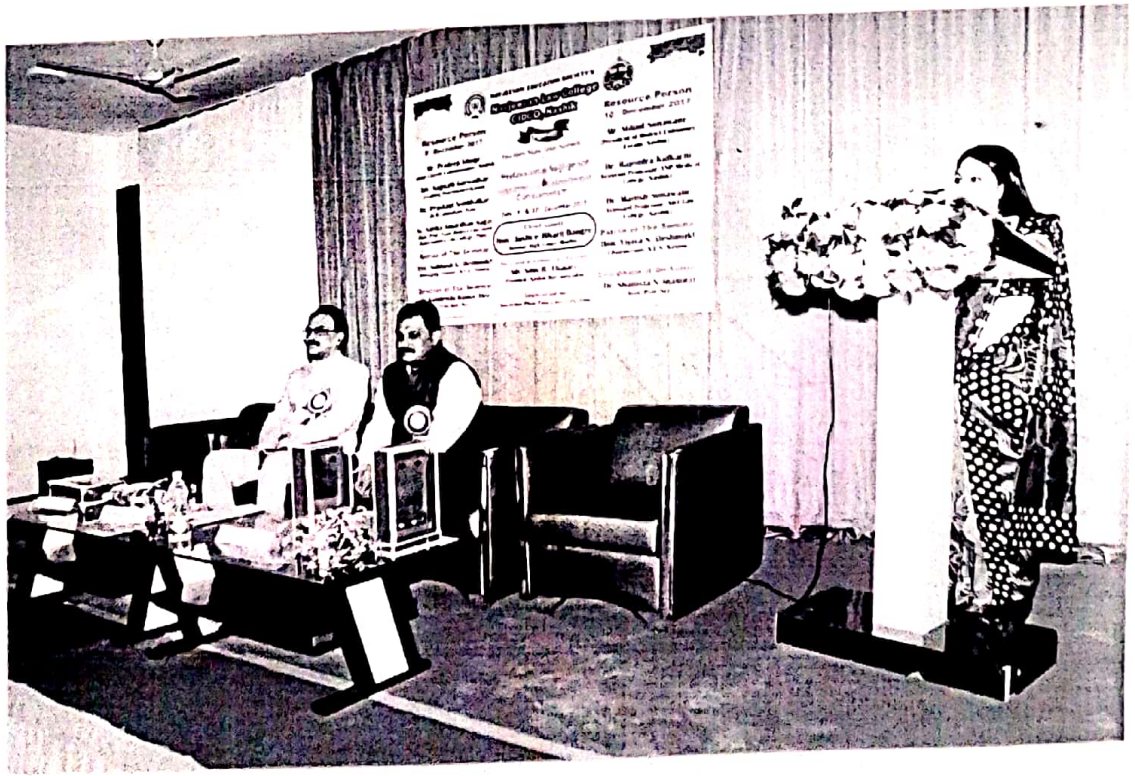
Technical Session VI - Dr. Rajendra Kulkarni (VSP Member)
Topic - Medical Negligence: Closing the Gaps

Valedictory Function

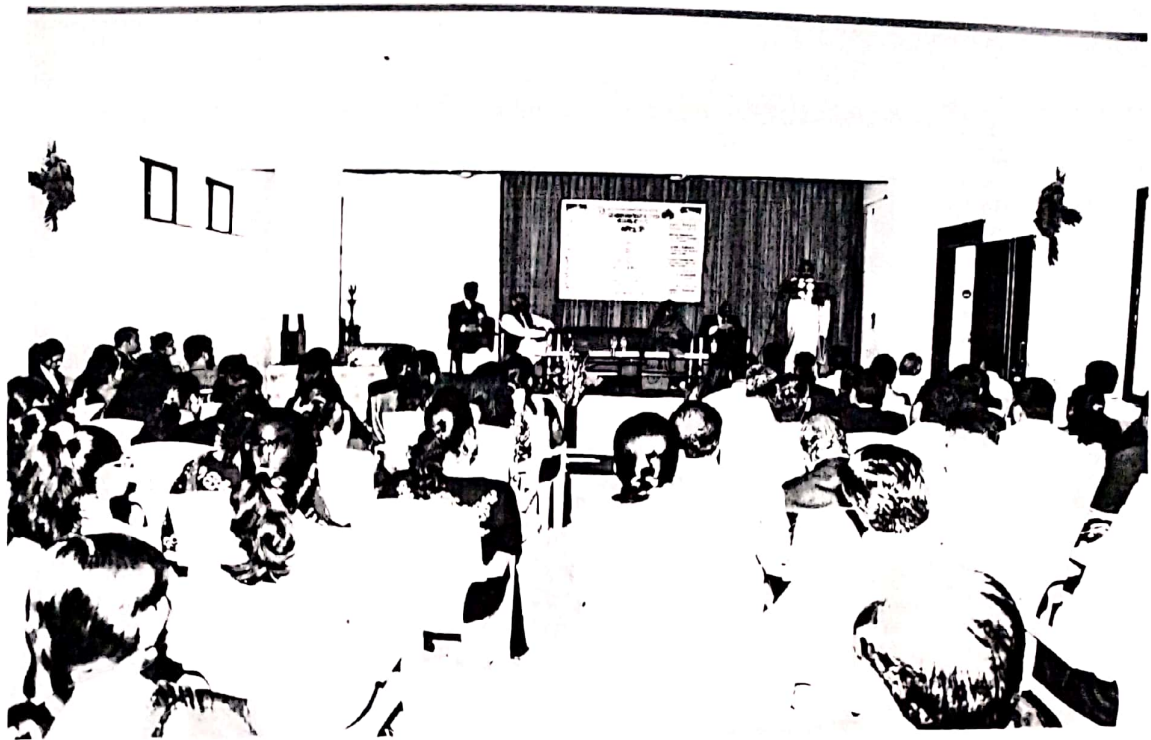
10/12/17



Adv. Jalinda Targe presenting best award to Samira Mulla from N.S. Law College, Sangli



Dr. Shalusta S. Inamdar presenting Vote of Thanks



Justice Bharti Dange sharing her experiences.



Participants present for the Seminar

व्यावसायिक मूल्ये जपण्याची गरज : न्यायमूर्ती डांगरे

नवजीवन महाविद्यालयात राज्यस्तरीय चर्चासत्र

सकाळ वृत्तसेवा

नाशिक, ता. ११ : विविध व्यवसायांमध्ये वाढलेली स्पर्धा, घसरलेली व्यावसायिक मूल्ये, ढासळलेली विश्वासार्हता यामुळे तंटे वाढून न्यायालयात दाखल होणाऱ्या गुन्ह्यांमध्ये वाढ होण्याचे प्रमाण वाढले आहे, अशी खंत मुंबई उच्च न्यायालयाच्या न्यायमूर्ती भारती डांगरे यांनी व्यक्त केली.

नवजीवन विधी महाविद्यालय आयोजित दोनदिवसीय राज्यस्तरीय चर्चासत्राचे उद्घाटन त्यांच्या हस्ते झाले. त्या वेळी त्या बोलत होत्या. नवजीवन एज्युकेशन सोसायटीचे विश्वस्त सुभाष देशमुख यांनीही विद्यार्थ्यांना मार्गदर्शन केले. एज्युकेशन सोसायटीच्या अध्यक्षा विजया देशमुख, माजी जिल्हा व सत्र न्यायाधीश श्री. शिरसाळे उपस्थित

होते. चर्चासत्रात विविध सत्रांत धर्मादाय सहआयुक्त प्रदीप घुगे, अॅड. नागनाथ गोरवाडकर, डॉ. प्रशांत निंबाळकर, सारिका सावळे, जिल्हा ग्राहक मंचाचे अध्यक्ष मिलिंद सोनवणे, डॉ. राजेंद्र कुलकर्णी, डॉ. मनीष सोनवणे व वार असोसिएशनचे सचिव अॅड. जालिंदर ताडगे आदींनी आपले विचार प्रकट केले. या वेळी शिक्षक व विद्यार्थ्यांनी शोधनिबंध सादर केले. प्राचार्य डॉ. के. के. देव अध्यक्षस्थानी होते. प्रा. डॉ. शाहिस्ता इनामदार यांनी सूत्रसंचालन केले. कार्यक्रम यशस्वितेसाठी प्रा. मकरंद पांडे, प्रा. प्रज्ञा सावरकर, प्रा. मंगल पाटील, प्रा. समीर चव्हाण, प्रा. श्रुती लांडे, प्रा. जीवन वाघ, प्रा. इंद्रायणी गुंजाळ, प्रा. मीनाक्षी जाधव, प्रा. शालिनी घुमरे, प्रा. सुजाता ओझरकर, महेंद्र विंचूरकर, अनिल शेळके, अलका सोनवणे आदींनी प्रयत्न केले.



नाशिक : नवजीवन विधी महाविद्यालयात दोनदिवसीय राज्यस्तरीय चर्चासत्राचे उद्घाटन करताना न्यायमूर्ती भारती डांगरे. शेजारी सोसायटीच्या चेअरमन विजया देशमुख, माजी जिल्हा व सत्र न्यायाधीश शिरसाळे.