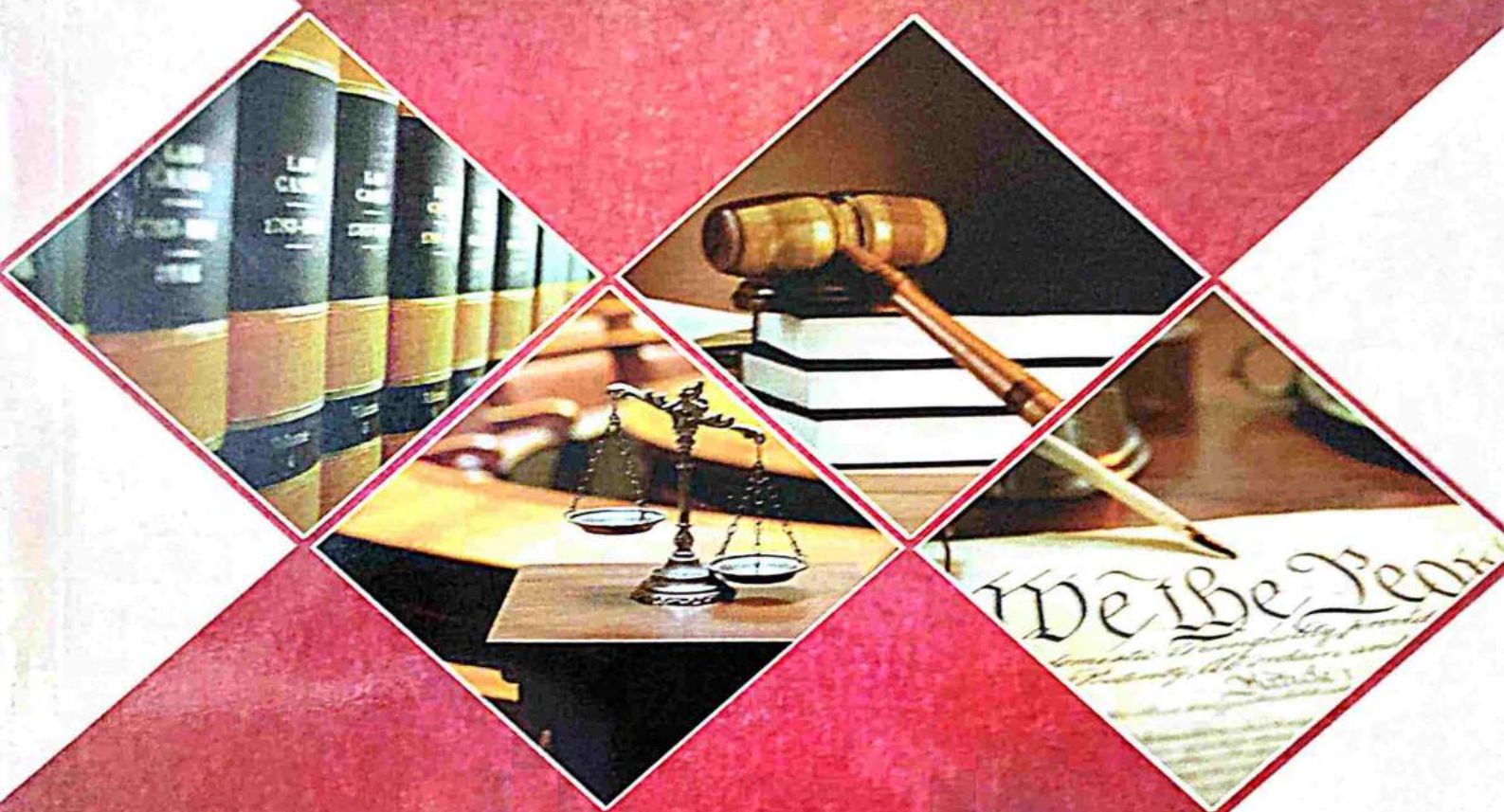




VIVEKANAND EDUCATION SOCIETY'S
COLLEGE OF LAW



VIDHI - VIVEK
2017 - 2018

"Take up one idea.

*Make that one idea your life
think of it , dream of it,
live on that idea.*

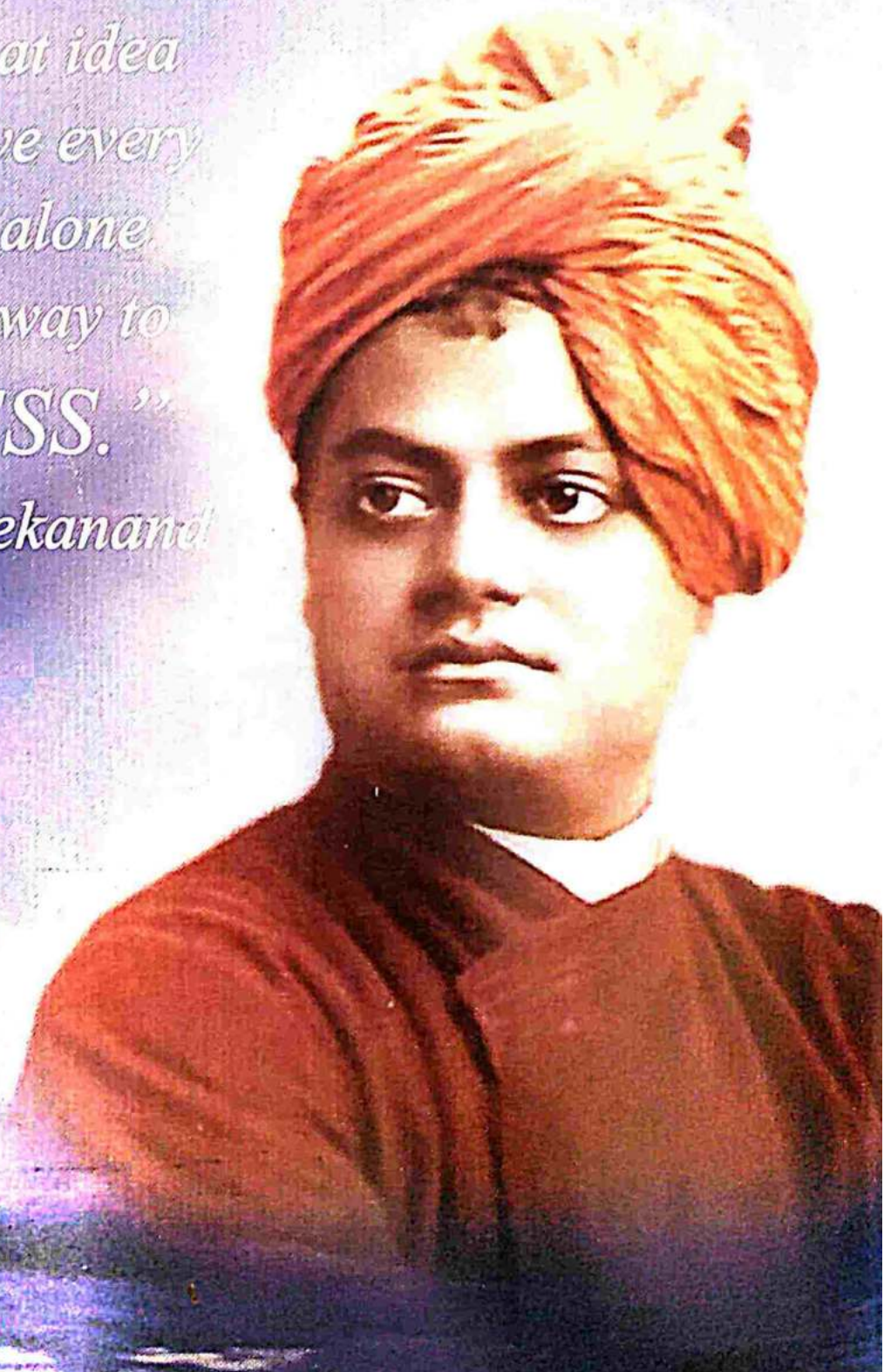
Let the brain, muscles, nerves,

*Every part of your body
be full of that idea
and just leave every
other idea alone.*

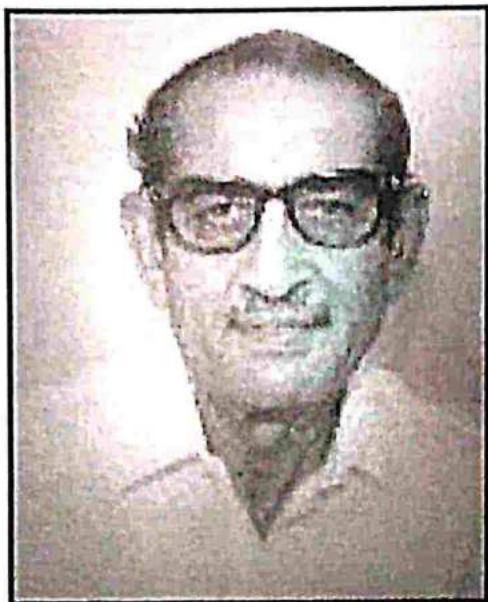
This is the way to

SUCCESS."

- Swami Vivekananda



**VIVEKANAND
EDUCATION SOCIETY
CHEMBUR-MUMBAI**



HASHU ADVANI
(Founder Member)

*A great man and a visionary,
A patriot and a missionary,
An educationist and a leader,
Such is the greatness of our founder.*

*Simple living, High thinking
A perfect example to live by.*

*Service to humanity was his aim,
remained down to earth inspite of his fame*

*A 'Maharshi' in real sense,
With the highest morals,
great integrity and balanced attitude.*

Hashuji, we bow to you in gratitude!

Vision

- ☞ To ensure excellence in law students through continuous professional development programs
- ☞ To serve the society by developing, promoting and providing effective Legal Aid Services

Mission

- ☞ To cultivate an expertise in alternative approaches to dispute and conflict resolution through professional studies and programs.

Objective

- ☞ To focus on the development of skills within students and to create skilled lawyers to serve the nation

**MANAGEMENT
COMMITTEE**

Shri. Mahesh Tejawani	President
Shri. Dinesh Tahiliani	Secretary
Shri. Amar Asrani	Treasurer
Shri. B. L. Boolani	Senior Trustee
Shri. Bansi Wadhwa	Member
Smt. Padma Vasvani	Member
Adv. Laxman Kanai	Member
Dr. Prakash Lulla	Member
Shri. Suresh Malkani	Member
Shri. Radheshyam Bhagya	Member

VIDHI VIVEK

EDITORIAL TEAM

Editor

Dr. Jyoti Deshmukh, Principal



Co-Editors

Dr. Anil Farkade

Mr. Bhushan M. Shinde

Mrs. Shubhangi Arde-Deshmukh



Student Editors

Shreerat Kamath

Puja Yadav

Bhagyashree Patil

Harsh Shah

Megharanjini Chandu

Harshala Keny



Supported by

Mrs. Prerana Bhandari

Mr. Prasad Chile



EDITORIAL DESK

Vivekanand Education Society's College of Law is established in the year 2009 and is well known for integrity, accountability and transparency. During these 7 years beyond sound education, we have provided a holistic learning experience for life to our students. Through academic visits to the Supreme Court, Parliament, other State High Courts and various academic institutions, we teach students learn through experiences. Every year we organize Moot Court Competition, Legal Counselling Camps, Seminars, Workshops and academic visits have become the regular feature of our college. This time we have National Moot Court Competition and we will strive to make this event very successful.

We have strong commitment towards students and they flourish under the mentorship of able Professors who encourage them reach to their goals.

This edition of Vidhi Vivek is dedicated to the theme 'The Law and Society' to unfold our imaginations and give thought to our aspirations.

We are fortunate to have supportive management, teaching and administrative staff who are committed to provide an environment in which every student discovers and realizes his potential to the fullest extent and also to sensitize the students to know about their responsibilities towards creation of law literate society.

Thank You

Dr. Jyoti Deshmukh

INDEX

No.	Name	Page No.
1.	Message (Hon. President)	1
2.	Message (Hon. Secretary)	2
3.	Message (Founder Trustee Member)	3
4.	Message (Management Trustee)	4
5.	Teaching and Non-teaching Staff	5
6.	Teaching and Non-teaching Staff, Student Council & Student Committee Members (Photos)	6
7.	Class Photos	7-8
8.	Academic Toppers (2016-17)	9
9.	Hall of Fame-Achievers of 2017-18	10-12
10.	Committees	13
11.	Committee Induction (Photos)	14
12.	Activity Report 2017-18	15-16
13.	Photo Gallery	17-27
●	<u>Legal Insights</u>	
14.	Human Rights Philosophy and Feminists' Approach Regarding the Parameters of Gender Justice...Dr. Jyoti Deshmukh	28-31
15.	The Juvenile Justice (Care and Protection of Children) Act, 2015 : An Analysis...Dr. Anil Farkade	32-33
16.	Terrorism: it's changing face and path towards a peaceful future...Mr. Bhushan M. Shinde	34-35
17.	Environmental protection: A Prime Duty...Mrs. Shubhangi Arde-Deshmukh	36-37
18.	Have you been charged GST wrongly?... Dr. Deepali Garge	38-40
19.	Natural Justice- Oxygen of Legal Acumen...Mr. Vrushabh Vig	41-43
20.	RERA – an untamed dragon?...Mr. Akash Manwani	44-45
21.	Uniform Civil Code And Secularism...Ms. Harsha Menon	46-47
22.	Justice Overseas and India...Mr. Ravikant Purohit	48-51
23.	Landmark Judgements of 2017	52-53
24.	Uniform Civil Code: A Need?...Ms. Shrishty Punjabi	54-55
25.	Constitution of India and Judiciary: A View and Review...Mr. Sagar Shahani	56
●	<u>English Literary</u>	
26.	Wise man vs Fool...Mr. Abhinav Singh	61-62
27.	All at the click of a button...!...Ms. Puja Yadav	63-64
28.	A New Start...Ms. Harshala Keny	64
29.	Stone and water...Ms. Rashmi Amin	64
30.	Broken Back...Mr. Tanishq Wasan	64
31.	India's Defence Sector-A new power in rising...Mr. Avinash Manwani	65
32.	Mind troubles...Mr. Shreerat Kamath	66
33.	Are Ideologies Fading Away In Today's 21st Century World?...Mr. Jaikumar Vohra	67-68
34.	The Old Man of Al-Tarim...Mr. Krishnanand Mishra	69
35.	Pulp fiction returns...Mr. Ravikant Purohit	70
36.	Why the World needs Lois Lane...Mr. Satnam Metharu	71-72
37.	Bleeding on a Parchment.. Ms. Pooja Nair	72
38.	Don't You Think So... Ms. Triveni Jagdale	72



● मराठी साहित्य

39. बदलते जीवन... प्रिती भेकरे
40. गरज आहे बदलण्याची... भाग्यश्री पाटील
41. प्रेम... वैभव पाटील
42. नाती जगण्याचा आधार... अंकुर अनिल गायकवाड
43. हरलेले डोळे... हर्षला केणी

● हिंदी साहित्य

44. हिंदी भाषा में मुहावरे और लोकोक्तियों का महत्व... अर्चना गुप्ता
45. सोचो कितने फसाद होते... शिल्पा त्रिपाठी
46. मेरी माँ... अर्किती जैन
47. भारतीय अर्थव्यवस्था के विकास में भारतीय रेल की भूमिका... चंद्रकांत तायडे
48. फकीरी... ओ.पी. लालवानी
49. बहुत खुबसुरत हो तुम... फराज़ खान
50. साई पथदर्शी... ओ.पी. लालवानी
51. Legal Crossword

73

74-75

75

76

77-78

79-80

80

81

82-83

83

84

84

85

MESSAGE



Shri. Maheshji Tejawani
President,
Vivekanand Education Society

It gives me immense pleasure to convey my best wishes to V.E.S College of Law for taking efforts in setting excellent standards in academic field. VES College of Law works towards overall development of students through various novel techniques of teaching. It is a matter of satisfaction that the College is consistently striving towards the same.

I extend my heartiest congratulations to the College for their efforts in successfully organizing the previous editions of Moot Court competitions in memory of Late Shri Hashuji Advani, founder trustee of VES and my best wishes to the College for the upcoming National Moot Court Competition.

VES College of Law was started in the year 2009. The goal of the College has been imparting quality education and contributing towards the character building of the students. The mission of Law College is to develop minds of students with multidisciplinary understanding of Law that can be achieved through teaching and discussions.

I congratulate the Trustee - in - charge, the Principal of V.E.S College of Law, the Faculty members, Administrative Staff and students for their efforts in scaling newer heights and I am confident that we will set a new benchmark in providing education in the field of Law.

MESSAGE



Shri. Dineshji Tahiliani
Secretary,
Vivekanand Education Society

I extend my warm wishes to V.E.S College of Law, an institute which has been extending Legal Education to the best of its abilities to help Law students to achieve their dreams.

Legal Education is of utmost importance. Various activities in Law College such as Moot Court Competition, Visit to Courts, Legal Aid Counselling Camp and many more aim to provide holistic education to students of Law, beyond classroom teaching. This year the College has raised its bar and have organised the Moot Court competition at the National level. My best wishes for the same.

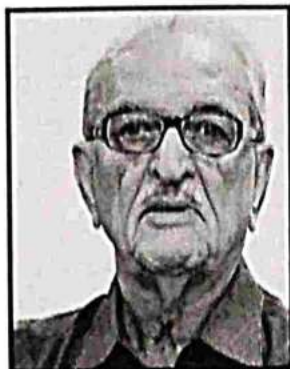
The heart of VES College of Law is its faculty members, sharing their legal knowledge with students to know the working of the Court & various other legal-political institutions. Not only are they accessible to students they are also engaged in developing confident and smart leaders for tomorrow.

Vidhi Vivek Magazine is a good platform for the faculty members and students of the College to express their views about various legal, socio-political issues in our society.

I would also like to convey my heartiest congratulation to Dr. (Mrs.) Jyoti Deshmukh, Principal of V.E.S. College of Law for her contribution to the College and the growth of the college displays her hardships and efforts.

I wish the Principal, Faculty members and students of V.E.S. College of Law a great success in their future endeavours.

MESSAGE



Shri. B.L. Boolani

Founder - Member Senior Trustee
Vivekanand Education Society

Delighted to know that our College of Law has organized a National Level Moot Court Competition in Memory of Late Shri Hashu Advani, founder of our society on 13th & 14th Jan.'2018 and is going to publish its Annual Magazine 'Vidhi Vivek' which will be released on inaugural function on 13th Jan.'2018 at the hands of Hon. Justice Makarand Karnik. I commend your efforts for organizing National Level Moot Court Competition and I am further delighted to note 16 teams out of Maharashtra have registered for the competition and learned Judges and Senior Advocates have agreed to preside over in Preliminary, Semi Final and Final Round.

It is my desire that Judiciary and Law firms should partner with Law Colleges. Final Year students should be invited by Courts to reduce the burden of Judges and presiding officers of the Court which will give opportunity to Law students to understand the procedures for efficient delivery of justice. Lack of knowledge of procedures is the main cause of delay in delivery of justice.

I wish you full success in your present and future endeavours for giving opportunity to future practitioners of Law to test their knowledge of law, its interpretation, communication skill (written as well as oral) before the learned Judges and Senior Advocates. This whole exercise of National Level Moot Court will give full confidence to students who have registered for competition.

Wishing all participants exciting experience and Happy New Year (2018).

MESSAGE



Adv. Shri. Laxman P. Kanal
Management Trustee
V.E.S. College Of Law

I congratulate our Principal Dr. Jyoti Dehmukh, the editorial board, our Faculty members, Non Teaching staff and the students who have actively participated for this remarkable informative Law Magazine.

Our Law College is year after year achieving great heights and presently one of the well known colleges imparting legal Education for which our faculty members are required their due credit, who are dedicatedly imparting their knowledge and devotion for the said purpose.

Our students had ample opportunities and options in the legal field by rendering their contribution at maximum.

And I am confident that our college will be on the top by producing legal experts who will make name for them, name for college and will prove to be shining personalities of the countries, with their maximum contribution in the field of Law, to the society and Nation at large.

Hence I wish to all our dear students, Faculties and Principal for a vision with common goal and for great success.

V.E.S. COLLEGE OF LAW
SINDHI SOCIETY, CHEMBUR, MUMBAI-71

Adv. Laxman Kanal

Management Trustee

Teaching Staff and Administrative Staff

TEACHING STAFF

No.	Name	Rank	Qualification
1.	Dr. Jyoti Deshmukh	Principal	Ph.D., LL.M., (SET), B.Sc., Dip. C.L.
2.	Dr. Anil Farkhade	Asst. Prof.	Ph.D., LL.M., B.Sc.
3.	Mrs. Shubhangi Arde	Asst. Prof.	LL.M. (NET), B.L.S., Dip. C.L. & I.P.R.
4.	Mrs. Jayshree Dongre	Asst. Prof.	LL.M. (NET), M.A. (Eco.)
5.	Mr. Manojkumar Naik	Asst. Prof.	LL.M. (NET), B.S.L.
6.	Mrs. Harshada Rajput	Asst. Prof.	LL.M. (NET), B.L.S.
7.	Mr. Swapnil Choudhary	Asst. Prof.	LL.M. (NET), B.S.L.
8.	Mrs. Varsha Athavale	Asst. Prof.	LL.M. (NET), B.A. (Eco) Dip. C.L.
9.	Mr. Bhushan M. Shinde	Asst. Prof.	M.A. Pol. Sci. (NET), LL.B., B.M.M.
10.	Mrs. Sumita Honawar	Lecturer	LL.M., M.Sc., Dip. C.L.

VISITING FACULTY

1.	Mrs. Jyotsna Gore	Lecturer	M.A. Logic
2.	Dr. Deepali Garge	Lecturer	Ph.D. (Business Management), M.A. Economics
3.	Dr. P Murgesan	Lecturer	Ph.D. (Economics)
4.	Ms. Lekha Nambiar	Lecturer	M.A. (English)

ADMIN - STAFF

1.	Mr. Sudharshan Gokhale	Librarian
2.	Mrs. Prerana Bhandari	Office Superintendent
3.	Mr. Prasad Chile	Junior Clerk
4.	Mr. Prashant Jagdale	Junior Clerk
5.	Mr. Abhishek Singh	Junior Clerk
6.	Mr. Vishal Pimple	Library Attendant
7.	Mr. Bellappa Jamkhandi	Library Attendant
8.	Mr. Pramod Sarvade	Peon
9.	Mrs. Shobha Shinde	Peon

VES College of Law - Teaching and Non-teaching Staff



Staff Members with Students Committee Members



Staff members with Students Council (2017-18)



VES College of Law - 3 years LL.B (2017-18)

1st Year LLB



1st Year LLB



2nd Year SYLLB



3rd Year LLB



VES College of Law - 5 years B.L.S LL.B (2017-18)

1st Year BLS



1st Year BLS



2nd Year BLS



3rd Year BLS



4th Year BLS



5th Year BLS



ACADEMIC TOPPERS (LLB) 2016-2017



MS. SHRIYA BHOSALE
1st LLB



MS. FALGUNI KOTAK
2nd LLB



MS. SWAPNAJA VICHARE
3rd LLB

ACADEMIC TOPPERS (BLS-LLB) 2016-2017



MS. LAVEENA TEJWANI
1st Yr. BLS-LLB



MS. ASHVITA SHETTY
2nd Yr. BLS-LLB



MS. POOJA JAIN
3rd Yr. BLS-LLB



MS. BHAGYASHREE PATIL
4th Yr. BLS-LLB



MS. VANI MANORAJ
5th Yr. BLS-LLB

Hall of Fame- Achievers of 2017-18



Students of VES College of Law won the 2nd Prize in Group Singing Competition organised by 'Vivekini'

Youth Festival Team with the Appreciation Trophy



Jaikumar Vohra (4th Year BLS) and Harsha Menon (3rd Year BLS) won the Second Prize in Debate Competition at Youth Festival organised by University of Mumbai

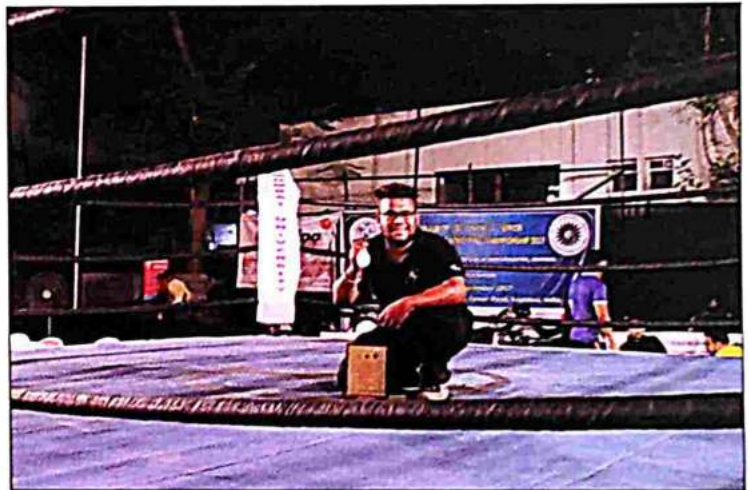
Harsha Menon (3rd Year BLS) won the First Prize in Elocution Competition at Youth Festival organised by University of Mumbai





*Advait Mane (FYBLS),
won the Bronze Medal at
National Kickboxing Championship 2017,
organised at Patna (Bihar)*

*Advait Mane (FYBLS),
won the Silver Medal at
the 11th Senior Maharashtra State Level
Kickboxing Championship*



*Ankit Makhija and Anand Iyer (both- SYBLS),
won the Second Prize and the Third prize
in two Quiz Competitions at
'Enigma Appstract',
an Intercollegiate event conducted
by R.A. Podar College*



Bhakti Bhanushali (TYBLS),
won the **Bronze Medal for Karate at**
International Level
and Silver Medal at
State Level Championship



Rajluxmi Joshi (FYBLS),
won the **First Prize in**
Solo Classical Singing Competition at
'Visions', an Intercollegiate
event organised by
SIES College of Arts,
Science and Commerce



Durgesh Rege (SYBLS) and Sagar Shahani (5th Year BLS)
won the **First Prize in the 'TV series Quiz Competition' at 'Enigma Appstract',**
an Intercollegiate event conducted by R.A. Podar College

COMMITTEES

MOOT COURT COMMITTEE:

Moot Court committee has been established to induce the element of practical knowledge in the students about the basic etiquettes to be followed in the Court, in the presence of eminent Judges and lawyers from the field. The college has been organizing the State Level Moot Court for the past four years. Last year, more than 20 teams from all over the state participated in the competition. This year, the college has organized a National Level Moot Court, an even bigger endeavour in this field.

ACADEMIC TOUR COMMITTEE:

Once in a year, the college organizes an Academic Tour for the students to places of Legal Importance, along with an element of recreation added to it. Last year, the college visited the Bangalore High Court, Vidhan Soudha, and the National Law School of India University (NLU), Bangalore, while on the tour.

CULTURAL COMMITTEE:

A Cultural and Annual Day, also known as "INFINITUM", is organized at the end of every academic year where students display their talents in different arenas such as Music, Dance, Personality Contest etc.

Also an endeavour in the direction of preserving culture, and the language of the State, the college organizes a 'Marathi Vangmay Mandal'. The Cultural Committee organizes activities like Traditional and folk music and dance performances, plays etc. Such programs are organized to popularize the use of the language among the students.

LEGAL AID COMMITTEE:

With the intention of delivering back to the society, the college organizes a Free Legal Counseling Camp every Second and Fourth Saturday. Also, the college organizes a yearly Free Legal Counseling Camp where the college invites eminent Lawyers from various fields to offer Legal Aid, people from the adjoining area visit the camp and seek remedy to their grievances.

SPORTS COMMITTEE:

As the saying goes, 'All study and no play makes Jack a dull boy', the college has set up a committee to look into the sports affairs so that students don't lack any chance to excel in this arena. The college organizes a Sports Day every year where students from all classes participate with maximum zeal. The various activities organized include mixture of Outdoor and Indoor events like Cricket, Football, Badminton, Carrom, Chess, Table Tennis.

Committees Induction



Students Council 2017-18



*Cultural Committee Heads
with the Faculty Members*



*Debate Society Heads
with the Faculty Members*



*Sports Committee Heads
with the Faculty Members*



*Moot Court Association Heads
with the Faculty Members*



*Public Relations and Sponsorship Team
with the Faculty Members*

ACTIVITY REPORT 2017-18

INFINITUM (2016-17) - CULTURAL DAY AND ANNUAL DAY

The Cultural Week of the Academic year 2016-17 was celebrated from 21st to 24th March, 2017. Various competitions were held and all the students actively participated with great enthusiasm. The competitions held were : Solo Singing, Group Singing, Classical Dance Solo, Group Dance, Quiz Competition, Mehendi Competition, Cooking without Fire and many more.

The Annual Day was held on 25th of March where we bid farewell to our beloved seniors and celebrated Traditional Day. Also Prize Distribution for the winners of the Competitions held all through the year was done on the same day.

TEACHER'S DAY

5th September, 2017 celebrated as Teacher's Day all over the nation was also celebrated in VES College of Law. The students had to role play their teachers and conduct lectures just as the way done by all the Faculty members. Mr. Sagar Shahani from 5th Year BLS, performed the role of our beloved Principal Ma'am, Dr. Jyoti Deshmukh. After the regular lectures there were some games and entertainment programs for the teachers organized by the students and a vote of thanks was expressed to all the beloved teachers

STUDENT COUNCIL AND STUDENT COMMITTEE INDUCTION

The Student Council Members and all the Student Committee Heads were officially declared by the Faculty members and passed on the legacy of previous year's Council Members to them on 24th September, 2017. Student Council provides a representative structure through which students can debate issues of concern and undertake initiatives of benefit to the institution.

Mr. Satnam Metharu from TYLLB was chosen as the General Secretary of VES College of Law and Mr. Sagar Shahani from 5th Year BLS was chosen as the Joint General Secretary of the College.

On the same day 6 major committees were formed namely

- Moot Court Association
- Cultural Committee
- Debate Society
- Sports Committee
- Magazine Committee
- Public Relations and Sponsorship Team
-

Each Committee comprised of 2 Faculty Heads, 2 Student Heads, 2 Coordinators and the students were selected based on their past performances and various other parameters as the members for the same.

CLEANLINESS DRIVE 2017

The Swaccha Bharat Abhiyaan initiated by Honorable Prime Minister Mr. Narendra Modi, was also carried ahead by VES College of Law in Chembur, Sindhi Society carried out by the students of VES College of Law on 27th September 2017. Our Principal Ma'am, Dr. Jyoti Deshmukh, proved to be an inspiration for all the students by taking the broom in her own hand to clean the streets of Sindhi Society. Faculty Members and Students too actively participated in the Cleanliness Drive.

SARASWATI PUJAN

The College Administration along with the students of the college performed Saraswati Puja as a reverence towards the Goddess of Knowledge, on the auspicious occasion of Dusherra on 29th September, 2017

INTRA COLLEGIATE DEBATE COMPETITION

Intra-College Debate Competition was the first event organized by the Debate Society. Thirty Six participants from all the classes participated for the same. Mr. Utsav Dalal from 4th Year BLS bagged the first prize followed by Mr. Ranjeev Joseph from 4th Year BLS, being the Runner up. Mr. Akash Manwani from 3rd Year BLS won the third prize.

AARAMBH AND MOOT COURT WORKSHOP

Aarambh, the Orientation Program, was organized for all the students of FYBLS and FYLLB by the Cultural Committee on 14th October, 2017. The introductory program was aimed at orienting the students and their parents about the Institute and its various activities. All the Faculty members and the Committee heads were introduced to the new students.

Moot Court Workshop was held on the same day. The aim of the program was to educate the students about the importance of Moot Court in the profession of law and to make them aware of the Moot Court formats. A demonstration of the same was also displayed by the students.

INTRA COLLEGIATE MOOT COURT COMPETITION

The Intra Collegiate Moot Court Competition, organized by the Moot Court Association, on 6th and 7th November, 2017 proved to be a platform for the students of Law College to display their oratory skills. Thirty two teams participated from which Eight were selected for Semi-Finals. Winners of the competition were Riddhi Pawar (TYBLS), Megha Chandu(4th Year BLS), Sameer Samal (SYBLS), Laveena Tejawani, Muskan Khan and Kajal Juman, (all from SYBLS) class surprised everyone with their arguments and were the Runner-up for the Competition.

EXPERT TALK

An Expert Talk was organized on 2nd December 2017. Shri V.V Lakshminarayana, (Additional DGP, Maharashtra Police) addressed the law students about the 'Role of Police in the Administration'. Sharing his rich experience, he explained the various dimensions of Legal field and answered the doubts presented by the students.

Infinitum 2016-17



*Vani Manoraj (5th Year BLS),
won the 'Best Student' Award 2016-17*



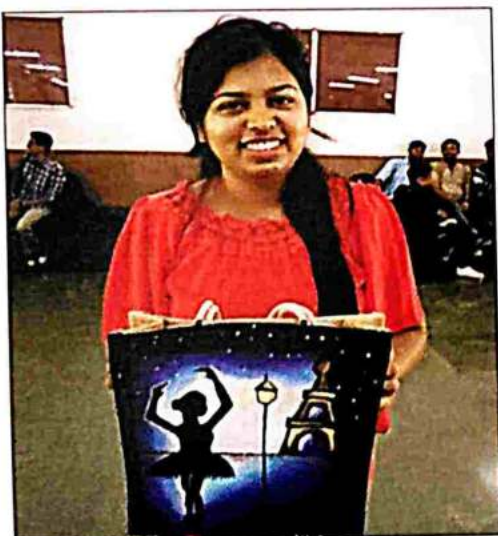
*Harsha Menon (SYBLS),
won the 'Student of the Year' Award 2016-17*



*Chief Guest- Adv. Satish Maneshinde felicitating
Winners of Cricket Tournament*



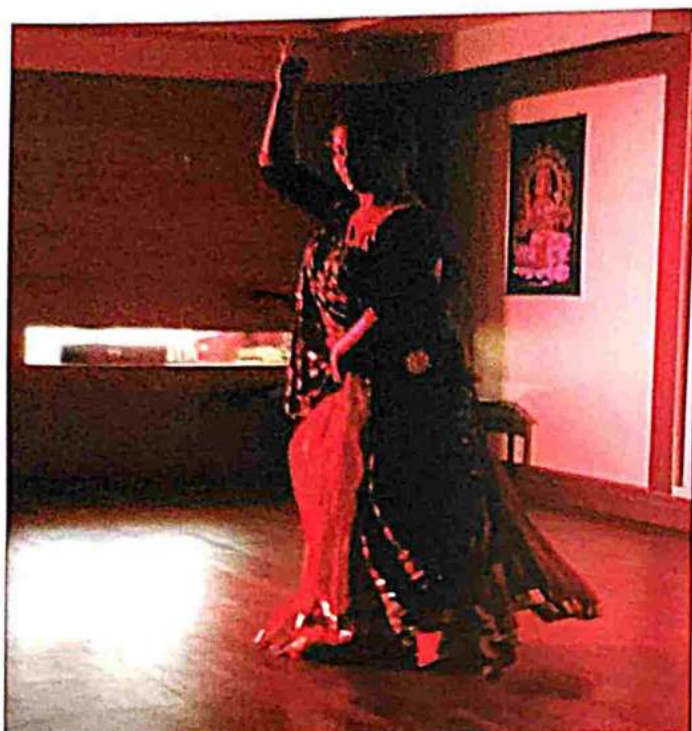
*Winners of Singing Competition
with the Judge- Shri. Santosh More*



*Ankita Patil (4th Year BLS),
won the 1st Prize in Paperless Painting Event*



*Participants Competing in the
'One Minute Challenge'*



Sayantini Sahu (FYBLS), performing Kathak in the Solo Classical Dance



Winners of Group Dance Competition



Harshala Keny (FYBLS) and Durgesh Rege (FYBLS) performing classical duet



Students competing in the Finals of Quiz Competition

Farewell 2016-17



*Dr. Jyoti Deshmukh, Principal,
presenting a melodious song*



*Harsha Menon (SYBLS) and
Sahadev Bhoga (FYBLS) performing
in the Farewell Event*



Farwell Games- 'Know your best friend'

Final Year Students during the Farewell



Teachers' Day



*Parth Zaveri (5th Year BLS),
Student-Teacher for the day*

*Shri. B L Boolani, Senior Trustee Member
addressing the Teachers and Students*



*Shriya Prabhu (4th year BLS),
Student-Teacher for the day*

*Students who took up the role
of Teachers on Teachers' Day*



*Students with Faculty Members
on Teachers' Day*



Cleanliness Drive



*Dr. Jyoti Deshmukh, Principal
joining hands in the cleanliness drive*



*'Swachta hi Seva'
spreading the message of Cleanliness*



Students of Law College during the drive

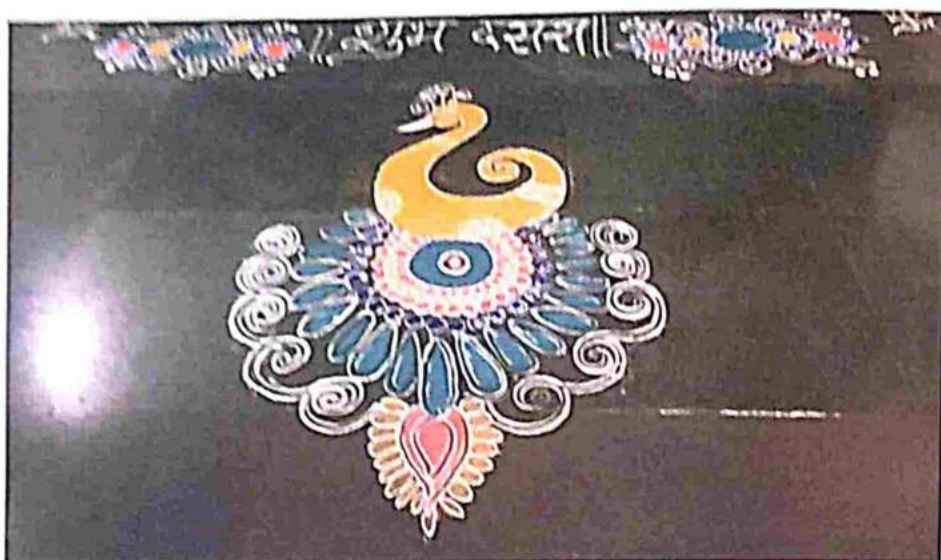


*Students of the College performing
Street Play for creating awareness
about cleanliness*



*Students of the College dumping
the waste collected during the drive*

Saraswati Pujan



Beautiful Rangoli made by the Faculty Members and Students



Dr. Jyoti Deshmukh and Dr. Anil Farkade performing Saraswati Pujan

Intra-College Debate Competition



*Prof. Prasadini Gautam,
Judge for the Preliminary Round*



*Prof. Nadisha Vazirani,
Judge for the Preliminary Round*



*Dr. Anil Farkade and Dr. Anil Variath,
Judges for the Final Round*



Utsav Dalal (4th Year BLS), won the First Prize



Ranjeev Joseph (4th Year BLS), won the Second Prize

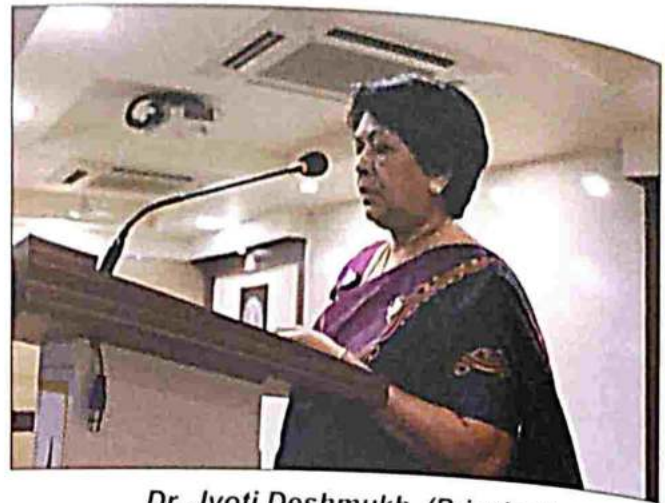


Akash Manwani (3rd Year YBLS), won the Third Prize

Aarambh- Orientation Programme



Adv. Shri Laxman Kanal (Management Trustee) sharing his rich experience with the audience



Dr. Jyoti Deshmukh, (Principal) addressing the audience



Prof. Shubhangi Arde briefing about the avenues in Law to the students



Satnam Metharu, General Secretary of VES College of Law welcoming the audience



Vivien Tulzapurkar (4th Year BLS) and Ravikant Purohit (5th Year BLS), hosting the event



Students along with their parents present for the Orientation Programme

Moot Court Workshop



*Akash Manwani (TYBLS),
presenting his arguments as a Mooter*

*Demonstrating Team at the
Moot Court Workshop*



*Jaikumar Vohra (4th Year BLS)
conducting the Workshop*

Students Panel for the Moot Demonstration



Intra-College Moot Court Competition



*Dr Jyoti Deshmukh felicitating Dr. Smita Karve
(Judge for the Intra-Moot Competition)*



*Dr Jyoti Deshmukh felicitating Dr. Salim Khan
(Judge for the Intra-Moot Competition)*



*Winner Team of the
Intra-Moot Court Competition*



*Runner-up Team of the
Intra-Moot Court Competition*



Judges judging the Intra-Moot Court Competition

Expert Talk by Shri. V. V. Lakshminarayana (IPS)



Adv. Shri Laxman Kanal (Management Trustee), Dr. Jyoti Deshmukh (Principal) with the guest Shri. V. V. Lakshminarayana (IPS, Additional DGP of Maharashtra Police)



Adv. Shri Laxman Kanal (Management Trustee) felicitating the Guest Shri. V. V. Lakshminarayana (IPS, Additional DGP of Maharashtra Police)



Shri. V. V. Lakshminarayana (IPS, Additional DGP of Maharashtra Police) addressing the audience on 'The Role of Police in administration of justice'



Faculty Members and the Students with the Guest - Shri. V. V. Lakshminarayana (IPS, Additional DGP of Maharashtra Police)

Human Rights Philosophy and Feminists' Approach Regarding the Parameters of Gender Justice.

Dr. Jyoti Deshmukh
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Principal, V.E.S. College of Law, Chembur



Human Rights speak for human dignity. It talks about the human dignity not of a man or woman but of every human being. These rights are civil, political, economic, social and cultural covering all the facets of human life. All of us belong to one family i.e. mankind. Every member is entitled for all fundamental and legal rights and everybody has a responsibility to protect the rights of all others. Differences of race, language and colour neither change these rights; nor do differences of property, social origin and political ideas or religious beliefs. Everyone, regardless of what they do and what they think, is born with Human Rights. The foundational norms governing the concept of Human Rights is that of the respect for human personality and its absolute worth regardless of colour, race, caste, sex, religion and other considerations. These rights are essential for the full development of human personality and for human happiness. Human Rights philosophy rejects the concept of anarchy and monarchy and always accepts the supremacy of 'Dharma', i.e. Law and Spirit. The philosophy says the Dharma (Law) constituted the blue-print or master-plan for all round development of the individual and different sections of the society.

Right to dignity is the most recognized human right. Recognizing this fact, while providing equal rights for both males and females, the Preamble of the United Nations Charter emphasizes on maintaining dignity and worth of human being, as well as social progress and higher standard of living with greater freedom, whereas The Universal Declaration of Human Rights emphasizes the right to life with dignity.

The Indian Constitution while mentioning the term 'dignity' in its Preamble provides for its structure in detail in Fundamental Rights and Directive Principles of State Policy. The whole set of equality aims at providing dignity to human beings. The social handicaps, prejudices, biases on the basis of caste, creed, sex, etc. have been constitutionally prohibited. Dignity is a complex term and cannot be ensured only by providing legal and constitutional rights or by making welfare policies.

Human Rights - Women's point of view.

From the women's view point, the dignity is attached to the identity of human being as a 'person' and when a person does not enjoy the right to be a person; dignity does not exist at all. Right to Equality is a basic human right which speaks of equal status to all, irrespective of sexes and leads towards 'Do's' and 'Don'ts' parameters. The most important and constructive step in this direction is the right to education which is added as fundamental right by the 86th amendment in part- III of the Constitution of India as Article 21-A. This right enables women to attain literacy and empowers them to face the problems of their own.

Regarding the protection of Human Rights within the family, women are not that much optimistic because violence against women in family is done within four walls of the so called 'home' and hence in most of the cases the 'unreported crimes'.

Though law provides number of protective shields to women, the position of women has not changed so far. Women are always considered to be an 'object' to be enjoyed with. They were seen as 'objects' and are seen as 'objects'. This thing reflects in most of the Indian film songs like, 'Tu 'Cheez' Badi Hai Masta Masta' and 'Kya 'Cheez' Ho Tum, Khud Tumhe Malum Nahi Hai'. These songs are especially mentioned here to explain how the very concept of woman as 'Cheez', an 'Object', is easily taken for granted, accepted and popularized. The question of Human Rights of women becomes important when they are made soft targets by the society members and are forced to live in such environments not conducive to their dignity. The communities, civil and political areas are still to recognize women as independent human beings.

Feminist Thought and Legal theory-

Feminist jurisprudence emerged recently and its origin can be explained in number of ways. More generally, it is seen as an off-shoot of legal studies which is developed from the women's movement in the late 1960 and early 1970 with the writings of Simon De Beauvoir, 'The Second Sex', in 1963 and other feminist theories concerned with the treatment to women by the legal systems. Feminist theories not only seek to justify and counter a traditional oriented legal system but also question male-oriented theories and ideologies.

Feminists argue that the modern jurisprudence is 'masculine' as it does not reflect the values, the dangers and fundamental contradictions that characterize women lives, at any level, whatsoever, in Contracts, Torts, Constitutional law or any other field of legal doctrine. The rule of law does not recognize value of intimacy; its official value is 'autonomy'.

Masculine jurisprudence in both, liberal and critical legal theory is about the relation between the law and life of 'man' and not of 'woman'. Women are absent from jurisprudence because women as 'human beings' are absent from the law's projection. The feminist jurisprudence consists of two different projects viz- unmasking of patriarchy behind purportedly and gendered law and criticizing the theory of patriarchy. Feminists further argue that it is a concealed substantive way in which 'man' has become the measure of all things. Under the same standards, women and their womanhood are measured according to their terms with men. This is like the anatomy models in medical colleges that a male body is 'human body' and those extra organs women have, are to be studied in 'Obstetrics and Gynecology'. The double standard of these rules does not give women dignity as human beings.

Regarding the language of the law, throughout the history of Anglo-American jurisprudence, the primary linguists of law have exclusively been 'men'. Men have shaped, defined and interpreted law and have given it meaning consistent with their understandings of the world and of the people other than women, making the legal language, a male language because it is informed and derived by the men's experiences and powerful social situation of men. Hence the 'law' is 'his law' and not 'her law' targeting the women as 'subjects'. Thus, the issue of violence against women and its treatment by Criminal law is an era of concern which is characterized by English Law in *R v R*, in 1991 (4 All.ER, 481) the possibility of rape within marriage.

Feminism has enhanced women's consciousness, a sense of awareness and dignity. A considerable literature on women and law began to emerge from the year 1980 in India. Therefore, over the last 15 years, a number of intellectual movements have begun to re-shape the approach of legal education which has been influential in the development of feminist legal thought.

Structural Implications: Construction and Deconstruction of Women-

The social ethos are so designed to keep women under control under the garb of customary or cultural taboos. The atmosphere is so created that the girl must marry and once married must stay married. Marriage is considered everything in woman's life but she is not permitted to choose a companion of her own free will. Many girls are forced into marriages against their wishes. Women are the first targets fundamentalist thoughts which seek to impose restrictions on them in the name of traditions and cultures.

Construction of Women-

The total population is divided in two kinds of species; male and female. Sociologically it is termed as 'Gender' and biologically as 'Sex'. Further social growth developed some structural implications which were made as a matter of convenience to maintain the dominance of men over women. For the sake of convenience, the society divided the two sexes into a 'man' and 'woman' on the basis of their patterns of behavior, man as masculine and that of woman, a weaker and subservient one. The girls, since their childhood, are given dolls and utensils to play with, which fix their roles for 'child rearing' and of 'kitchen queens'; whereas the boys are given 'bats and balls' and other outdoor games. The girls are taught to tolerate male dominance and thus the practice of dominance of men over women has changed to 'concept'. The other dependent weaker members are made to follow the rules so created and non-following of these rules claimed by the dominant person is deviant behavior.

Virtually, the society does not treat both the sexes equally. When a child takes birth, he remains completely raw.

He learns from whatever he observes in the society and that constitutes his personality. Specially, a boy identifies and imitates his father about his reactions, aggressions and hostility which he shows towards his wife; while a girl learns to control and suppress her desires. She is taught to develop tolerance, cooperation and submission. Right from his childhood a male is encouraged to build muscles and toughen his fists and a female is encouraged to value soft skin and slender fists. The family members and society decide her clothing and what food to eat and when to eat with whom, and also which rituals and festivals to celebrate. Moreover, women are treated as 'Varnas' like 'Brahmins' or 'Shudras' with variety of functions and practices. In India, women are treated as untouchables when they are under menstruation.

The social construction of women results in unequal distribution of resources. When the food tools and supplies are short, women do without but the men do not. Lactating, pregnant women and adolescent girls are culturally assigned less food than their body needs. Social construct makes them to carry heavy work load responsible for the triple production loads of breeder, feeder and producer for the family unit. They are excluded from decision making roles, both domestically and in public affairs. Under the garb of caretaking they are deprived of many things and force them to remain behind 'Purdah' Right from childhood the girls are taught that her mind and perception are nothing whereas male authority and traditions mean everything. They are taught to act according to the role mapped out by males for them.

De-construction of Women-

Various feminist theories have contributed for the deconstruction of women. Deconstruction is the technique used to reveal the deep-rooted hierarchies of hidden male power beneath the exterior of the law. The feminists have gone through different phases for the purpose of deconstruction of women. One phase has been the need 'to be like men' to meet the challenges of the masculine world and to achieve equality on their own terms. Sex equality is the first demand and goes to the extent that women are also entitled to achieve every pleasure; including pleasure of sex, like men.

The first wave of Deconstruction of women started with the adoption of 'The Declaration of Sentiments' in 1848 at Seneca Falls Convention. This famous American document in 19th century provided the intellectual foundation for the famous writers.

The process of deconstruction of women emphasizes on the individual rights of women. Recently, Rawls 'Theory of Justice' has been applied to the justice of individual's freedom to pursue his /her destiny. In this context, Richard, in his book, 'The Skeptical Feminism' in 1982 argued that Rawl's original position and 'Veil of Ignorance' ought specifically to include ignorance of sex and the structure of household should be open to question.

Similarly, Okin in 1990 argued for a need of society in which child rearing and domestic work are shared equally. Likewise, Supreme Court of United States in Roe vs Wade, in 1993, recognized a woman's right to terminate her pregnancy as, 'My Body My Decision'.

Feminism, thus, is concerned with establishing proper recognition of women in the society and the law. This process of construction and deconstruction of women is often misunderstood by the society. As a result of these feminists' efforts the Indian Constitution has provided parameters for Gender Justice by making amendments in the Constitution from time to time. Thus, most of the families or parents have adopted the basics of equality of sexes and girls feel free to refuse the conditions of subordination, deeply embedded in genders and social cultures.

Parameters of Gender Justice: From Declaration to Present Day-

In the late 1980, women began to seek solutions to violence against women at International level. These efforts have changed the discourses on Human Rights; resulting in world and regional Declarations for discrimination against women. Realizing this inequality, the United Nation's organs and agencies have endeavored to ensure everyone adequate protection against torture and other forms of cruel, inhuman or degrading treatment. They have formulated universal standards applicable to everyone and passed various instruments with a focus on women's emancipation, maintaining and enhancing the dignity of women. The United Nations from the very beginning are concerned with the plight of women. Since its inception, more than fifty instruments on Human Rights are

churned out. Many of them have recognized sex or gender as an important premise of analysis when it comes to examining the enjoyment of Human Rights.

In this context it is worth to have a look into the chronology of the major developments related to Women's Human Rights issues. Prior to Convention on Elimination of Discrimination Against Women (CEDAW), Declaration on Elimination of Violence Against Women (DEVAV) was proposed by the United Nations and later on adopted by the General Assembly. The DEVAV defines violence against women broadly within a cultural context and urges states to provide remedies. It, significantly, defines violence in households as Human Rights violation and condemns use of religion, custom or tradition to support violence against women.

After two decades, The Convention on Elimination of Discrimination Against Women (CEDAW) preceded DEVAV and was approved by the United Nations in 1979 and ratified approximately by 105 member-nations of the United Nations. The CEDAW does not directly address violence against women but set out substantive measures designed to achieve legal equality of women and men. It binds States to modify cultural patterns of behavior and attitudes regarding the sexes and attempts to impose standards of equality and non-discrimination in private as well as public life. These instruments are important for establishing the Human Rights principles that women have Right to Live with dignity, free of gender based violence.

World Conferences on Women-

The United Nations observed 1975 as International women's year and committed to carry out specific actions to end gender based violence. For these reasons the International conferences on women were held as under-

1. First World Conference in Mexico City, 1975;
2. Second World Conference in Copenhagen, 1980;
3. Third World Conference in Nairobi (Kenya), 1985;
4. Fourth World Conference in Beijing, China, 1995.

In Beijing, the countries all over the world reviewed the advancement of women in the light of guidelines adopted at the Nairobi Conference. In this Conference the definition of 'family' and a statement on 'lesbianism' were the new wheels added to the women's movement.

The meet of women in China was the recent focus on the violence against dignity of women, India being the signatory of the Conventions and Declarations of United Nations incorporated various provisions relating to equality and dignity of women in its laws.

Conclusion-

It is necessary to make people aware to discourage violence and harassment of women and the most important is to acknowledge the identity of her as a 'human being'. It is desirable that the people should boycott victimizers and his families where occurrences of violence happen. Likewise, women should be strong enough to resist violence against them.

Feminists deconstructed ancient texts and cultural myths to reveal their meaning and biases. Men have created a sense of dependency in women. It is their voiceless nature that is articulated in the struggle for justice inside and outside the courts. Therefore, it is a need of an hour that the women should know their rights and protections granted by the law. In this context, the Sanskrit Shloka seems to be true which says,

अश्वं नैव, गंज नैव, व्याघ्रं नैव च नैव च ।

अजापुत्रं बलिम् ददात् देवो दुर्बलं घातकः ॥

This means that not a horse, not an elephant and certainly a tiger never is killed but only the goats are victimized and justified by others or even God does not protect the weak and are condoned by other members of the society. Therefore, the only chance of ending all violence lies in the fact that women should know about their power and should not hesitate to use it when the time arises.

The Juvenile Justice (Care and Protection of Children) Act, 2015 : An Analysis.

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The National Crime Records Bureau (NCRB) data shows that there has been an increase of offence committed by juvenile i.e. from 1% in 2003 to 1.2% in 2016. During the same period 16-18 years old accused of crime as a percentage of all juveniles accused of crimes increased from 54% to 60%.

One of the perpetrators in Delhi gang rape of 2012 was few months short of 18 years and he was tried as Juvenile. He was sent to reformation home for three years and was released in December 2015. This had raised the public demand for lowering the age of juveniles under the Act. The earlier Act of 2000 was also facing implementation issues particularly in cases of adoption. To deal with these issues the Parliament re-enacted the Act of 2000 and replaced it by the present Act 2015 which mainly deals with the issues of child relating to child in conflict with law, Child in need of care and protection and Adoption. The present article mainly deals with the issue relating to Child in conflict with law and adoption.

Child in conflict with law means a child who is alleged or found to have committed an offence and who has not completed eighteen years of age on the date of commission of offence. For the purpose of dealing with the child in conflict with law, in the Act 2015, the offences have been classified in three categories.

- **Petty offences** - Sec.2 (45) includes the offences for which the maximum punishment under the Indian Penal Code or any other law for the time being in force is imprisonment up to three years.
- **Serious offences** - Sec.2 (54) includes the offences for which the punishment under the Indian Penal Code or any other law for the time being in force is imprisonment between three to seven years.
- **Heinous offences** - Sec.2 (33) includes offences for which the minimum punishment under the Indian Penal Code or any other law for the time being in force is imprisonment for seven years or more.

As per the earlier Juvenile Justice Care and Protection Act 2000 a Juvenile i.e. a child below 18 years of age could not be sentenced to any punishment. As per the re-enacted Act 2015, the State Government shall constitute for every district one or more Juvenile Justice Boards for exercising the powers and discharging its functions relating to Children in conflict with law. It is the duty of the Board to ensure that the child's rights are protected throughout the process of apprehending the child, inquiry, aftercare and rehabilitation.

As soon as a child alleged to be in conflict with law is apprehended by the police, such, such child shall be placed under the charge of the special juvenile police unit or the designated child welfare police officer, who shall produce the child before the board without any loss of time and within a period of 24 hours of apprehension excluding the time necessary for the journey. In no case a child shall be placed in police lockup or lodged in a jail.

The Juvenile Justice Board may pass such orders in relation to such child as it deems necessary under the provisions of the Act. Where a board is satisfied on enquiry that a child irrespective of age has committed a petty offence, or a serious offence, or a child below the age of sixteen years has committed a heinous offence, then notwithstanding anything contained in any other law pass an appropriate order in the circumstances viz. allow the child to go home after advice or admonition, direct the child to participate in group counseling, order the child to perform community service under the supervision of an organization or institution, order the child to pay fine, direct the child to be released on probation of good conduct for the period not exceeding three years, direct the child to be sent to a special home not exceeding three years.

The most important provision is Sec. 15 of the Act which provides that in case a heinous offence is alleged to have been committed by a child who has completed or is above the age of sixteen years, the Board shall conduct

preliminary assessment with regard to his mental and physical capacity to commit such offence, ability to understand the consequences of the offence and the circumstances in which he allegedly committed the act. After preliminary assessment if the Board reaches to the conclusion that there is a need for the trial of the said child as an adult, may order the transfer of the trial of the case to the Children's Court having jurisdiction to try such offences.

As per Sec. 19 after the receipt of preliminary assessment from the Board, the Children's Court may decide whether there is a need for the trial of the child as an adult and in such case if it decides that there is a need for trial of the child as an adult as per the provisions of Code of Criminal Procedure 1973 pass appropriate orders considering the special needs of the child, the tenets of a fair trial and maintaining a child friendly atmosphere or if there is no need for trial of the child as an adult may conduct an enquiry as a Board and pass appropriate orders in accordance with the Act.

As per Sec. 21 no child in conflict with law shall be sentenced to death or life imprisonment without the possibility of release for any such offence under the provisions of Indian Penal Code or any other law for the time being in force.

Adoption of a Child: - Adoption shall be resorted to for right to family for an orphan, abandoned and surrendered children.

All inter-country adoptions shall be done only as per the provisions of this Act and the adoption regulations framed by the authority. In case of a couple, the consent of both the spouses for the adoption shall be required. A single or divorced person can also adopt subject to the provisions of adoption regulations framed by the authorities under the Act. A single male is not eligible to adopt a girl child.

The State Government shall recognize one or more institutions or organizations in each district as a specialized adoption agency. Indian prospective adoptive parents living in India may apply for adoption to a Specialized Adoption Agency which is empowered to refer a child declared legally for adoption.

Terrorism: It's Changing Face And Path Towards A Peaceful Future

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"An eye for an eye makes the world blind"- M K Gandhi

Lord William Bentinck, the then Governor-General of India took the ultimate step towards eliminating 'thuggee', one of the first few attack on the element of terrorism. 'Thuggee' was homegrown terrorism where hereditary assassins in groups kidnapped and killed people in the name of Goddess Kali. This was a time when acts of terrorism remained localized in parts of the world. In many cases the indigenous persons were termed as terrorists and their rebel against the colonial powers as act of terrorism.

Terrorism as the term itself state is an act of inducing terror. It is the unlawful use of violence and intimidation, especially against civilians, in the pursuit of political aims. The act of terrorism is generally done clandestinely with innocent civilians as its victims and perpetrators being 'non-state' actors. Termed as a symmetrical warfare, the perpetrator in such terror activity only aims at maximum destruction without any solid goal or objective.

In today's time the term has come to express various meanings and have become a global problem. Countries coming together and signing various 'conventions', forming various 'taskforces' to deal with it, creating various 'alliances' and condemning acts of terrorism in a common voice only explains its significance in global politics and the colossal and complex form it has achieved.

Right from the localized versions of terrorist organizations like Jaish-e-Mohammad, Lashkar-e-Taiba in the Indian Subcontinent, Hamas and Hezbollah in the Middle East today Organizations have come to assume a global character. The 9/11 attack marked the beginning of the global presence of terrorist organizations like Al-Qaeda and the emergence of IS (Islamic State) which are amorphous in character. The spread of these organizations have been aided by two forces: technology and globalization. Technology has made it convenient for such organizations to recruit more and more 'fighters' for its cause. Globalisation has made the world seem closer and hence the spread of ideas have become easier.

The 9/11 attack on the twin towers changed the prism towards terrorism permanently. While countries like India had been condemning terror attacks on its soil and used to demand global attention towards the problem, it was looked as a bilateral issue between India and Pakistan. The source of 9/11 attack in the form of Al-Qaeda located in the immediate neighborhood of Pakistan led to immediate focus on these areas in general and terrorism in particular.

It also shook the hegemonic stature of USA as a super power. Never before was USA attacked in such a gruesome way. The attack was the first nail in the coffin for America's slide down.

While it is struggling to get back to its original place, global politics has transformed in last 15 years. So has been the emergence of newer forms of terror tactics. The rise of IS (Islamic state) is one such form.

The IS was the first instance when a terror organisation did not settle for merely carrying out attacks and disturb the routine life. It aimed at acquiring a territory in countries like Iraq and Syria with the 'dream project' of reestablishing the Khalifa (The Empire), which was dismantled during and post World War I times. It established a proto-state, declared its currency, established its own banks and aimed to reignite the 'passion' of the youth to re-establish the Khalifa. This focus on attracting 'fighters', create 'sympathisers' and generate funds was particularly done through Social Media. While the global community decided to fight it collectively, the fissures between countries like Russia and China on one side and countries like US, UK and other European countries on the other has only led to unfinished agenda with respect to dealing with IS.

This however hasn't been the only worrisome trend. The new form of attacks which have been encouraged by the IS and have even been carried under its banner, have been the 'lone wolf' attacks. This has particularly been a newer challenge to deal with, for all the countries of the world in general and the western countries in particular.

A 'lone wolf' attack is an attack by any person who has been influenced by the ideology of a terrorist organisation (in this case IS) and is carried out independently without any logistical support from an organisation. This newer form of attack is a result of increasing use of Media, especially Social Media, for radicalisation by the terrorist organisations and in the wider context, loosening of social fabric leading to increasing alienation of human beings from their societal setting. The attacks in Brussels, Las Vegas and many other points towards a common trend- a radicalized terrorist brainwashed through social media under the banner of IS, targeting a populated public place.

So what exactly needs to be done? Can we have a peaceful future? Or terrorism is here stay?

Terrorism has changed in form and substance, especially so in the past twenty years. This requires a set of strategies to be targeted holistically to tackle this menace. Humanity is still a victim of terrorism only because of half baked uncoordinated attempts towards its elimination.

• **Collective Action by Nations**

Keeping aside ideological dimensions, countries of the world should come together to take a united stand against terrorism. The example of Syria, Afghanistan and Pakistan reflects how the world is divided on taking action against the terror breeding grounds. This is also a result of prioritising nation's own interest over the collective good, a realist stance. While what is required is exactly opposite of it. If the world has to survive together and live peacefully, a collective approach is needed by all the nations of the world and support in any form to terror groups should be discontinued.

Efforts like Financial Action Task Force (FATF) to curb terror finance, terrorism occupying centre stage in various multi-lateral initiatives as well as regional groupings like G20, North Atlantic Treaty Organisation (NATO), Association of South East Asian Nations (ASEAN) and even South Asian Association for Regional Cooperation (SAARC) is a welcome development, much more remains to be done.

• **Increasing relevance of United Nations (UN)**

The United Nations as a collective body should be brought back to relevance and its original power to take action in an objective manner should be restored. This also calls for restructuring or democratization of UN bodies like the Security Council, where continents like Africa and South America are not even represented while Europe is over-represented.

Adoption of the India-sponsored Comprehensive Convention on International Terrorism (CCIT) by the UN General Assembly at the earliest will go a long way in bringing about a uniform approach towards terrorism and will speed up collective efforts towards tackling it.

Having a common defence force to deal with terror activities under the banner of UN will also streamline anti-terror action. Countries may contribute towards such force on the lines of Peacekeeping Force.

• **Countering use of Technology by Technology**

The recent instances of terror finance and especially recruitment display a common trend i.e. use of Technology. Individual countries are increasingly finding it difficult to trace such sources of finance and curbing these recruitment techniques by terror propaganda, especially through Social Media. This calls for monitoring the usage of Social Media for Terror activities recruitment and countering such propaganda by alternative propaganda. India intelligence agencies have been successful in doing so. The limited success of IS in India in recruiting agents for their activities in Syria and Iraq displays the same.

Information sharing between intelligence agencies of countries and intra-country information sharing among security agencies will also help in nipping terror activities in the bud. For example, in the Indian context there needs to be coordination not only between agencies like Research and Analysis Wing (RAW), Intelligence Bureau (IB) and National Security Guards (NSG) but also equal coordination should exist between these agencies and local police. The local police should be empowered to deal with such attacks as they are the first one to reach the point of such attacks.

In conclusion it can be said that it's a colossal task and right from the global level to the individual level, values of cooperation and brotherhood needs to be imbibed so that Gandhiji's dream of a peaceful world can come into reality.

Environmental Protection: A Prime Duty

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In general parlance, we connote Environment with air quality, trees, water, noise and we tend to decorate the same with personal experiences. The Environment (Protection) Act, 1986 defines environment as including "water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organisms and property". Inhabitants of rich cities lead a substantially poor life due to lack of composure and restfulness extended by a healthy and wholesome environment. Nobody lacks in making hue and cry about raising noise levels and air pollution but are we really willing to give up our luxurious cars and disparagingly loud equipment's for our plausible consequent generation? Round the clock, we are under an obligation to save and protect the quality of the source of our luxuries.

Making it all about nature, the world has so far taking initiatives to curb the exploitation of mother earth. Profound civilizations and democracies have casted duties on denizens and administrative bodies to safeguard the nature by the channel of legislations. Before dwelling into complex Legislations on preservation of environment, one needs to take a look at the lex loci. Constitution of India has instituted a cross-obligatory duty upon citizens and Government. It is not only a Directive Principle under Part IV, Article 48A of Constitution of India for the state to protect and improve the environment and safeguard the forest and wild life of the country but also a duty of every citizen to protect and improve the natural environment including forest, lakes, rivers and wild life, and to have compassion for living creatures as enumerated in Part IV-A, Article 51-A(g) as a Fundamental Duty.

World Environment Day (WED) occurs on 5 June every year, and is the United Nation's principal vehicle for encouraging worldwide awareness and action for the protection of our environment. First held in 1973, it has been a flagship campaign for raising awareness on emerging environmental issues from marine pollution, human overpopulation, and global warming, to sustainable consumption and wildlife crime. WED has grown to become a global platform for public outreach, with participation from over 143 countries annually. Each year, WED has a new theme that major corporations, NGOs, communities, governments and celebrities worldwide adopt to advocate environmental causes.

Environment protection and its preservation has become the need of an hour. Worldwide all human activities are interconnected through environment. Environment destruction and pollution has seriously threatened the human life, health and livelihood. Thus there has been a thrust on the environment protection all over the world. If the quality of life is to be preserved to the present generation and if the future generation is to be saved from environment catastrophe, the nature's gift to us in the form of flora and fauna has to be preserved in the natural form. The proper system of the eco system is the need of an hour. The only answer to tackle this problem is sustainable development.

The term "sustainable development" was used at the time of Cocoyoc Declaration on Environment and Development in the early 1970s. Since then it has become the trademark of international organizations dedicated to achieving environmentally benign or beneficial development. The concept of sustainable development further received impetus in the Stockholm Declaration on human environment resulting from the United Nations conference on Human Environment in 1972.

A point has reached in history when we must shape our actions throughout the world with a more prudent care for their environment consequences. To defend and improve the environment for the present and future generation has become an imperative goal for mankind. To achieve upon the environmental goal the conference called upon the Governments and the peoples to exert common efforts for the preservation and improvement of human environment for the benefit of the people and for their prosperity.

Bad laws are the worst form of tyranny

From time to time various legislations relating to protection of Environment from specific types of pollutions have been passed by the Indian legislatures. Like,

1. The Wild Life (Protection) Act, 1972
2. The Water (Prevention and Control of Pollution) Act, 1974
3. The Forest Conservation Act, 1980
4. The Air (Prevention and Control of Pollution) Act, 1981
5. The Environment Protection Act, 1986
6. The National Green Tribunal Act, 2010

However, the Environment Protection Act, 1986 is the most comprehensive Act on the Indian statute book relating to environment protection. It is a general legislation for the protection of Environment. From 1986 till date the government is amending the provisions of the Act as per the need of an hour. The Present provisions and proposed changes under Environment Protection Act are as follows;

Present provisions-

- The maximum fine that can be imposed on a polluting industry or other entities is Rs.1 lakh along with a jail sentence of up to five years
- Even this requires the government agencies to first file a complaint with a magistrate at the district level and secure a favorable order against the polluter.
- At present, there are powers to shut down a polluting industry or an operation of a part of the industry temporarily.
- Currently, a violation of the Environment Protection Act is treated as a criminal offence.
- There is a felt need to have graded response to the pollution problem without everything ending up in court.

Proposed changes-

- The level of fines for a polluting industry from Rs.1 lakh to Rs.1 Crore to be increased.
- The fine is to be imposed without going through a judicial process prescribed in the current law.
- A designated officer would be the final authority to decide the money that needs to be recovered from the polluting entity.
- There is also a plan to make pollution a civil offence for which the government can demand costs from the polluters without going to the courts.

The proposed changes lack understanding of why repeated attempts over the past failed to bring a change in pollution levels. This includes the recent Namami Gange project's output. The river is a community asset and polluting it has disastrous health effects. This cannot be overlooked because a polluting industrial unit is happy to pay Rs.1 Crore. Undermining judicial review could give scope for official-polluter nexus, instead of reducing pollution. Change can start with more efficient execution of the existing rules than amending them or bringing new ones.

Have You Been Charged Gst Wrongly?

Dr. Deepali Garge
PhD, MA(Eco)



The Sixteen years, in the making, India rolled out the Goods and Services Tax (GST) from July 1, 2017. Narendra Modi-led government inaugurated the new indirect tax at the stroke of midnight of June 30 in Parliament.

The GST is

- meant to be a unified indirect tax across the country on products and services. In the current system, tax is levied at each stage separately by the Union government and the States at varying rates, on the full value of goods. But under the GST system, tax will be levied only on the value added at each stage. It is a single tax (collected at multiple points) with a full set-off for taxes paid earlier in the value chain.

Thus, the final consumer will bear only the GST charged by the last dealer in the supply chain with set-off benefits at all the previous stages.

For transactions within a State, there will be two components of GST - **Central GST (CGST) and State GST (SGST)** -

levied on the value of goods and services. Both the Centre and the States will simultaneously levy GST across the value chain.

In the case of inter-State transactions, the Centre would levy and collect the Integrated Goods and Services Tax (IGST). The IGST would be roughly equal to CGST plus SGST.

The objective of GST was

- to subsume various indirect taxes levied at different levels, with the idea of reducing red-tape, plugging leakages and paving the way for a transparent indirect tax regime.

The impact of the GST on common man :

The prices of goods and services will largely depend on the item in question. It will also depend upon the respective State governments and their intervention with respect to controlling prices of essential commodities. Milk, for example, which is likely to see a spike in prices after GST is implemented, can still be sold at cheaper rates if the State government offers a subsidy on it.

GST help in getting rid of tax evasion with

A comprehensive IT system, GSTN, will allot universal GST numbers. (similar to PAN) to all manufacturers, traders, stockists, wholesalers and retailers. This will simplify the administration of indirect taxes and plug leakages. The government also plans to incentivise tax compliance by traders.

Whether the GST will be beneficial to the poor or not only time can tell. Prices of vegetables and fruits are likely to rise under the GST regime and services such as eating at restaurants will get more expensive. What will likely get cheaper are items such as clothes, as cascading taxes at various stages of manufacturing would no longer apply to them.

The GST Council in its 23rd meeting on November 10, 2017 recommended widespread changes in the Goods and Services Tax (GST). The council has decided to keep the highest 28% tax on luxury and sinful items as a result 177 items have been shifted to the 18% bracket. GST on many items have also been reduced.

The government has categorised items in five major slabs - 0%, 5%, 12%, 18% and 28%.

The updated list of goods and services taxed under various GST slabs:

a) No tax/GST (0%)

Goods

No tax will be imposed on items like jute, fresh meat, fish chicken, eggs, milk, butter milk, curd, natural honey, fresh fruits and vegetables, flour, besan, bread, prasad, salt, bindi, Sindoor, stamps, judicial papers, printed books, newspapers, bangle, handlooms, bones and horn cores, bone grist, bone meal, etc.; hoof meal, horn meal, Cereal grains hulled, Palmyra jaggery, Salt - all types, Kajal, Children's' picture, drawing or colouring books, Human hair, Khadi purchased from Khadi and Village Industries stores, Clay idols, brooms, Cotton seed oil cake, Charkha, Guar meal, hop cone, certain dried vegetables, unworked coconut shell and fish, and bangles of lac/shellac.

Services

Hotels and lodges with tariff below Rs. 1,000, Grandfathering service has been exempted under GST. Rough precious and semi-precious stones will attract GST rate of 0.25 per cent, admission to "protected monuments",

b) 0.25% GST

Rough industrial diamonds including unsorted rough diamonds to face 0.25% instead of 3% GST.

c) 5% GST

Goods

Items such as fish fillet, apparel below Rs. 1000, packaged food items, footwear below Rs. 500, cream, skimmed milk powder, branded paneer, frozen vegetables, coffee, tea, spices, pizza bread, rusk, sabudana, kerosene, coal, medicines, stent, lifeboats, Cashew nut, cashew nut in shell, raisin, ice and snow, bio gas, Insulin, agarbatti, kites, postage or revenue stamps, stamp-post marks, branded food, walnuts, dried tamarind, roasted gram, dhooop-batti, Corduroy fabric, saree fall, Oil cakes, Duty Credit Scrips, Cotton quilts (quilts not exceeding Rs. 1000 per piece), corals, Rosaries and prayer beads, Hawan samagri, Grass, leaf and reed and fibre products, including mats, pouches, wallets, mangoes sliced dried, Khakra and plain chapati / roti, branded Namkeens, Ayurvedic, Unani, Siddha, Homeopathy medicines; Paper waste or scrap; Real Zari; Plastic waste, parings or scrap; Rubber waste, parings or scrap; Hard Rubber waste or scrap; Paper waste or scrap; Real Zari; Cullet or other waste or scrap of Glass; E-Waste; Biomass briquettes; Desiccated coconut, Narrow woven fabric including cotton; Idli and dosa batter; Finished leather; chamois and composition leather; Coir cordage and ropes, jute twine, coir products; Fishing net and fishing hooks; Worn clothing; Fly ash brick; aircraft tyres, puffed rice chikki, flour of potatoes, chutney power, fly sulphur recovered in refining crude and fly ash.

d) 12% GST

Goods

Apparel above Rs. 1000, frozen meat products, butter, cheese, ghee, dry fruits in packaged form, animal fat, sausage, fruit juices, Bhujia, namkeen, Ayurvedic medicines, tooth powder, agarbatti, colouring books, picture books, umbrella, sewing machine, cellphones, Ketchup & Sauces, All diagnostic kits and reagents, Exercise books and note books, Spoons, forks, ladles, skimmers., cake servers., fish knives, tongs, Spectacles, corrective, Playing cards, chess board, carom board and other board games, like Ludo, rubber band, Wood, stone, metals, marble idols, Table and kitchenware, Batters., including idli/dosa batter, Textile caps, sprinklers., Cotton quilts (quilts exceeding Rs. 1000 per piece), Statues, statuettes, pedestals, ceramic articles, porcelain items, ornamental articles, bells, gongs, non-electric of base metal, animal carving material, synthetic filament yarn, such as nylon, polyester, acrylic, etc; artificial filament yarn, such as viscose rayon; Sewing thread of manmade staple fibres; Yarn of manmade staple fibres.

On Nov 10, 2017, these items have been shifted from 18% to 12% tax bracket: Condensed milk, Refined sugar and sugar cubes, Pasta, Curry paste, mayonnaise and salad dressings, mixed condiments and mixed seasoning, Diabetic food, Medicinal grade oxygen, Printing ink, Hand bags and shopping bags of jute and cotton,

Hats (knitted or crocheted), Parts of specified agricultural, horticultural, forestry, harvesting or threshing machinery, Specified parts of sewing machine, Spectacles frames, Furniture wholly made of bamboo or cane.

e) 18% GST

Goods

Most items are under this tax slab which include footwear costing more than Rs. 500, Trademarks, goodwill, software, Bidi Patta, Biscuits (All categories), flavoured refined sugar, pasta, cornflakes, pastries and cakes, preserved vegetables, jams, sauces, soups ice cream, instant food mixes, mineral water, tissues, envelopes, tampons, note books, steel products, printed circuits, camera, speakers., Kajal pencil sticks, Headgear and parts thereof, Aluminium foil, Weighing Machinery [other than electric or electronic weighing machinery], Printer [other than multifunction printers.], Electrical Transformer, CCTV,

On Nov 10, 2017 some items were moved from 28% to 18% bracket:

Detergents, washing and cleaning preparations Liquid or cream for washing the skin Shampoos; Hair cream, Hair dyes (natural, herbal or synthetic) and similar other goods; henna powder or paste, not mixed with any other ingredient; Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, perfumery; cosmetic or toilet preparations, room deodoriser Perfumes and toilet waters; Beauty or make-up preparations Fans, Slabs of marbles and granite Goods of marble and granite such as tiles Ceramic tiles of all kinds Miscellaneous articles such as vacuum flasks, lighters., Wrist watches, clocks, watch movement, watch cases, straps, parts Article of apparel & clothing accessories of leather, guts, fur skin, artificial fur and other articles such as saddler and harness for any animal, Articles of cutlery, stoves, cookers. and similar non-electric.

f) 28% GST

Goods

In total 50 luxury and sin products will be taxed at 28% which includes Bidis, molasses, pan masala, aerated water, paint, sunscreen, wallpaper, ceramic tiles, water heater, dishwasher, weighing machine, washing machine, ATM, vending machines, vacuum cleaner, automobiles, motorcycles, aircraft for personal use

Services

Private-run lotteries authorised by the states, race club betting, cinema will attract tax 28%

The Objectives of GST :

- To achieve the elimination of multiple taxation, taxes will be lower. Hence the burden on manufacturers & prices of goods will be reduced.
- Tax structure will be simplified. It's easier to pay a single GST, instead of sales tax, excise tax, entertainment tax, service tax etc. for one product.
- With the lower taxes, tax evasions will be reduced.
- With more tax payers., revenue for government will be increased, which is a boost to Indian economy.
- Foreign investors. will more likely to invest in Indian market, because of the transparent tax system.

Natural Justice- Oxygen of Legal Acumen

Mr. Vrushabh Vig
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• Introduction

The words Natural Justice are derived from the Roman words "Jus Naturale" which means principles of natural law, justice, equity and good conscience. These principles did not originate from divine powers, but are the outcome of the necessity of judicial thinking as well as the necessity to evolve the norms of date play. Natural Justice is a part of natural law which is another name for commonsense justice. Natural laws are not codified and are based on natural ideals and values and customs which are universal (Canara bank & Others. Vs Sri Debasis Das. AIR 2003 SC 2041).

Though there is no exact definition of Natural Justice, but according to a case law it can be said that "in modern times have sometimes been expressed to the effect that natural justice is as vague as to be practically meaningless. But it would be regarded these as tainted by the perennial fallacy that because something cannot be cut and dried or nicely weighed or measured therefore it does not exist" (Ridge V. Baldwin). The term natural justice signifies fundamental rules of judicial procedure and fair play in action.

Natural Justice is a principle that intended to ensure law with fairness and to secure justice. Fairness and justice should vest the manner of arriving decisions by judicial process. While the term "Natural Justice" is often retained as a general concept, it had largely been replaced and extended by the general "duty to act fairly". The principles of Natural Justice are considered as basic Human Rights because they attempt to bring justice to parties naturally. These are the principles which every disciplinary authority should follow while taking any decision which may adversely affect the rights of individuals. Adherence to rules of Natural Justice as recognised by all civilised states is of supreme importance when a quasi judicial body embarks on determining disputes between the parties or an administrative or disciplinary action is in question. These rules are intended to prevent such authority from doing injustice.

• Historical Perspective of Principle of Natural Justice in India

Procedural fairness is part of our cultural heritage. It is deeply rooted in our law. It lies at the heart of the judicial function and conditions the exercise of a large array of administrative powers affecting the rights, duties, privileges and immunities of individuals and organizations. Though now it is believed that Principles of Natural Justice were systematized in ancient Rome, principles of natural justice are not new India. Principles of fair hearing and rule against bias were well recognized in ancient India.

In ancient India foremost duty of a judge was his integrity which included impartiality and a total absence of bias or attachment. The concept of integrity was given a very wide meaning and the judicial code of integrity was very strict. A judge should decide cases without any consideration of personal gain or any kind of personal bias; and his decision should be in accordance with the procedure prescribed by the texts. A judge who performs his judicial duties in this manner achieves the same spiritual merit as a person performing a Yagna. Further, the judges and counsellors guiding the king during the trial of a case were required to be independent and fearless and prevent him from committing any error or injustice.

• The rules of Natural Justice are:

- 1) *Nemo Debet Esse Judex In Propria Causa;*
- 2) *Audi Alterem Partem;*
- 3) Speaking Orders.

1. *Nemo Debet Esse Judex In Propria Causa-*

It usually takes 100 years to make a law, and then, after it's done its work, it usually takes 100 years to be rid of it.

VIDHI VIVEK
2017-18

No man can be a judge in his own cause

This basic maxim of natural justice hits out at bias, interest or prejudice in any proceeding and is based on well known principles, namely-

- No man can be a judge and the prosecutor at the same time.
- It is not enough that justice is done; it is also necessary that it must be seen to be done.

The person who judges whether he is a judge or an administrative authority should be impartial and free from any kind of bias. He cannot adjudicate a cause if he himself has any interest in that cause.

The types of biases are as follows:

- **Personal bias:** This type of bias arises when the judge is a relative, friend, neighbour, business associate, etc. one of the parties. It may also arise when he has personal grudge, enmity, grievance or professional rivalry against one of the parties before him. In a landmark judgment by Supreme Court in *A. K. Kraipak vs. Union of India* (AIR 1970 SC 150), the court held that; a man cannot be a judge in his own case. Mr. Kraipak in the present matter even though did not participate when his name was nominated for the Chief Acting Conservator of Forests but he did participate when his two seniors were nominated and this shows that he had his personal bias in the matter and was removed from the post he was designated.

- **Pecuniary bias:** If the person who judges has a pecuniary or monetary interest, he cannot decide the matter even if it can be proved that his decision was not in any way affected by such interest. In *N.B. Jeejeebhoy vs. Asst. Collector, Thane* (AIR 1965 SC 1096) the Chief Justice reconstituted the bench when it was found that one of the members of the bench was a member of the co-operative society for which the land had been acquired. The Madras High Court also quashed the decision of the collector who in his capacity as the chairman of the regional transport authority had granted a permit in favour of a co-operative society of which he was also the chairman.

- **Official bias:** A judge or an adjudicating authority should not have any interest in the subject matter of the dispute being adjudicated. In *P.K. Ghosh vs. J.G. Rajput* ((1955) 6 SCC 744) the court held that when an advocate has been elevated as a judge, he could not hear a case and grant an order to an employee whom he had represented in the same matter before his elevation.

- **Judicial obstinacy:** If a judgment of a judge is set aside, then he cannot re-write the overruled judgment in the same or collateral proceedings. The judgment of a higher court is binding not only on the parties but also on the judge who passed that order (*State of West Bengal vs. Shivananda Pathak* AIR 1955 SC 2050)

2. Audi Alterem Partem-

Both the parties must be heard before passing any order.

It signifies that no man can be condemned without a hearing. It is a fundamental principle of natural justice that before an order is passed against a person, he should be given an opportunity to be heard in the matter.

This maxim covers two things;

- o Giving notice to the affected person;
- o Giving him a hearing.

Right to Notice- Notice means knowledge of circumstances that ought to induce suspicion or belief, as well as direct information of that fact. Generally a notice in order to be adequate must contain the following:

- (a) Time, Place and nature of hearing.
- (b) Legal authority under which hearing is to be held.

In *J.B. Parikh vs. University of Bombay*, (AIR 1987 BOM 332), the university took action against a student on the grounds that he copied from another student without giving any notice to that student. The court held that this action was a violation of natural justice and the action taken by the university was set aside.

Right to Hearing- Before an action is taken; the person concerned should be given an opportunity to be heard in the matter. In *Maneka Gandhi vs. Union of India* (AIR 1978 SC 597) when the passport of the petitioner was confiscated by the passport authorities in public interest, the action was set aside by the Supreme Court on the ground of violation of rules of natural justice.

The other rights that the parties have are:

- Right to cross examine
- Right of hearing at appellate stage
- Post decisional hearing
- Right to be represented by a legal practitioner.

3. Speaking Orders-

This rule stipulates that a party to a proceeding has the right to know not only the result of an inquiry but also the reasons in support of the decision. In *Siemens Engg. & Mfg. Co. Of India Ltd. vs. Union of India* (AIR 1976 SC 1785) the court held that the rule giving reasons in support of an order is the third principle of natural justice. Each and every order must be backed by a reason. Law cannot permit the exercise of a power to keep the reasons undisclosed if the sole reason for doing so is to keep the reasons away from judicial scrutiny.

• Significance of Natural Justice

The rules/principles of natural justice are important in nature and cannot be excluded as it may lead to injustice to the parties and will be ultra vires to the provisions of the Constitution of India. Though these rules are not statutory rules but still are to be followed by the disciplinary authorities while bringing justice to the parties in dispute.

There are certain cases which provide that the provisions of natural justice may be excluded in circumstances as mentioned herein below:

- When a statute excludes the application of natural justice expressly or impliedly;
- When the action is legislative in nature;
- When the facts are admitted or undisputed;
- When the inquiry is of a confidential nature;
- When preventive action needs to be taken immediately;
- When prompt and urgent action is necessary in the circumstances of the case;
- When non-observance of the rules of natural justice has not led to anything unfair or unjust.

The following observation of the Supreme Court in *Olga Tellis v. Bombay Municipal Corporation* (AIR 1986 SC 180) is: "A departure from the fundamental of natural justice may be presumed to have been intended by the legislature only in circumstances which warrant it. Such circumstances must be shown to exist, the burden being on those who affirm their existence."

• Effects of Non-Observance of Natural Justice-

In England, there is a conflict of judicial thinking on this point. In many cases, it has been held that non-observance of the principles of natural justice renders an order null and of no effect, as it is void ab initio in the eyes of law. On the other hand, several other cases have held that such an order exists in the eyes of the law until set aside by a court of law.

In India, the view generally taken by the courts on this point is that whenever the rules of natural justice have been violated, the decision or action taken is null and void in the eyes of law. However, courts have also observed that, in such cases, such an order or decision needs to be declared to be void by a competent court. When that happens, the order or decision collapses on its own.

RERA – An Untamed Dragon ?

Mr. Akash Manwani
3rd Year BLS-LLB

"Buy land, they're not making it anymore." – Mark Twain, writer and humourist

Mumbai is the 10th most expensive city in the world with respect to property rates. There has been rampant violation of several constitutional, civil and other rights in Real Estate transactions due to builders duping buyers on technical grounds due to absence of accountability, lack of regulation and so on. The Government has hit the nail on the head by finally realising the long-needed necessity of a regulatory authority for this sector, just like SEBI. To give a gist, RERA is a body corporate constituted by the abovementioned Act to regulate the Real Estate sector. It means like compulsory registration of the projects, deadline for completion of the project, transparency, making information accessible to the buyers, uploading all the information online and so on.

The letter and spirit of the provisions of the newly enacted legislation, Real Estate (Regulation and Development) Act, 2016 (RERA) in its true form reflect the attributes of a dragon. It holds the capability to terminate several ventures and may pose serious danger to the Real Estate industry if not channelled with circumspection. Interestingly, Real Estate sector is the 2nd largest employer in the country, only next to agriculture, contributing 9% to the G.D.P of the nation, accounting for almost 250 ancillary industries dependent on it for demand of raw materials and finished goods. Moreover, it holds huge potential for foreign investment hence, any legislation attempting to regulate this industry should involve a great deal of watchfulness and proper implementation.

RERA effectively repeals Maharashtra Housing (Regulation and Development) Act, 2013 and makes a shift from Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 (MOFA), thus bossing as an exhaustive legislation on Real Estate Regulation. All the legislations before RERA were curative and not regulatory. RERA acts as a dispute resolution mechanism, checks transparency and regulates the activities of the ventures.

This legislation primarily seeks to abolish unfair trade practices which are on the brink today. Some of them are rectified effectively. For instance, RERA Act gives an exhaustive list of definitions and one which shall be most relevant here should be of carpet area. It is to be noted that "carpet area" u/s 2(k) of the Act defines carpet area to be net usable floor area excluding external walls, service shafts, balcony and exclusive open terrace area. Buyers are often hoodwinked by builders showing complex calculations where they surreptitiously include the width/thickness of the internal walls in the carpet area. Now that we have a definition by law, this practice shall stand to be penalised. Furthermore, the main essence of the regulation can be perceived from Section 4(1)(D) which makes it mandatory for builders to deposit 70% of the monies received from the buyers into separate bank account and the same shall be utilized for the purpose of construction and land cost only. It has been a notorious practice by builders to invest in new plots with the Booking money from some other plot thus leading to lack of funds, delay and loss. Builders tend to justify their actions by cloaking it with administration apathy in the form of pendency of permits.

In all, RERA is a well drafted and structured legislation which attempts to take into account all the possibilities of future necessities like institution of express provisions for principles of Natural Justice (Section 38), establishment of a Central Advisory Council charged with the responsibility to give recommendations on policy decisions after taking into account views of stakeholders (Sections 41 & 42), circumstances leading to lifting of corporate veil (Section 69) and so on.

This Act came to be challenged, and with the Bombay High Court in the case of Neelkamal Real Estate Suburban Pvt Ltd & Anr. V/s Union of India upholding the constitutional validity of RERA, the determinability of the Act is confirmed and thus it emerges as harbinger of hope for those who invest their life earned savings on buying a flat. One more consequence of this Judgment is that it leaves behind an anxious Real Estate industry.

RERA, no doubt is a bona fide beneficial legislation in the interest of public but the same creates a possibility that the Act may suffer from over-regularisation of the adversary. Over-regularisation not only hampers the temperament of the economy but also defeats its purpose of benefitting the public at large. Over-regularisation may lead to shutting down and closures in extreme cases.

During the proceedings before the High Court, there were some serious doubts raised by the Petitioner Builders regarding the validity of the Act. The Legislation did not consider the ground-level facets present like getting permissions, supply of labour, unavailability of raw materials etc which are totally beyond the control of the Builder. The only remedy available to a builder for not completing the work in specified time is force majeure i.e. natural disasters for the purpose of this clause. It was averred that Builders cannot be penalised for actions taken place when there was no law in force penalising those action (Prevention from ex-post facto laws) and thus it is a grave violation of Fundamental Rights.

It is an established fact that a statute unless specifically mentioned otherwise, is prospective in nature. In this case, the Act connotes an element of retroactive action. The major difference between retrospective and retroactive is that in the former, the act is already done; and in the latter, the act is agreed to be done and is still being done when the statute came into force. So ideally retrospection and retroaction both seek to some extent, violate rights because it is ex-facie apparent that no person shall be convicted of a crime which was not prohibited by law at the time of commission of the same.

In a similar circumstance here, the builders and buyers got into an agreement for delivery of possession on the date mentioned in the agreement. Now, RERA which covers within its ambit ongoing projects, seeks to implement retroactive effect since the agreements have already been signed and if the Builders don't comply with the date of delivery of possession mentioned in the Agreement, then they shall be liable to be penalised. Bombay High Court though accepted that it seeks to input a retroactive effect but the same is not a valid ground to challenge constitutionality.

As Bombay High Court states in the abovementioned case that 'we hasten to add here that legislation cannot be drafted by keeping view all the possible eventualities, questions and answers. Merely on academic basis it would not be possible to consider the challenge to an enactment. We will have to wait and see how the Act is implemented by testing the provisions of the Act in the real fact situation emerging from case to case.' Hence it is just a matter of time when the argument against the mettle of this Legislation notwithstanding the fact that it is well evolved, circumscribed and structured piece of Legislation shall be settled.

Uniform Civil Code And Secularism

Ms. Harsha Menon
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India, the land of enormous diversity spun into a wheel of colourful ethnicity, the dreamland of the joyous festivals, the thriller ride of blooming cultures and the kaleidoscope of intruding art is often praised for its magnificent features. Just like the beautiful ladies have admirers from far, Mark Twain has quoted few beautiful adjectives about India. India is the cradle of human race, the birth place of human speech. The mother of history, the grandmother of legends and the great grandmother of tradition" and I cannot agree more. Though these foreigners seem to be more appreciative about our vivid culture, we, Indians must feel the pride of belonging to a country which has such far and wide reach of appreciators. The beauty of this land is not just an intrinsic one, but it is more of a dynamic status. The country which hid in the shade of various dominating countries in the past, has now emerged as one of the most extrovert and hustling countries in the world. I bet this would be a farfetched dream of any person in this world to be a part of this multi-lingual, religious and cultural country.

In order to sustain in this unity in this enormous diversity, our founding fathers have gifted us with Article 44 of the Indian Constitution. This golden Article was a distant dream of all law reformers to give India a very dynamic India, a new start and to this slow developing 'stereo-religious' country. The courts of India have been prodding successive governments to bring in a Uniform Civil Code (UCC) as enshrined in Article 44 of Indian Constitution. They raised this issue in 1985, 1995, 2015 and now again, while overturning triple talaq as bad in law. The triple talaq issue is definitely not about religion, it was about 'Gender Justice'. Many people wonder, what could have stopped Pandit Nehru from pushing the Uniform Civil Code through when he had massive support from within and outside the party in the 1950s?

Why did he stop at the Hindu Code Bill? The simple answer is lack of political courage. This was the reason why UCC became a part of the Constitution's Directive Principles, stating, 'The State shall Endeavour to secure for citizens a uniform civil code throughout the territory of India.' It was a grave mistake not to do what was needed to reinforce the idea of an egalitarian democratic society. The golden hour was lost.

It is necessary that the law must be divorced with the religion. With the enactment of a Uniform Civil Code in the country, 'Secularism' as enshrined in the Preamble of the Indian Constitution will be strengthened. And much of the present day's separation and divisiveness of various religious groups in the country will disappear and INDIA will emerge as more cohesive and integrated nation.

From the authority of learned Muslim scholars, the 'Shariah is not a divine god-given law'.

Maulana Maududi, one of the founder of Jamat-e-Islami, which is also a part of Muslim personal law, he says, "The Muslim personal law also known as the Mohammadan law is very different from the Islamic shariah. It has immensely damaged the civil life of Muslims and he further says the Muslim law practiced today is itself a problem.

The codification of Shariah, based on the Quran and Hadis began at the time of Khalifa, nearly 30 years after death of Prophet Mohammed and was a work in progress for nearly 100 years. It is not uniform across all sects of Muslims and has been modified as per the local culture in different countries.

The way Muslim women have come out strongly against malpractices in the name of Shariah tells us that the urge for reforms is unstoppable now. The intransigence of orthodox clergy and their raising the bogey of religious freedom to force their patriarchal attitude built on a 1400-year-old Arabian tribal culture tells us that the legislative path is the best way to bring in a UCC.

The real question which arises here is, how can an individual even practice Article 44 when the Constitution has given the Articles 25-30? Article 25 guarantees freedom of conscience, practice and propagation of religion and

other religious rights followed with it! The law formers smartly placed these contemporary Articles in Part III of the constitution which are the 'Fundamental Rights' and these Fundamental Rights subsequently possess the power of being questioned by the courts, if infringed. Then what locus standi does Article 44, which is a directive principle have, in against the untimely upheld Article 25?

In the recent case of John Vellamatton v. State of Kerala, Justice Khare stated that 'It is a matter of great regrets that Article 44 of the Constitution has not been given effect to. Parliament is still to step in for framing a common civil code will help the cause of national integration by removing the contradictions based on ideologies'.

It can be better summed up as, in an ideal time, in an ideal state, a UCC would be an ideal safeguard of citizen's rights. But India has moved much further from ideal than when the Constitution was written 50 years ago.

But to conclude, I would like to say that citizens belonging to different religions and denominations follow different property and matrimonial laws which is not only an affront to the nation's unity, but also makes one wonder whether we are a Sovereign, Secular, Republic or a loose confederation of feudal states, where the people live at the whims and fancies of Mullahs, Bishops and Pundits.

The whole article can be concluded with the judgment given by Justice R.M Sahai, who said that ours is a secular democratic republic. Freedom of religion is the core of our culture. Even the slightest of deviation shakes the social fiber. But religious practices, violative of human rights and dignity and sacerdotal suffocation of essentially civil and material freedoms are not autonomy but oppression. Therefore, a unified code is imperative, both, for protection of the oppressed and for the promotion of national unity and solidarity.

Justice Overseas And India

Mr. Ravikant Purohit
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The International Court of Justice is the principal judicial organ of the United Nations. This means that the ICJ is the UN's only permanent court available to states that want to settle their disputes peacefully through adjudication. Its seat is at the Peace Palace in The Hague. It began work in 1946 when it replaced the Permanent Court of International Justice which had been functioning in the Peace Palace since 1922. It operates under a Statute largely similar to that of its predecessor, which is an integral part of the Charter of the United Nations.

The ICJ has a dual role-

1. The first role is to settle in accordance with international law the legal disputes submitted to it by States.

When the ICJ settles disputes between states, these are called the Contentious cases. In these cases, there is a legal dispute between the parties appeared in the court. The states can never be brought to the courts involuntarily and their consent to approach the court should be expressed. Once the dispute between two states has been brought to the court, the first step is the submission of written arguments. After that, the parties present their arguments orally in the great hall of justice before the bench of judges.

After the judges have deliberated and come to a decision, the ICJ delivers a written judgment. The usual time for delivering a judgment at the ICJ is about six months after the closure of the oral proceedings.

2. When the ICJ delivers a judgment in a contentious case, it is binding on the parties.

The second role is to give advisory opinions on legal questions referred to it by duly authorized international organs and agencies.

The court's advisory opinions a legal question rather than a legal dispute between two or more states. The court's advisory proceedings function as an opportunity for the court to provide authoritative guidance on a question about the International law. These opinions are non-binding unlike the ICJ'S judgments in the contentious cases between the states. Advisory proceedings are relatively infrequent but over the course of the ICJ's history, there have been some very prominent advisory proceedings that have touched on highly political issues such as Kosovo's Declaration of Independence and the Israeli Wall issue.

STRUCTURE OF THE ICJ AND APPOINTMENT OF JUDGES

The number of people working in the hall of justice is more than 100 in which 15 judges of the ICJ are included. The system for appointing ICJ Judges has a political element to it. The UN's two political bodies which are the General Assembly and the Security Council are responsible for electing ICJ's Judges. Once elected, the judges serve for a term of 9 years. It may not include more than one judge of any one nationality. The Members of the Court do not represent their governments but rather are independent magistrates. When the Court does not include a judge possessing the nationality of a State party to a case, that State may appoint a person to sit as a judge ad-hoc for the purpose of the case. ICJ Judges may be selected and may serve for more than one term. This is different from many national systems where the judges often have lifetime appointments. Although in India, it is mandatory for the Supreme Court judges to retire at the age of 65.

It is indeed a matter of utmost pride that one of the Judges from the Supreme Court of India, Justice Dalvir Bhandari was nominated by the Government of India as its official candidate in January 2012. The vacancy arose after the resignation of sitting Court Judge Awn Shawkat Al-Khasawneh from Jordan on being appointed as Prime Minister. In the elections held on 27 April 2012, Bhandari secured 122 votes in the United Nations General Assembly against 58 for his rival, Florentino Feliciano, who was nominated by the Government of the Philippines. He was re-elected for a second term on 20 November 2017 after UK's nominee Christopher Greenwood withdrew his nomination.

No one should be condemned unheard

VIDHI VIVEK 48
2017-18

Cases of ICJ where India was a Party to the matter:

1. Right of Passage Over Indian Territory Case (Portugal v India)

Plaintiff: Portugal

Defendant: India

Year: 1960

Judges: Judges Basdevant, Badawi, Kojevnikov, Spiropoulos, Wellington Koo, Winiarski, Badawi, Armand-Ugon, and Moreno Quintana, Sir Percy Spender, and Judges ad-hoc Chagla and Fernandes

Area of law: Customary law, Sources of international law

Issue: Does Portugal have a customary right over Indian territory to its local customs?

Decision: A right of passage does exist in regional custom.

Reason: India argued before the Court that practice between only two states was not sufficient to form a local custom. The Court rejected this reasoning, finding no reason why a century and a quarter of practice based on mutual rights and obligations was insufficient for local custom to arise. This local practice, thus, prevailed over any general rules.

2. Appeal Relating to the Jurisdiction of the ICAO Council (India v. Pakistan) 1972

Petitioner: India

Defendant: Pakistan

Facts: A complaint against India was brought before the Council of the International Civil Aviation Organization (ICAO) by Pakistan for the violation of treaty provisions after India unilaterally suspended flights of Pakistan aircraft over Indian territory. Based on the premise that Pakistan had hijacked an Indian plane, India appealed to the I.C.J., asserting that it had suspended the treaty. Pakistan objected to the jurisdiction of the I.C.J.'s on the ground that India's unilateral suspension had made the jurisdictional clauses inoperative.

Issue: Are jurisdictional clauses rendered inoperative by mere unilateral suspension?

Held: No. Jurisdictional clauses are not rendered inoperative by a mere unilateral suspension alone. If a mere allegation that a treaty was no longer operative could be used to defeat its jurisdictional clauses, then the clauses of these nature would become potentially a dead letter. This implies that the Court does have jurisdiction.

3. Trial of Pakistani Prisoners of War (Pakistan v. India) 1973

OVERVIEW OF THE CASE:

In May 1973, Pakistan instituted proceedings against India concerning 195 Pakistani prisoners of war whom, according to Pakistan, India proposed to hand over to Bangladesh, which was said to intend trying them for acts of genocide and crimes against humanity. India stated that there was no legal basis for the Court's jurisdiction in the matter and that Pakistan's Application was without legal effect. Pakistan having also filed a request for the indication of provisional measures, the Court held public sittings to hear observations on this subject. India was not represented at the hearings. In July 1973, Pakistan asked the Court to postpone further consideration of its request in order to facilitate the negotiations which were due to begin. Before any written pleadings had been filed, Pakistan informed the Court that negotiations had taken place, and requested the Court to record discontinuance of the proceedings. Accordingly, the case was removed from the List by an Order of 15 December 1973.

4. Aerial Incident of 10 August 1999 (Pakistan v. India)

OVERVIEW OF THE CASE-

On 21 September 1999, the Islamic Republic of Pakistan filed an Application instituting proceeding against the Republic of India in respect of a dispute concerning the destruction, on 10 August 1999, of a Pakistani aircraft.

By letter of 2 November 1999, the Agent of India notified the Court that his Government wished to submit preliminary objections to the jurisdiction of the Court, which were set out in an appended note. On 19 November 1999, the Court decided that the written pleadings would first address the question of the jurisdiction of the Court and fixed time-limits for the filing of the Memorial of Pakistan and the Counter-Memorial of India, which was duly filed within the time-limits so prescribed. Public hearings on the question of the jurisdiction of the Court were held from 3 to 6 April 2000.

In its Judgment of 21 June 2000, the Court noted that, to establish the jurisdiction of the Court, Pakistan had relied on Article 17 of the General Act for Pacific Settlement of International Disputes, signed at Geneva on 26 September 1928, on the declarations of acceptance of the compulsory jurisdiction of the Court made by the Parties and on Article 36, paragraph 1, of the Statute. It considered those bases of jurisdiction in turn.

The Court pointed out first that, on 21 May 1931, British India had acceded to the General Act of 1928. It observed that India and Pakistan had held lengthy discussions on the question whether the General Act had survived the dissolution of the League of Nations and whether, if so, the two States had become parties to that Act on their accession to independence. Referring to a communication addressed to the United Nations Secretary-General of 18 September 1974, in which the Indian Government indicated that, since India's accession to independence in 1947, they had "never regarded themselves as bound by the General Act of 1928 . . . whether by succession or otherwise", the Court concluded that India could not be regarded as a party to the said Act on the date the Application had been filed by Pakistan and that the Convention did not constitute a basis of jurisdiction. The Court then considered the declaration of acceptance of the compulsory jurisdiction of the Court made by the two States. It noted that India's declaration contained a reservation under which "disputes with the government of any State which is or has been a member of the Commonwealth of Nations" was barred from its jurisdiction. The Court recalled that its jurisdiction only existed within the limits within which it had been accepted and that the right of States to attach reservations to their declarations was a recognized practice. Consequently, Pakistan's arguments to the effect that India's reservation was "extra-statutory" or was obsolete could not be upheld. Pakistan being a member of the Commonwealth, the Court concluded that it did not have jurisdiction to deal with the Application on the basis of the declarations made by the two States.

Considering, thirdly, the final basis of jurisdiction relied on by Pakistan, namely Article 36, paragraph 1, of the Statute, according to which "the jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations", the Court indicated that neither the United Nations Charter nor Article 1 of the Simla Accord of 2 July 1972 between the Parties conferred jurisdiction upon it to deal with the dispute between them.

Lastly, the Court explained that there was "a fundamental distinction between the acceptance by a State of the Court's jurisdiction and the compatibility of particular acts with international law" and that "the Court's lack of jurisdiction [did] not relieve States of their obligation to settle their disputes by peaceful means".

5. Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)

OVERVIEW OF THE CASE-

On 24 April 2014, the Marshall Islands filed a number of Applications, including one against India. It accuses the latter of not fulfilling its obligations relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.

While India is not a party to the Treaty on Non-Proliferation of Nuclear Weapons (NPT), the Marshall Islands — which has ratified it — argues that certain obligations laid down in the Treaty apply to all States as a matter of customary international law. It contends in particular that this applies to Article VI, whereby the parties "[undertake] to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control".

India having indicated, however, that it considers that the Court does not have jurisdiction in the alleged dispute, the Court, in an Order of 16 June 2014, found that it was necessary to resolve that question first of all, which should accordingly be separately determined before any proceedings on the merits.

After holding a hearing from 7 to 16 March 2016, the Court delivered its Judgment on the objections raised by India to the jurisdiction of the Court and the admissibility of the Application on 5 October 2016, finding that India's objection to jurisdiction based on the absence of a dispute between the Parties must be upheld. It further concluded that lacking jurisdiction under Article 36, paragraph 2, of its Statute, it cannot proceed to the merits of the case. Given this conclusion, the Court found no need to consider the other objections raised by India.

6. India approached ICJ against the illegal detention of Kulbhushan Jadhav

OVERVIEW OF THE UPDATES RECEIVED SO FAR:

India decided to move the International Court of Justice (ICJ) on the issue of former naval officer Kulbhushan Jadhav as he is in illegal detention and his life is under threat in Pakistan, stated the Ministry of External Affairs of India (MEA)

On India's plea, the ICJ at The Hague on 9th May 2017 stayed the execution of Jadhav. He was sentenced to death by a Pakistan military court on the charge of "spying,"

It was pointed out that India made 16 requests for consular access to Jadhav but there was no response from Pakistan on the demand.

In a recent development, Pakistan said that they received India's written pleadings to the International Court of Justice (ICJ) after India submitted them to the ICJ. Foreign Office spokesman of Pakistan Nafees Zakaria said that Pakistan would submit its response by December 13 of 2017. The matter was instituted in the International court of Justice on 15th May and it is still in progress.

Landmark Judgments Of 2017

1. **Representative is made liable for promises**

A Constitution Bench of 7 Judges in a 4-3 majority judgment in ABHIRAM SINGH and Others versus C.D. COMMACHEN (DEAD) BY LRS. & ORS while interpreting section 123(3) of the Representation of Peoples Act has ruled that any appeal made to an elector by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate on the ground of the religion, race, caste, community or language of (i) any candidate or (ii) his agent or (iii) any other person making the appeal with the consent of the candidate or (iv) the elector would be a corrupt practice. [LNIND 2017 SC 8]

2. **Disproportionate Assets Case**

In a landmark Judgment of State of Karnataka vs. Selvi. J. Jayalalitha and others, the Supreme Court of India has restored conviction and sentence against Accused Nos.2 to 4 (VK Sasikala, Ilavarasi & Sudhakaran) in full with all consequential directions in the disproportionate assets case. Since Accused No. 1 (Jayalalithaa) has expired, the appeals against her stands abated. [(2017) 1 MLJ (Crl) 504 (SC)]

3. **Basic Structure of the Constitution**

The Supreme Court, in Central Bureau of Investigation vs. Sadhu Ram Singla and others, has held that encroaching into the right of the other organ of the Government would tantamount clear violation of the rule of law which is one of the basic structures of the Constitution of India. [(2017) 1 MLJ (Crl) 724 (SC): LNIND 2017 SC 86]

4. **Custody of a Child**

The Madras High Court, in J. Meena vs. T. Manikandan, has held that regarding custody of child, it is not only the human touch but the physical touch of the mother matters much for the emotional and physical growth of the child. [(2017) 3 MLJ 491: LNIND 2017 MAD 713]

5. **Self-Incrimination**

The Supreme Court, in State of UP vs. Sunil, has held that any person can be directed to give his foot-prints for corroboration of evidence but the same cannot be considered as violation of the protection guaranteed under Article 20(3) of the Constitution of India, 1950. It may, however, be noted that non-compliance of such direction of the Court may lead to adverse inference, nevertheless, the same cannot be entertained as the sole basis of conviction. [LNIND 2017 SC 244]

6. **Contempt of Court**

The Supreme Court of India, in Mahendra Singh Dhoni vs. Yerraguntla Shyamsundar and another, has held that only malicious or deliberate acts, or attempts, undertaken with the intention of outraging the religious beliefs of a class of citizens would be penalized, but not every act or attempt to insult religion or the religious beliefs of a class of citizens would be penalized under Section 295-A of the Indian Penal Code, 1860. [(2017) 3 MLJ (Crl) 92: LNIND 2017 SC 217]

7. **Right to Privacy**

The Supreme Court of India, in Justice K. S. Puttaswamy (Retd.) and Another vs. Union of India and Others, has held that the decision in M P Sharma which holds that the right to privacy is not protected by the Constitution stands over-ruled; the decision in Kharak Singh to the extent that it holds that the right to privacy is not protected by the Constitution stands over-ruled and the right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 of Constitution of India, 1950 and as a part of the freedoms

It is not enough that justice is done, justice should be seen to be done.

guaranteed by Part III of the Constitution. It also laid down a ruling on Article 377 by upholding privacy and dignity of a citizen. [(2017) 6 MLJ 267: LNIND 2017 SC 420]

Medical Termination of Pregnancy

The Supreme Court of India, in *Mamta Verma vs. Union of India and Others*, has permitted the Petitioner, a 26-year-old woman, who is in 25th week of pregnancy, to terminate her pregnancy after her foetus was diagnosed with Anencephaly, a defect that leaves foetal skull bones unformed and is both untreatable and certain to cause the infant's death during or shortly after birth, to undergo medical termination of her pregnancy under the provisions of Medical Termination of Pregnancy Act, 1971. [(2017) 6 MLJ 420: LNINDORD 2017 SC 12369]

Triple Talaq

The Supreme Court of India, in *Shayara Bano vs. Union of India and others*, has set aside the practice of 'talaq-e-biddat'/triple talaq by 3:2 majority. The judgement was made after 35-year-old Shayara Bano challenged the practice in 2016, a year after her husband of 15 years divorced her through triple talaq. [LNIND 2017 SC 415]

Sale of Firecrackers

Delhi, deemed to be the most polluted city in the world, the apex court's ban on sale of firecrackers in the National Capital Region (NCR). In a ruling given in *Arjun Gopal and Ors. vs. Union of India & Ors.*, the Supreme Court temporarily suspended licences handed over by Delhi Police permitting the sale of Diwali crackers in Delhi and within NCR. [WRIT PETITION (CIVIL) NO. 728 of 2015]

Marital Rape

In another milestone verdict, the Supreme Court in *Independent Thought vs. Union of India & Anr.* criminalized sex with a minor wife aged between 15 and 18 years. Clarifying that it was not dealing with the whole issue of marital rape as such, the court overturned an exception in rape law which allowed a husband to have sex with his wife aged 15 years and above (with or without consent) without it being punishable. This ruling delivered in a Public Interest Litigation (PIL) filed by the NGO Independent Thought, will also apply to Muslims irrespective of the fact that Muslim Personal Law allows marriage at the age of 15. [WRIT PETITION (CIVIL) NO. 382 OF 2013]

Malegaon Blast Case

The Supreme Court of India, in *Lt. Col. Prasad Shrikant Purohit vs. State of Maharashtra*, has held that though an accused has a right to make successive applications for grant of bail, the Court entertaining such subsequent bail applications has a duty to consider the reasons and grounds on which the earlier bail applications were rejected. [(2017) 4 MLJ (Crl) 372: LNIND 2017 SC 410]

2G Case

All accused in the three cases related to the 2G spectrum allocation "scam" in *CBI Vs. A. Raja & Ors.* have been acquitted by a special CBI court on Thursday. Deciding the fate of all accused, including former telecom minister A Raja and DMK leader Kanimozhi Karunanidhi, the court opined, "Absolutely no hesitation in holding that the prosecution has miserably failed to prove any charge against any of the accused, made in its well-choreographed charge sheet." [Case RC No: 45 (A) 2009, CBI, ACB, New Delhi]

Uniform Civil Code: A Need?

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India is a land of diversities, with various religions and their prescriptive, ideologies and interpretation of laws. People of India are governed by different personal laws based on their religion, caste or community on matters of marriage, divorce, adoption and succession. Article 44 of Indian constitution lays down an important directive principle of state policy namely, that the state shall endeavour to secure its citizens, a Uniform Civil Code (UCC), throughout the territory of India. This provides that the state should make an attempt to implement Uniform Civil Code to ensure social justice to guarantee that all citizens of India are governed by the same set of secular civil laws in matters relating to marriage, divorce, adoption and succession. UCC is the proposal to replace the personal laws based on the scriptures and customs of each major religious community in India with a common set governing every citizen in all matters.

The term Civil Code is used to cover the entire body of laws governing the rights which are related to property or personal matters like marriage, divorce, adoption and succession, it essentially means unifying all these personal laws to have only one set of law which deals with these aspects that will apply to all citizens of India irrespective of the community they belong to. India is a secular country and there is no prohibition on anyone to practice their choice of religion.

The main objective of a common code is to enhance national integrity by elimination of contradictions based on religious ideologies. All communities in India would then stand on a common platform on civil matters like marriage and divorce, which are currently governed by diverse personal laws. A common civil code will help the cause of maintaining national integrity by removing disparate loyalties to laws which have conflicting ideologies.

As clarified by Article 37, Directive Principles of State Policy are not enforceable by any court, although they are fundamental in governance of the country. It is recommended that although UCC is highly desirable, it ought not to be enacted in one go, as that would be counter-productive to the unity and integrity of the nation. When Late Prime Minister Jawaharlal Nehru was asked why steps to implement a UCC had not yet taken place? He declared: 'I do not think that at the present moment, the time is ripe in India for me to try to push it through.' In other words, he did not feel that the country was ripe enough for such an enactment at that time, which was more than fifty-five years ago. Sadly, it appears that even today the country is not ready for it. Article 44 is an isolated instance of Directive Principles of State Policy that remains unfulfilled.

India is known for its cultural heritage with respect to language and religion. Secularism stands to be the best option that would be able to provide harmony and peaceful atmosphere throughout the country irrespective of their caste and religion. There are many Articles like Article 14, 15 and 19 of the Indian Constitution which are reliable and proven for promotion of equality among all religions. The concept of secularism is too vague and people have failed to understand the true terms of it and its implementation and social justice in courts are a matter of great concern.

As demand for UCC keeps on gaining momentum, it is also a matter of regret that Article 44 of our Indian Constitution has remained a dead letter. There is no evidence of any official activity for framing a common civil code for the country. The Preamble of the Constitution states that India is a 'Secular, Democratic, Republic' this means that there is no state religion of India. A secular state shall not discriminate against anyone on grounds of religion. A state is only concerned on the relation between, man and man. It is not concerned with the relation of man with God. It does not mean allowing all religions to be practiced. It means that religion should not interfere with the mundane life of an individual.

One of the major problems that has provoked existing politics and aggravated majority pressure is the enactment of a UCC for the citizens throughout the territory of India. The provision is cautiously worded and calls upon the state to endeavour to secure such a code. It is neither time bound nor carries a compulsive urgency. The most obvious reason for non-implementation of UCC by any government till now is the fear of how the second largest religious community in India would respond to it but the irony is that many women from the minority community are front runner in favoring the Uniform Civil Code.

In this backdrop, one can say that in our country personal laws continuously affect the lives and rights of large number of people of all communities especially women. UCC is very important for protection of human rights and develop secular imperative. Apart from being an important issue regarding secularism in India it has become one of the most controversial topics in contemporary politics.

To sum up, it is the legislation, not religion which has the final authority to determine the nature of personal laws of citizens. The sentiments and emotions have to be cooled and tempered by sincere efforts. Different streams of religion have to merge to a common destination and some unified family principles must emerge in the true spirit of secularism. India needs a common unified code of family laws under an umbrella of all of its constitutional religions. India needs to find a way forward towards the path of development by adopting UCC. Bringing the Uniform Civil Code is a social transformation and needs to be done gradually, not at once. As the situation is fragile, we should bring changes gradually, highlight one issue at a time and creating awareness about them.

Constitution Of India And Judiciary: A View And Review

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Under Article 19 (1) (a) of the Indian Constitution, "all citizens have the right to freedom of speech and expression". Freedom of Speech and expression means the right to express one's own convictions and opinions freely by words of mouth, writing, printing, pictures or any other mode." However, this Fundamental right has to be exercised with reasonable restrictions.

With the recent turn of events, it is very easy to say that the Judiciary is at its weakest but this is not true. There are ups and downs in every stream but what binds them together is the spirit to proceed ahead with a bright future tomorrow.

Similarly, when we talk about the Judiciary, the Hon'ble Supreme Court is not bound by its previous decisions and thus, it gives the Judges ample powers to challenge the veracity, correctness of its previous decisions and tends to correct them and keep the law in consonance with what is desired by the society at large.

But what would happen when the top officers of the courts are at loggerheads with each other? Is this shown down in the best interest of the public? Or is it because some of the judges are trying to overawe each other?

Recently, the Judges of the Supreme Court were criticized on how they handled Justice Karnan's case (Supreme Court Contempt Petition (Civil) No. 1 of 2017). Many 'self-styled critics' talked of certain things beyond the ordinary regarding the constitution of Seven Judge bench to try this matter? To answer them; a High Court Judge in the recent past had never made any allegations against any sitting Supreme Court Judges, neither had any High Court Judge issued non-bailable warrants against any sitting Judges of the Supreme Court. A Constitution bench is formulated only when a 'substantive question of law is involved' but what happens when the integrity of the Judiciary is being challenged and even Judicial supremacy in terms of the written Law as laid down by the Constitution? The prestige and honor of a person inter alia depends on his integrity and if at all it is being challenged it is necessary to give a chance to that person to ponder over and prove his bonafides. Similarly, when the Judges of the Supreme Court gave an opportunity to Justice Karnan and instead of helping the Court to arrive at a just and fair conclusion he ignored the directives given by the Hon'ble Supreme Court during the course of hearings and he even chose to remain absent after a particular date. As such, he decided to act in a manner which not only amounted to Judicial Misconduct but also by those atrocious and outrageous 'orders', he not only besmirched the reputation of many a judge but also the might of the Indian Judicial system. He was dictated by his own fixed ideas which were a flight in a dream world.

Much to the chagrin and dismay of their lordships of the Supreme Court, Justice Karnan left no stone unturned and continued with his judicial shenanigans. As such, the Judges were left with no other choice but to sentence Justice Karnan six months of imprisonment which is the maximum sentence in case of contempt under the Contempt of Courts Act.

It is of course true to say that the seven judges were deciding only this single matter and there was a question regarding the backlog of cases. What was also in the mind of their lordships was the urge and need to set a precedent for even the Judicial officers. If the might of the Hon'ble Apex Court was to be sustained, harsh decision making was the need of the hour. The sentence awarded to Justice Karnan is one such example where the wrong does seem immaterial but the sentence is material. It was indeed a bold decision.

The judiciary strives to protect the interests and safety of the society. Hence, some harsh orders and as such decision-making augurs well for the judiciary too. The society is in a state of perfect equilibrium.

As Marcus Cicero once said "The safety of the people shall be the highest Law" and this is what the Judiciary always strives for- to protect the welfare and interest of the general public at large.

Laws and institutions, like clocks, must occasionally be cleaned, wound up, and set to true time.

VIDHI VIVEK 56
2017-18



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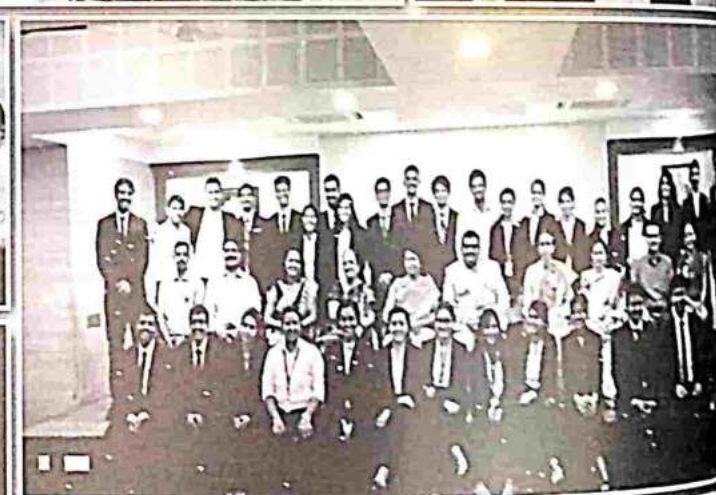
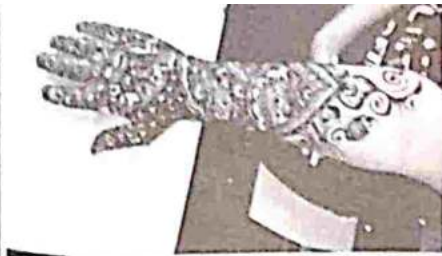
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It is the law that judges, not the judge

VIDHI VIVEK
2017-18

Wise Man's Knowledge Versus Fool's Wisdom

Mr. Abhinav Singh
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What separates a Wise man from a Fool?

Is it the wide knowledge about all mortal and meta physical world? Is it because he is a learnt person? Or is it simply because he is wise? To be frank it's none of the mentioned ideas, it's the way wise man learns his lessons, he learns it from his mistakes, he makes sure that what he learns he remembers it by making it a part of his life. Let me keep a point clear by a story.

During his days of struggle Chanakya, who sworn to add the empire of Magadha, Chanakya trained his student Chandragupta Maurya enough to gain trust of people irrespective of their background, be it thief, be it Nomadic tribe or independent small kingdom rulers. Chanakya had faith in his teachings and he had faith in his student. The day came when Chandragupta Maurya made his Strike on one of the mightiest empire known in the Indian History. Chanakya's plan of action was well thought but Mahapadmanand had some of the very loyal banner men who came to his assistance and with that Mauryan armies were forced to run for their lives. Chanakya felt the insult of Nand Dynasty for second time (first time it was when he was kicked out of the court of Mahapadmanand and his hairs were opened from the ponytail that a Brahmin is used to).

Chanakya along with his student saved his live by escaping through the senses forest routes, where they were passing through a village. It was night time so everyone was asleep but one house had its Diya still going on. Chandragupta Maurya tried to peep in from the window to make sure that there was no danger. Inside he saw a grandmother making food for her grandson, as she served food to her grandson Chanakya along with Chandragupta Maurya peeped into the house from the window. As food was served the grandson hungrily tried to eat from the very centre of food. The grandson ended with burned fingers and teary eyes. His grandmother called him near her along with the food, as she made him sit on her lap she wiped her grandson's tears. Chandragupta had a vision of his past as to how his own mother use to feed him, while Chanakya kept on looking inside the house. As soon as the old woman's grandson stopped crying, she asked him "Have you, heard the story of the world's biggest fool?". To which her grandson replied "No grandmother, who is the world's biggest fool?". To his grandmother replied "Its Chanakya!". This surprised the boy. "But he is the greatest scholar, why are you calling him a fool grandmother?" the boy asked. To which his grandmother replied "Well grandson I am calling him a fool because he tried to spearhead the Magadha Empire's capital directly, without thinking about the banner men who are on a close distance, he even tried to make the battle plan for the invasion which is not his concern he might be a great political leader but he is a poor tactical planner".

"So what should he have done to win the battle, grandmother?", the boy asked his grandmother out of curiosity. This was the moment when Chanakya paid more attention to and made Chandragupta Maurya pay attention to as well. The grandmother touched the food which was still hot, she took a little portion of the food in her hand and said "He should have done what I just did with your food I took a little portion of it from the outer parts, Chanakya should have started with the invasion of the weakest banner men because banner men are supposed to go and assist the empire as they are having smaller armies it's easy for the banner men to reach empire but if empire has to help it's banner men it will require a lot of time, and till then Chanakya could have conquered the banner men's army and he could have merged his army with the leftover soldiers of the conquered banner men. Also, Chanakya should have appointed Seleucus, because Seleucus has won more battles than the number of students Chanakya has taught in his life, he is a good tactical master of battle field as he was along with Alexander the great who had reached to the mountains of Hindu Kush which mark the boundary of his empire". Chanakya felt a harsh lesson had been taught to him, and the cost for this lesson was his army which he had gathered, but Chanakya was satisfied as he still had the chance to strike the empire but this time it will be from the very base.

The wise man are the ones who keep on learning no matter how old they get or how much ever knowledge they accumulate. This was how Wise man learns his lesson; but what about the Fool? How does he gain his wisdom? It's simple, a Fool never learns things he makes sure whatever he does he is doing it right according to his wit and awareness about the situation. How can a Fool be witty when he is a Fool?

Nasrudin, was the wise fool of Sufi tradition. Once he passed from the front of a cave, inside he saw a yogi in deep meditation. He asked him "What is he seeking?". "I am contemplating the animals, and I learn many lessons from them which can transform a man's life" Yogi replied. Nasrudin remembered how his wife always forced him to learn something from the yogis. But Nasrudin wanted to prove that his wit is none less than a yogi, so he insisted and requested Yogi to teach him whatever he knew, "What can I learn from a fool?" Yogi asked Nasrudin, to which he replied "Nothing much, but a secret". "What secret?" the Yogi enquired. "A secret about how a fish saved me from drowning". Yogi was surprised "How do you know that miracle is only done by saints". Yogi taught Nasrudin everything he knew, and when the Yogi was done he asked Nasrudin as to how did a fish saved him from drowning? To which Nasrudin replied "It is simple. I was almost dying of hunger when I caught a fish, and thanks to it I was able to survive three days." The Yogi was impressed by Nasrudin's reply, Yogi gave Nasrudin blessings and Nasrudin went to his home.

As a philosopher once said "I don't fear the wise man's knowledge nor the fool's wisdom, what I fear is the way they use it and make sure they are the ones who have the last laugh."



A doctor told his patient that she had only six months to live. "Isn't there anything I can do?" pleaded the patient. "Marry a lawyer," the doctor advised. "It will be the longest six months of your life."

A woman was being questioned in a court trial involving slander. "Please repeat the slanderous statements you heard, exactly as you heard them," instructed the lawyer. The witness hesitated. "But they are unfit for any respectable person to hear," she protested. "Then," said the attorney, "just whisper them to the judge."

Two lawyers were walking along negotiating a case. "Look," said one, "let's be honest with each other." "Okay, you first," replied the other. That was the end of the discussion.



A lawyer was filling out a job application when he came to the question, "Have you ever been arrested?" He answered, "No." The next question, intended for people who had answered in the affirmative to the last one, was "Why?" The lawyer answered it anyway: "Never got caught."

"You seem to be in some distress," said the kindly judge to the witness. "Is anything the matter?" "Well, your Honour," said the witness, "I swore to tell the truth, the whole truth and nothing but the truth, but every time I try, some lawyer objects."



A housewife, a lawyer and an accountant were asked, "How much is $2 + 2$?" The housewife replies, "Four!" The accountant says, "I think it's either 3 or 4. Let me run those figures through my spreadsheet one more time." The lawyer pulls the drapes, dims the lights and asks in a hushed voice, "How much do you want it to be?"

All At The Click Of A Button...!

Ms. Puja Yadav
3rd Year LLB

When I put half a glass of water in front of you, what would be the first thing that comes to your mind? Do you call it 'half-full' or 'half-empty'? If I place a dot on a white board, what will you notice on the board at first glance? The black dot! That's right!

This is human tendency. We never focus on something which is positive, we tend to criticize it. People get confused in such situations because the situation has 2 sides. Positive and the negative; But if the glass is half-empty, either you fill it up or empty it, the choice remains with you.

Something similar is happening with our governance! We always criticize those failed policies or schemes directed by the government but never take advantage of those which are already been successfully implemented. Government, in span of last few years has declared a variety of schemes. Some have been successful while some have been a complete failure. But there are few more schemes which are yet unknown to the people of India, due to lack of social awareness.

Let's take a look at those initiatives taken up by the government, which are as follows:

- **Swachhata app:** All you need to do is click a picture of the garbage dump or overflowing dustbins and post it on the Swachhata (Cleanliness) App, a mobile application on Android and iOS launched by the Union urban development (UD) ministry for addressing complaints related to civic issues. Anyone can download the app and file complaints. Once a citizen has posted a picture, it will automatically get forwarded to the concerned municipal authority. All urban local bodies have been mapped to this app. Complaint is claimed to be taken care of within 12 hours of complaint being made.
- **AWBI feeder ID Card:** Animal Welfare Board of India(AWBI) has decided to issue Identity Cards to Dog Feeders/Colony Care Takers who are taking care of animals in their locality. If you've a bunch of furry friends you look after around your house, apply to AWBI for a Colony caretaker badge and you will be a certified friend of animals. Details for the same available on www.awbi.org
- **Aaple Sarkar:** Maharashtra Chief Minister Devendra Fadnavis launched Aaple Sarkar, a new official web page on the Maharashtra government site, which will be a platform for people to share their grievances and problems. The app aims to be a platform to connect the people to their government via various tools and applications, and receive the people's grievances, and establish accountability as per their app description.
- **UTS:** Indian Railway is introducing the facility of booking unreserved suburban tickets on smartphones. As of now the Mobile UTS System has been introduced in Mumbai and Chennai suburban areas only. The Mobile UTS Application is available for the Windows and Android platform. Users can download the mobile ticketing application from the appropriate application store.
- **mAadhaar application:** This app allows you to carry your Aadhaar card in your mobile phone, wherever you go. It's accepted as an original for identification at various government offices too. The app allows you to 'lock' your fingerprints and iris scan, so that they are inaccessible to any person who might attempt to access them (such as when you try to buy a new sim using your Aadhaar card and you use your fingerprint to authenticate the Aadhaar number). Quite handy!
- **Umang app:** UMANG allows you to access Indian Government services online through web and mobile app. The key goal of launching this application is to allow the citizens of India do everything online, at just a click - be it making a passport, Aadhaar or Pan, book a gas cylinder, know about your Provident fund account or resolving an Aadhaar related. Umang app basically provides a unified approach where you can install one application to avail multiple government services; Almost over 100 of them!

• **BIIM app:** Bharat Interface for Money (BIIM) is a payment app that lets you make simple, easy and quick transactions using Unified Payments Interface (UPI). You can make direct bank payments to anyone on UPI using their UPI ID or scanning their QR with the BIIM app. You can also request money through the app from a UPI ID. Send and receive money with a few taps on your screen!

• **Ridlr app:** Post demonetization, quite possibly one of the most useful apps to be made available to people alongside UTS (mentioned above at point 4). This app lets you find out which bus to take to travel where, check schedules for the bus, and book your tickets through inbuilt wallets! Booking your ticket generates a token. Show the conductor your token and he will give you a print of your ticket. As simple as that!

The government often fails to give due recognition to such services they have launched, say what you will but they've made life so much easier. Paying and receiving money, buying a ticket, applying for any document, all at the click of a button! No more waiting in queues and worrying about not having change to pay is now a thing of the past thanks to these services that have stepped in to replace the void created by sucking out the cash by demonetization and have since been a steady part of our daily lives. Either we complain about the troubles we have, or we can make the best of the situation we're in. Better to be a glass half-full person that worrying about where half the water went isn't it?

A New Start

Ever had that feeling?
Where you knew, that
It was a new start
Where all the concepts got questioned
And you chose to draw your own art

The goal you were devoted to
You even questioned that
Or blindly followed yourself
And hoped would reach the end

No ideologies existed
Just a raw self before you
No definitions of wrong right
Just you being true

You floated totally
Left the ground on your risk
From the fear of drowning
You just learned how to swim!

May be the technique was wrong
But you enjoyed it a lot
Or you don't even know
Your own technique you got!
You totally don't know
If you're on a right path
Just wasting your life
Or new element the world got

Ms. Harshala Keny
2nd Year BLS-LLB

Stone and Water

The young and the old; the wise and the bold,
All of them have great stories to be told,
One being the most common of them all,
Hardwork and determination will never let you fall.

Setting a goal and vision is easy,
But the path to it is what makes us queasy.
For they say it's easier said than done,
Hardwork and determination is no fun.

But persistence is what will get you far
Even when you set a rather high bar
For if water was able to mould stone,
There is nothing you can't do alone.

Ms. Rashmi Amin
1st Year LLB

Broken Back

With this broken back
I sit by my books
Having most of my memories in them;
Afraid to look inside
All I hope for right now is,
If I could forget how to read again.

Mr. Tanishq Wasan
2nd Year BLS-LLB

India's Defence Sector-a New Power In Rising

Mr. Avinash Manwani
4th Year BLS-LLB

A factcheck of the different parameters of power of India tells us a bright picture. A growing economy, demographic dividend, active diplomacy and a rising stature of the country in the International arena. However, one dark spot restricts India's rising graph and nothing concrete has been done on this front for years- the defence sector. While the indigenous growth of the sector had never been praiseworthy the situation is changing in the current times.

Along with scaling new heights in all fields of development varying from science, technology, defence, economy and various other parameters which have brought our country to everyone's limelight, India has been taking longer strides in the defence sector as well.

The government has been focusing on all the measures relating to defence very cautiously and with every passing fiscal year the budget on defence is given more importance and more allocation.

India has become the 5th largest country in the world to spend on defence acquisitions of various defence equipment & technology. There have been some very important buys which are MRSAM system to take down incoming missiles, 100 K VAJRAT-T guns, M777 ultra-light howitzers, Rafale fighter jets, Anti-tank missiles, Minesweepers, Attack and heavy-lift helicopters.

India has also begun a new project after a delay of 10 years under which six Scorpene-class submarines are being built by Mazgaon dock in Mumbai further strengthening the fleet of our Navy.

All the personnel of all the forces are being given the best facilities with new equipments and light combat wear so that they can respond to any arising situation quickly and swiftly. There has been also a hike in the salaries of all the people working in line of defence of our country.

Apart from all the defence acquisitions there are many countries like Israel, United States of America, South Korea, Russia which are willingly sharing their technologies for the upgradation of our current equipments and vehicles further strengthening relations of our country with all other countries in the world.

Primes Minister's 'MAKE IN INDIA' program has been a big boost to our Indian companies to produce more warfare material and equipments at a good level and with an aim to help to all the companies so that they can develop their technology without any interference from government and give rise to our defence sector which was growing at a very slow rate in terms of other sectors of economy.

India's Defence Research & Development Organization (DRDO) is working dedicatedly towards enhancing self-reliance in defence systems leading to production of world class weapon systems and equipments. It has contributed towards nation building at a bigger stage after considering all the possible threats and needs of all the three forces.

With the ever increasing need to protect our nation from cross border terrorism, any situation of war, the successive governments have been rightly spending on the defence and the dream to make India great and keep all of its citizens safe, there has to be a focus towards defence and security at a big scale.

Also, we are the future generation of a bright India and we all must know about all the defence related news and developments in every form possible to keep ourselves updated regarding the new things which are taking place for the security and development of our country and as a responsible citizen of the country it is our duty to give respect towards all the decisions taken by the government which is resulting in all the social, economy, general welfare of our nation and its people.

Mind Troubles

Mr. Shreerat Kamath
3rd Year LL.B

In an age where people are easier to offend than please, the fragility of the human mind has become more and more exposed than before. And hence, the desire to talk about depression and anxiety. For something that's nearly impossible to clearly identify, this is one menace that haunts everyone at some point of time in their lives. You're always in its grip, but you're never able to let on that you're trapped. It's that elephant in the room that's never addressed, and therefore never resolved. This is an attempt to address the Elephant, so to say.

There's always a certain stigma attached to having a mental disorder. Not just depression. Maybe anxiety, schizophrenia, bipolar, a split personality disorder perhaps? All terms you've surely heard about, but never discussed. God forbid you mention the words "therapist" in front of your parents (or someone else's parents for that matter), there's bound to be a mini meltdown with your mother mourning how she failed as a parent and your father befuddled about how you could be depressed. It's usually brushed away as having occurred because of bad company, or the more common "what else was to happen staring into that phone all day long?" or the scary "you're doing drugs aren't you? Don't lie to your parents!"

It's all easy to blame someone else or drugs or the phone for being depressed. What isn't easy, is facing it and fighting it. There are many versions of what it feels like to be depressed. An easy metaphor would be when you're stuck in quicksand. The more you fight it, the more you're bound to sink. It's easier when you have someone throw you a rope and you get out holding on to it. It's not impossible to get out on your own, but it's certainly easier with a helping hand.

You may think, "When the world seems bleak and uninteresting, and you feel weak and beaten, what is the point of surviving? There's nothing worth living for. What would you even try? There is no option. I must end this futile existence. End this misery once and for all. No existence, no depression. And no more watching my parents worry about me doing drugs or being stuck staring at the phone all day. That's the best way. I have no choice"

Suicide is never the answer. It solves nothing. It resolves nothing. It just raises more questions, the only difference being that you aren't around to answer those. Here's where we need to make a difference.

Yes, I know the world seems bleak; It always was.

There's nothing worth surviving for; There never was, my friend.

I must end this existence; And achieve what by denying this world your abilities and potential?

What would you even try? Everything!

For every person who questions their existence and their purpose, I have just one answer. Your life is what you make of it. Your life goes the way you decide. It's never too late, my friends. There's always another way. Think you're stuck in a rut and need a way out? Find a way out or make one. Can't find any meaning in life? Give it a meaning. As infinitesimally small as we are in this cosmos, we are also infinitely empowered to change the world. Your life is yours. You are not alone in your efforts. Talk about your troubles. Discuss them. Perspective is key. There will always be a way out. And if there isn't, I'm absolutely positive each one of us is more than capable of finding our way.

Our emotions are never random or sporadic. All you need, is to think about what instigated those emotions to rise. Think about your emotions. Whether its anger, or sadness or happiness. Thinking about your emotions helps you gain a lot of clarity about you as a person, and your emotions and thoughts. Question those emotions. Trace them. Understand them; And then, you will always be in a position to gather yourself and have a grip on yourself, so as to better channel them.

We are often unaware of what we are capable of till we are forced to try. Being the smartest race to exist on Earth, I'm sure we are all capable of much more than we imagine. Never let anyone tell you otherwise. Never let someone decide for you. Think things over. Research. If you are to face the consequences of decisions, it is only right that you make the decision yourself. Never give up on yourself, because the world doesn't decide what you're worth. You do. You my friend, are a shining diamond waiting to be refined. So shine on, you crazy diamond. Show the world what you're made of!

Are Ideologies Fading Away In Today's 21st Century World ?

Mr. Jalkumar Vohra
4th Year BLS-LLB

"The philosophers have only interpreted the world, in various ways. The point, however, is to change it."

- Karl Marx

Ideology- The Concept

"Ideology, is a form of social or political philosophy in which practical elements are as prominent as theoretical ones. It is a system of ideas that aspires both to explain the world and to change it."

Some historians of philosophy have called the 19th Century the age of ideology, not because the word itself was then so widely used, but because so much of the thought of the time can be distinguished from that prevailing in the previous centuries by features that would now be called ideological. Even so, there is a limit to the extent to which one can speak today of an agreed use of the word. The subject of 'Ideology' is a controversial one, and it is arguable that at least some part of this controversy derives from disagreement as to the definition of the word ideology.

In its journey through history the ideological dichotomy of 'Right-wing' and 'Left- wing' which has its roots since medieval times has assumed great importance. The 'wing' metaphor itself dates from the seating arrangements in the post-revolutionary French National Assembly, where supporters of King Louis XVI gathered to sit on the president's right side and revolutionaries sat on his left. The scheme also recalls a traditional association of the left hand with suspicion (sinister is Latin for 'left') and the right with trust — in this case, trust in established authority.

Why do ideologies exist?

My definition of a tattoo is that it is a problem from the inside of somebody's head pasted onto the outside of their body forever. Ideologies can be a bit like that. And as with my tattoo phobic definition, ideologies can make you blood enemies forever with no credible logic or advantage to anybody involved. Yet it is undeniable that humans are a herding species, mostly disinclined to think through complex social issues in detail for themselves, and much preferring to pick a popular brand off the supermarket shelf. This goes for religious beliefs, marriage ceremonies, ideologies, football teams or crowding for a holiday in Bali or Ibiza.

It has been said that ideology transformed international relationships in the 20th Century—in appearance at least. Earlier centuries experienced dynastic wars, national, civil, and imperial wars, and diplomacy designed to further national security or national expansion or to promote mutual advantages and general peace. Such factors, indeed, appeared to govern international relations until recent times. International relations during most of the 20th Century were seemingly dominated by the exigencies of "-isms": wars were fought, alliances were made, and treaties were signed because of ideological considerations.

Is End of Ideology a Reality?

For more than half a century, leading global thinkers have heralded the death of ideology. Beginning with Daniel Bell's famous 1962 book 'The End of Ideology', prominent scholars have repeatedly maintained that the role of ideology was diminishing and the exercise of pragmatism ascending throughout the Western world. In 'The End of Ideology', Bell declared that the "ideological age has ended" in the West although it would intensify in the developing world.

Similarly, around 25 years ago Francis Fukuyama an American political scientist, and author known for his book 'The End of History and the Last Man' (1992) which argued that the worldwide spread of liberal democracies and free market capitalism of the West and its lifestyle may signal the end point of humanity's sociocultural evolution and become the final form of human government announced the "end of history".

He who takes the benefit must bear the burden

VIDHI VIVEK
2017-18

67

His argument was simple: Democracy would win out over all other forms of government because the natural desire for peace and well-being set nations on a path to progress from which it was impossible to divert. If a state—even a Communist state—wished to enjoy the greatest prosperity possible, it would have to embrace some measure of capitalism. Since wealth-creation depends on the protection of private property, the “capitalist creep” would invariably demand greater legal protection for individual rights.

Francis Fukuyama declared that with the collapse of communism we had reached “the end of history”, meaning the great ideological issues of politics (who should govern and why) had been solved. Although history in the sense of wars and political upheavals might continue for hundreds of years, History was over, because liberal democracy had triumphed in the realm of ideas. Fukuyama maintained liberal democracy was the ideological endpoint of humankind’s age-old quest for the best regime. In the future, even autocratic rulers would claim to be democratic or cite democracy as their end goal.

Will the 21st Century do without ideologies?

The answer is a big NO.

Ideologies are going to be with us forever. The question is how seriously the herd takes them, and who become the high priests for interpreting them to the unwashed masses. The 20th Century gave us some pretty horrible examples of ideologies used as vehicles for mass extinction while claiming to be vehicles for mass progress. There is no particular reason to expect that the 21st Century will be more enlightened in this regard amongst those people who always form the bulk of ideological foot soldiers. It is true that there are more formally educated people on the planet than ever before, and more available tools for critical thinking, especially in the online world. Yet it is also true that the tools for mass mobilization are more powerful than they have ever been, while their control passes with increasing rapidity to compromised governments, corporations and secretive elites. This secrecy makes a considered response to genuine threats especially difficult.

History isn’t over, and neither liberalism nor democracy are it’s ascendant. Today, it’s hard to imagine Fukuyama being more wrong. The comfy Western consensus he inspired is under threat in ways he never predicted. A new Cold War has broken out. China’s “Marxist Capitalism” suggests you can have wealth without freedom. And the advance of ‘ISIS’ may herald a new, state-oriented Islamic fundamentalism.

In the 21st Century World, free markets have not only enlarged the gap between rich and poor, but have also reduced average incomes across the developed and developing worlds. In the countries hardest hit by the recession—such as Greece and Hungary—voters have turned away from precisely that conception of liberalism that Fukuyama believed they would embrace with open arms. Across Europe, economic slowdown, nationalism, and even open racism have exerted a greater attraction for those casting their democratic votes than the causes of freedom, deregulation, and equality before the law. Liberal capitalist democracy hasn’t triumphed. Instead, the failures of capitalism have turned democracy against liberalism. In turn, liberalism’s intellectual self-identity has been left in tatters.

CONCLUSION -

Like the Cold War of the past, the next war in the 21st Century world will not be fought on battle fields or in the hearts and minds of the citizens of the world. It will be fought with cold hard facts delivering answers to the questions – can the economy deliver growth, do citizens have a chance to rise from poverty based on their merit, how efficient is the allocation of labour and capital, and are the rules of the game stable enough to encourage growth. The nations whose political and economic systems that can answer these questions best will be the ideological victors of the 21st Century.

So, the conclusion we arrive at is that the ideals would change, the boundaries would fade, but what would remain perpetual is Ideology, which would keep changing with the changing times.

“Ideas have consequences. Ideology, whether democratic or non-democratic, Western or non-Western, positive or negative, continues to shape history as much as so-called material factors.”

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An eye for an eye makes the whole world blind.

VIDHI VIVEK (68)
2017-18

The Old Man of Al-Tarim

A wizened man ravaged by the years sat under a golden tree
The leaves of which were long and sharp, as sharp
as they could be

His face was harsh, his spirits unbroke, a merry twinkle in his eye
He sat there, absent scruples and strife as people passed him by....
In Al-Tarim there came this man, upon his face was a melancholy smile
Besides his feet, ragged lay his shoes, they had walked a thousand mile
His coat was torn and patched and frayed, to still wear it seemed so wrong

But still this man, incredibly so, soon broke into a song....

Oh, his song was pure and simple, of joys and sorrows he sang
With clever words and heavy emotion, albeit with a nasal twang!
He sang for none, he sang for all, soon men stopped to stand and stare
In Al-Tarim this man sat singing, without any thought or care....
Of love he sang, and lovers there were, who had led their lives serene
Of a farmer's bliss at the first storm clouds, his worries at a harvest lean
Of branching years he sang quite often, spent under a sedate sun
When asked for ill words against his fellow men, he didn't have a solitary one!

Of a mother's love for her child unborn, her sacrifices infinite

Of bitter rain and cascading falls, so lofty in their might
He sang of winds, those whispering winds, as they blow across the sea
So enchanting was his tune, a massive crowd thronged to his tree....
Of summer showers and wicked winters, he sang of spring in the heather
Of a magical land he told them all, where all birds and beasts come together
Of the bright young moon in the velvet sky where the stars come out to play

In Al-Tarim he sang this song, holding all ears to his sway....

A shadow passed behind his eye, as his doleful song now turned to Her
Cursed he was, for she was never his, the wrath of Gods he had seemed to incur

Their love was fierce and brief, he said, like a sudden summer spell

And now this man, this broken old man, his pain was for all to tell....

A brilliant smile he quickly flashed, as he slowly turned to the horde
He told them to wait and patient be, for all the gifts life for them had stored

Having sung his song, he quickly left and now see him no one can

In Al-Tarim, they still often talk, of the singing strange old man...

Mr. Krishnanand Mishra

3rd Year LLB

Pulp Fiction Returns

Mr. Ravikant Purohit
5th Year BLS-LLB

In the world of nail biting competition of getting more followers and likes on something which in reality is as significant to you as the letters A and Y are in 'okay', if by any chance I have been able to grab your attention towards this piece of writing, then please do not distract yourself for a couple of more minutes. I thought of penning down some of the things which I usually observe but refrain to absorb.

Interpretation of Passion

'Passion to follow the trend or the trend to follow the passion'

I feel that, lately, a set pattern of making "follow your passion" related movies have been set up by Bollywood. A narrative that chasing your dream and dreams will bear fruit only if you listen to your inner voice. I second this. But does following your passion necessarily mean taking "the road not taken"?

I am in complete favour of following your passion as long as it talks about following your inner voice and not what Ranbir is doing in the second half of 'Ye Jawani Hai Deewani'. It is not mandatory that your passion needs to stand out from others. What we fail to understand while sitting on a high horse is that job satisfaction is a subjective and personal emotion. And any choice in career is a good choice as long as you love it. No matter how boring it may seem to others. I have seen people criticizing many of my age who are doing CA for not following their inner compelling emotion but what they don't understand is that emotion is highly subjective and it really doesn't matter if your job has some adventure or fancy title to it as long as you are loving it.

It's absolutely fine if you are also amongst those who are completely unaware of the language in which your inner voice speaks. What matters is, are you willing to explore and understand all the possible spheres of life and are you willing to get up each and every time you fall. As nobody can deny the contention which states that your 20's are the years where the one who fails most will eventually be the most successful.

Good to be 'procrastinator' but only on Instagram Bio.

A procrastinator is likely to not read this article at one chance. He may save the file if the title managed to grasp his/her attention fortunately but might not read it by the time I am through with my 5 years of law.

"Time is more than money as money spent can be earned again however once time spent can never be earned."

The only thing which you should take seriously is the value of Time because It may destroy a lazy person as well as strengthen a hard-working person. Ram Jethmalani 'Tzar of the Bar' fought his first case in court when he was 17. Legendary Hollywood director Stanley Kubrick started making short films about his backyard when he was 11. Although it was a blessing in disguise that they did not have internet trolls and memes to laugh on so they rather managed to do something productive.

Be aware not Beware

I guess it's high time to open those gates of our minds that have 'whatever' & 'I don't care' written on them. Now, to look intelligent and to be intelligent are horses of the same race where the latter always makes the person who bets on him richer. To be intelligent and show your intelligence, you need to be confident and to be confident, you need to be aware. No matter which field you intend to opt, you need to read. The habit dearest to Abraham Lincoln was of reading. From the time he was young, Lincoln saw the value of books and learning. He read as often as he could and henceforth became the most cherished President of The United States of America. A newspaper is the least thing you could start with.

Smile less and laugh more!

One selfie doesn't waste too much time, but nobody ever is happy with the first one. By the time you take a selfie you approve of, you've spent 20 minutes taking pictures of your face, which hasn't changed at all. Lots of events that happen now will not make sense after 1000's of years, but it does make sense now. The moment is what matters the most and by wasting on time taking pictures and not living the moment is the utmost injustice you can do to yourself and to the people around you. In the end, a story or the moments will always be kept on a higher pedestal than a video or a picture because of their failure to create something more everlasting and more human nature.

No man is responsible for that which no man can control

VIDHI VIVEK (70)
2017-18

Pulp Fiction Returns

Mr. Ravikant Purohit
5th Year BLS-I.L.B

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No man is responsible for that which no man can control

VIDHI VIVEK 70
2017-18

Why The World Needs Lois Lane

Mr. Satnam Metharu
3rd Year LL.B

One of the most reminiscent memories of the childhood of any individual is his obsession with any particular superhero. We also wish to live larger than life and as a consequence we surround ourselves with larger than life stories as well as their heroes. I remember the influence Superman had on my childhood, a man whose morals and mortality can never diminish was a sure bestseller in the comic book industry. And as the fan base increased Superman migrated from comic books to feature films. One such film had as a central device an Article written by the fictional character Lois Lane on 'Why the World needs Superman?' Surely we could assume that with a body that bullets cannot pierce, speed that a train cannot defeat and a strength that enables him to lift planes, such articles would bear little importance to Superman. But that wasn't the case. Even the invincible Superman needed somebody to reassure him that what he does is right. A man that could destroy a war tank with his bare hands would find solace in a symphony of words acknowledging his actions.

Now why was that important? Even Superman made the same mistake that shockingly a huge chunk of the population makes. It ignores just how important mental health can be. As per the recent WHO report 57 million Indians suffer from depression (i.e 18% of global census of people suffering from depression). That number is larger than the entire population of South Africa. To put it simply 1 in every 24 Indians suffer from depression. We have developed an approach that a stable career, complete family and a standing in the social circles are all the factors that conjure into happiness. The void that may exist in our conscience is ignored to the point of the oblivion and this has resulted into a prevailing treatment gap of 86% for depression and 80% for any suicidal risk behavior. The stigma attached to approaching the appropriate authorities has been a substantial contributory factor towards and this hurdle would continue to stay if we do not legitimize the importance of healthcare and embody empathy and not sympathy from those who suffer from depression.

The recent bloom of the 'Blue Whale Challenge' was a shocking eye-opener about how such lurking symptoms of depression can be easily pushed to manifest into destruction of one's own person ultimately leading to suicide. When it comes to suicide of which depression is a substantial cause, the suicide rate in India has increased from 7.9 to 10.3% per 100000 in 2007. As per the National Crime Records Bureau suicide was ranked as the 8th highest cause of all deaths in 2015.

While all these statistics constitute a great cause of worry, nothing matches the horrific shortage of Mental Healthcare professionals in the country. There are roughly 0.07 psychiatrists per 100000 population and 0.12 per 100000 of psychiatric nurses. Critical aspects of mental health systems like policy budget, action plan, programme implementation, human resource development/capacity building, public awareness, engagement of civil society organizations, coordination within and between different sectors and monitoring and evaluation needs to be strengthened across states.

So what can we do? What we can do is what we need to do—become Lois Lane in somebody's life. A great many times the solution to a problem lies substantially in the approach to the problem. While we continue to strive to be the heroes of our respective story, we must not forget that the contributions Lois Lane made to Superman's life. We must not forget that the hands of reassurance cradle all self-doubts to sleep. Just as Lois Lane's single article changed Superman's perception of his place in the world; a single act of reaching out to somebody who is in need of help can give that someone the strength to fight back. We must understand that as marvelous as the human mind is, it is equally vulnerable to a number of factors that even an exhaustive list cannot fathom. Most importantly we must ourselves never shy away from asking help when we need it, before pride and ego in asking for it allow our struggles to cause an implosion. In a country where the common method to treat mental illness is prescription of drugs without the facility of providing adequate mental health services, the onus of fighting this demon lies on the general populace until the government chalks out a fine policy.

Perhaps a new ray of sunshine has emerged in the form of The Mental Health Care Act 2017 that supercedes the Act of 1987. The provisions of the new legislation have been viewed as progressive, prospective and a massive leap taken by the lawmakers of the country. For the first time we have adopted a patient-centric approach when it comes to health care. An express notice must be taken of Sec 3(5) of the act that states: "The determination of a

I think the first duty of society is justice.

VIDHI VIVEK
2017-18

71

person's mental illness shall alone not imply or be taken to mean that the person is of unsound mind unless he has been declared as such by a competent court."

A special mention must also be made to the endearing efforts taken by the Hon. Prime Minister Shri Narendra Modi who in his March address of 'Mann ki Baat' openly discussed the topic of depression and specially asked students to do the same. For me, the Prime Minister personally taking notice of a problem that has been brushed under the rug for decades by social stigma was a moment of deep admiration.

To tick the checkboxes on the Do's side of literary writing, one must include suitable quotes given by great men. But since this article is not about rising to greatness but refusing to let anyone fall into an abyss; I would like to conclude by saying, you need not have superhuman qualities to help others as long as you empathize as a human would in the true sense of the word.

Bleeding On a Parchment

What may come of days when I decide to not think about you,
That day may as well not be today.
As I sit here with my hands on a parchment,
in an attempt to remember our Good times,
I often find my mind, wandering far away.

Of those future nights I ought to spend with you,
Of those sunny days when the weather is warm,
I come across moments, whence upon my thoughts you are there,
Holding me in your arms.

In the lonely nights when my bed is vacant,
Except for my heart, I think about you.
I shouldn't, but my thoughts wander, my love.
Picturing your face, with the precision of a dart.

My pen bleeds tonight, for I chose to write.
About my muse, My true one.
Or as I like to call you, more often than I'd like to.

For you may choose to think for yourself,
I, sadly am not at the liberty to choose.
The only thing I chose was you,
I may regret it one day,
But that day may as well not be today.

There will come a day where you are not mine,
And I am in a better place.
You will remember me,
As the one who truly and irrevocably loved you,
With every fibre of her being.
And my love shall stay forever and true.

Ms. Pooja Nair
2nd Year BLS-LLB

Don't you think so?

A person of will
A person of might
Has a spark
To change the life
Don't you think so
Can change the mentality of others too?

People of ethics
People of values
Have the might
To change the future
Don't you think so
Can change the unjust in to right?

Society of change
Society of alights
Ignites the mind
With fire of responsibility
Don't you think so
Can change the our nation and shine bright?

So come and join
This fight against
Unjust and un right
To make our country's
Heart fill with pride
And let no evil
Dwell inside.

Ms. Triveni Jagdale
1st Year BLS-LLB

बदलते जीवन

आयुष्य म्हणजे काय ? आयुष्य म्हणजे काय ?
हे कळण्यामध्येच वेळ जाते वाया ।
अनुभव घेण्यासाठी उपयोगी पडत नाही,
केवळ उच्चशिक्षणाचा पाया ॥

आनंदाचे दोन क्षण घालवणे,
असते किती सोपे ।
पण दुःखरूपी भवसागर तरणे
वाटते किती मोठे ॥

आयुष्य म्हणजे सुख-दुःखचा मेळ,
आणि जीवन जगणे म्हणजे एक सापशिडीचा खेळ ।
शिडी चढता चढता साप केव्हा गिळे,
आणि आयुष्यातील वेळ कधी निघून जाई हे कोणालाही कसे ना कळे ?

जीवनरूपी संसारात सापांचेच आहे राज्य ।
शिडी लागो मार्गात म्हणून लोकं खूप काही करतात त्याज्य ॥
सुखाचे क्षण अनुभवण्यासाठी सर्वच पिटत आहेत संसाराचा गाडा ।
पण ते क्षण जास्त काळ टिकत नाहीत हाच तर आहे त्यांच्या जीवनातील संसाराचा राडा ॥

आनंदाचे डोही आनंद तरंग म्हणणाऱ्या
संतांचे आयुष्य होते किती महान ।
पण पुन्हा तसा काळ अनुभवण्यासाठी मिळणे
हे सर्वासमोर आहे एक विकट आव्हान ॥

आधुनिक मानव आता विज्ञानाकडे प्रगती करत चाललाय ।
हे तर आहे यातील रहस्य की तो माणुसकी, आपुलकी विसरत चाललाय ॥
प्राचीन मानव सुखसोयी नसताना इतका सुखी कसा ?
या ज्वलंत प्रश्नाचे उत्तर सापडेल तरी काय आता ?

-प्रीती भेकरे
5th year BLS-LLB

गरज आहे बदलण्याची, स्वतः मध्ये परिवर्तन करण्याची

मुकचात एक व्हीडियो सोशल मिडीयावर पाहिला, ते पाहून खरचं असं मनात वाटून गेलं की, आपण नेहमी इतरांकडून काही तरी चांगले व्हावे, किंवा इतर लोकांनीच शौर्याची कामे करावी, इतर लोकांनी साहस दाखवावे अशी अपेक्षा ठेवतो. पण स्वतःमध्ये मात्र बदल करायचा असल्यास किती जण तो करतात ? आता या व्हीडियोचेच उदाहरण घ्या ना. ज्यामध्ये असे दाखवले होते की, बसमध्ये रात्रीच्या वेळी एकटीने प्रवास करणाऱ्या एका स्त्रीला काही गुंड त्रास देत असता. बस मधून बाकी ४ लोकांनी मात्र बघ्याची भुमिका घेतली. साधं त्या गुंडांना काही बोलण्याची तसदीही घेतली नाही तर सरळसोटपणे दुर्लक्ष केलं. पण त्याच वेळी जेव्हा बसमध्ये एक इसम चढला आणि त्याने हे पाहून याकडे दुर्लक्ष न करता त्या त्रास देणाऱ्या लोकांना तोड देण्यासाठी सरसावला. हे पाहून बस मधील आणखी काही जण पुढे झाली. पण हे जर आधीच बस मधील इतर प्रवाश्यानी केले असते तर ? आपण नेहमी दुसऱ्यांकडून अपेक्षा का बरं ठेवतो ? अमुक माणसाने हे असेच करायला हवे होते. त्याने असे नव्हते करायला हवे होते. अहो पण मग स्वतः मधल्या चुकांचं काय ?

खरचं कोणीतरी खूप छान म्हटलं आहे. 'प्रत्येक माणूस जगाला बदलण्याचा विचार करतो, पण कोणीही स्वतःला बदलण्याचा विचार नाही करत'. खरंतर बदल हा आपल्यापासून सुरु व्हायला हवा. आज माणसाचा लढा इतर कोणाशी नाही तर स्वतःशीच आहे. त्याच्या आतमध्ये असलेल्या वाईट गुणांशी, खरेपणाला सोबत ना देण्याशी, चुकीच्या गोष्टींवर पांघरुण घालण्याच्या प्रवृत्ती बरोबर आहे. या सर्व गोष्टींवर जोपर्यंत माणूस मात करत नाही तो पर्यंत जगाला बदलण्याची आशा कशी बरं सत्यात उतरणार'.

आता भ्रष्टाचार, मग तो शिक्षण संस्थांमध्ये असो किंवा सरकारी कामकाजामध्ये असो, विरोध तर त्याचा सर्वच करतात. हाच विरोध आचरणात किती लोकं आणतात ? 'देणार नाही आणि घेणार नाही'. असा बाणा ठोकणारे ही आपली कामे सहज व्हावी म्हणून पैशांचा दुरुपयोग करतात ना ? उदाहरण द्यायचे झालेच तर एक व्यक्ति जी म्हणते मी काम पूर्ण करण्यासाठी कोणतीही लाच घेत नाही. पूर्ण इमानदारीने काम करतो. तीच व्यक्ति आपल्या मुलाच्या मेडिकल कॉलेजचे प्रवेशाचे दरवाजे आपल्या पाल्यासाठी बंद झाले की त्यासाठी 'भ्रष्टाचार' नामक किल्ली लावते ना. लाच घेणेच नाही तर देणे ही चुकीचे आहे हे का त्यावेळी कळत नाही ? जर देशाला भ्रष्टाचारमुक्त करायचं असेल तर, ती सुरुवात आपल्यापासून नको का व्हायला ?

चहाच्या टपरीवर किंवा हॉटेलमध्ये गेल्यावर 'ऐ छोटु टेबल साफ करना', 'छोटु एक कप चाय' हे अगदी सहजपणे बोलताना आपण हा विचार करतो का की हा छोटु देखील एक बालकामगार आहे ? त्याला त्याचे हक्क आहेत कायद्याने बहाल केलेले. बालकामगारांवर सक्तीची बंदी असतानाही आपण काही ठोस पावले उचलतो का ? हे तर अर्ध्याहून अधिक लोकांना माहित असते की बालकामगार ठेवणे कायद्याच्या विरोधात आहे तरीही आपण तिथे ते थांबविण्यासाठी पुढे सरसावतो का ?

दसन्यानिमित्त एक खूप छान आणि काहीतरी शिकवून जाणार एका संदेशामध्ये वाचायला मिळालं. त्याचा सारांश असा होता की, सत्ययुग, त्रेतायुग, द्वापारयुग आणि कलियुग असे चार युग आहेत. सत्ययुगामध्ये राक्षस आणि देवांमध्ये युद्ध होते. तर त्रेतायुगामध्ये रावण आणि रामा मध्ये युद्ध आणि मग द्वापारयुगामध्ये कौरव आणि पांडवां मध्ये, आता राहिला तो कलियुगया युगामध्ये बाकी ३ युगांसारखी एक वाईट आणि एक चांगली बाजू ही २ वेगवेगळ्या व्यक्ति

मध्ये नाही तर एकाच व्यक्ति मध्ये आहे. आज एका माणसाचं युद्ध हे इतर कोणाशी नाही तर त्याच्या आतल्या वाईट आणि चांगल्या प्रवृत्तिशी आहे. मग यावर विजय कोणाचा होणार हे त्या माणसालाच ठरवायचे आहे. स्वतःमधल्या वाईट गोष्टींवर मात ही आपल्यालाच कराव्याची आहे. म्हणतात ना स्वतःच्या चुकांसाठी आपण नेहमी वकील बनतो आणि दुसऱ्यांच्या चुकांसाठी मात्र न्यायाधीश बनतो. जर एखाद्या व्यक्तीने एखाद्या प्रसंगी साहस दाखवले नाही तर, 'याने हे असे करायला हवे होते, तसे करायला हवे होते' अगदी सहजपणे म्हणतो, पण जेव्हा काही करण्याची वेळ येते तेव्हा मात्र स्पष्टीकरण तयार ठेवतो.

गांधीजींनी अगदी योग्य सांगितले "Be the change you want to see in the world" प्रत्येकजण फक्त इतर लोकांमध्ये बदल कसा होईल याचा विचार करतात, पण कुणीही स्वतःमध्ये बदल करण्याचा विचार नाही करत. बदल हा स्वतःपासून सुरु व्हायला हवा. आज गरज आहे स्वतःमध्ये परिवर्तन घडवून आणण्याची. बदल घडवण्याची.

-भाग्यश्री पाटील

5th year BLS-LLB

प्रेम

काय असतं हे प्रेम ?

बाळाचा जन्म झाल्यावर, आईच्या डोळ्यातून येणारे आनंदाश्रु म्हणजे प्रेम !

एखाद्या नवजात शिशूने आपल्या इवल्याशा मुठीत आपले बोट घट्ट पकडून झोपी जाणे म्हणजे प्रेम !

एखाद्या चिमणीने आपल्या पिल्लांना या अनंत आभाळात उंच भरारी घ्यायला शिकवणे म्हणजे प्रेम !

संध्या समयी, सूर्याचे समुद्राच्या क्षितिजावर होणारे मिलन म्हणजे प्रेम !

पावसाच्या पहिल्या सरी या आपल्या धरणी मातेला स्पर्श होताच त्यातून निर्माण होणारा मातीचा सुगंध म्हणजे प्रेम !

ऊन आणि पावसाच्या खेळातून निर्मित होणारा, मनाला मोहित करणारा इंद्रधनुष्य म्हणजे प्रेम !

एखादे फुलपाखरु साजऱ्या फुलाकडे आकर्षित होऊन त्याच्यातील अमृत रसाळ पिणे म्हणजे प्रेम !

संगीताच्या सप्तसुरांतून हृदयाला स्पर्श करून जाणारा ध्वनी म्हणजे प्रेम !

प्रेम ही अशी विलक्षण जादुई अनुभूती आहे.

जशी एखाद्या फुलाचा सुवास घेतल्यावर अनुभूती मिळते ती अनुभूती म्हणजे प्रेम !

-वैभव पाटील

2nd year BLS-LLB

नाती : जगण्याचा आधार

नातं हे दोन नद्यांच्या प्रवाहांच्या विरुद्ध दिशांप्रमाणे असतं. जशा नद्या विरुद्ध दिशांकडून एकत्र येतात. तसाच गोडवा माणसांच्या नात्यातही असायला हवा. नात्यांची मजा, त्यातला आनंद हा नाती उलगडण्यात असतो. पण आजच्या काळात नाती उलगडण्याआधीच आपण त्यांना गुंतागुंतीचे बनवतो. पण नात्यांना गुंतागुंतीचं बनवणं म्हणण्यापेक्षा त्या नात्यात सहभागी असलेली लोकां त्याला गुंतागुंतीचं बनवतात.

माणसाचे आयुष्य हे एका रोपट्यासारखे असते. रोपट्याला वाढण्यासाठी माती, पाणी, सूर्यप्रकाश इत्यादींची गरज असते. त्याचप्रमाणे माणसाला त्याचे आयुष्य फुलवण्यासाठी आनंद निर्माण करण्यासाठी एकमेकांच्या आधाराची, मायेची, सोबतीची गरज असते आणि हे सगळं नात्यांमुळे शक्य आहे. लहानपणी आई आपल्या बाळाला उठून उभं राहण्यासाठी आधार देते. तेच मुल त्या आईच्या म्हातारपणी तिची काठी बनून काळजी घेत.

संगीत क्षेत्रातील उदाहरण द्यायचं झालं तर गिटारचं देता येईल. ज्याप्रमाणे गिटारला सहा स्ट्रिंग्स असतात आणि त्यात काही ठराविक स्ट्रिंग्स पकडून अशी एखाद्या कॉर्डमधून छानशी धून वाजते. अशाचप्रकारे एखादी चुकीची कॉर्ड धरून वाजवायचा प्रयत्न केला तर सुर बेसूर झाल्याचा आभास होतो. त्याचप्रमाणे नात्यात काही तिरसट वृत्तीच्या माणसांमुळे अनेक नात्यातील विश्वासाच्या भांड्याला तडा जाऊ शकतो. म्हणून नात्यांमध्ये कोणाला सहभागी करून त्या नात्यात छानशी कॉर्ड बनवावी. हे नेहमीच आपल्या हातात असायला हवे.

नात्यांचे वेगवेगळे पदर असतात. पती-पत्नी, आई-मूल, वडील-मूल, भाऊ-बहीण, सासू-सून अशा प्रकारची अनेक नाती प्रत्येक व्यक्तिला आयुष्यात वेळोवेळी निभावयाची असतात. त्यांच्यात सुसंवाद निर्माण होणे गरजेचे असते. सुसंवाद म्हणजे नुसते बोलणे नव्हे. तर विचारांची देवाण-घेवाण किंवा दुसऱ्याकडे विचार व्यक्त करण्याची जशी गरज असते. तशीच दुसऱ्यांचे विचार ऐकून घेणे ही सुद्धा मनाची गरज असते. या विचारांना नवा आयाम मिळतो. आपल्या सृजनशीलतेला नवे पैलू पडतात. माणसातील नातं हे निकोप असेल तर मानसिक आरोग्य ही सुदृढ राहतं. थोडक्यात काय, तर संपन्न व्यक्तिमत्त्वासाठी निरोगी मन आवश्यक आहे आणि निरोगी मनासाठी संवादाची गरज आहे.

नाती ही नेहमीच आपल्या हक्काची असतात. पण त्या हक्काच्या नात्यांवर कधी हक्क गाजवण्याचाही आपल्याला अधिकार नसतो. आपल्या या आयुष्यामध्ये अनेक आनंदाचे क्षण, दुःखाचे डोंगर, बऱ्याचशा अडचणी येतात. अशा वेळी आपल्याला नात्यांची गरज असते. मुळात आपल्याला नात्यांच्या आधाराची गरज असते. पण कधी असे नको व्हायला की 'नाते' या शब्दाला आपल्या आधाराची नितांत गरज लागेल, नाही का ?

-अंकुर अनिल गायकवाड
2nd year BLS-LLB

हरलेले डोळे

कल्पना करा की एखाद्या बर्फाळ प्रदेशात तुम्ही जखमी अडकला आहात आणि लांब लांब पर्यंत मानवी वस्ती नाही. तुम्ही धडपडत जखमी झालेल्या शरीराला हळू हळू चालवत राहता. एक घर दिसतं. तुम्ही पोहोचता ! तुम्ही अवसान गाळात ! गळून पडता ! हरून जाता ! ते डोळे त्याक्षणी जे असतात तेच 'हरलेले डोळे'. एखादे ध्येय असते, जे मिळवण्याची आवश्यकता खूप वाढलेली असते आणि अश्यात असेल नसेल तो जीव वापरून तिथे शेवटी आपण पोहोचतो. डोळ्यात पाणी येते किंवा नुसतेच बघत राहतो. संत तुकारामांच्या भाषेत 'याचसाठी केला होता अट्टाहास' असं वाटतं. ते डोळे जरी हरलेले असले तरी सुखी आणि बरंच कही मिळवलेले असतात.

असं काही नाही की नेहमी हे डोळे आपण पूर्ण निष्ठेने एखादे ध्येय मिळवायला गेलो आणि ते मिळवल्यावरच ते दिसतात. कधी कधी आपल्याला वाटतं की आहे तो मार्ग बरोबर आहे. पुढचे सगळे आराखडे मांडलेले असतात. आणि मग एक असा प्रसंग धडक देऊन जातो की आपल्याच नकळत आपण एका वेगळ्याच मार्गी लागतो. आपल्याश्या वाटणाऱ्या मार्गी... जाणीव होते की आता पर्यंत हरवलो होतो. हरतात डोळे. धन्य होतात. आभार मानतात त्या जुळून आलेल्या वेळेचे, त्या मार्गाकडे वळलेल्या दृष्टीचे, आणि त्या ऊब देणाऱ्या मार्गाचे.

आयुष्यात कधी तरीच असं होतं की एखाद्या व्यक्ति पुढे हरतो आपण. कारण माहित नसतं, पण अस्तित्वाला आपल्या घट्ट धरून त्यांच्यापुढे सहज उभे राहायचा प्रयत्न करत असतो आणि धरलेल्या मुठीमधून रेत निसटून जावी तसं अस्तित्व निसटतं. उरतात फक्त डोळे. हरलेले. बाकी सगळं शून्य...

हे असं प्रेमात झालं असलं तर सोन्याहून पिवळं. पण असे हरलेले डोळे क्वचितच बघायला मिळतात. दिसतात डोळे ते कौतुकाचे. व्यक्ति चांगली वाटणं आणि आपली वाटणं ह्यात खूप अंतर असते. एखादी व्यक्ति आपल्याला आवडली की, आपण विसरून जातो स्वतःला विचारायला की ही व्यक्ति आपलीशी वाटते का ? भले दहा दोष असतील. पण एक आपलेपणाची, काहीशी ओळखीची ऊब मिळते आहे का ? मुळात असे प्रश्न डोक्यात येण्याच्या आतच जर उत्तर हो असेल तर डोळे उत्तर देऊन मोकळे ही झालेले असतात. हरतात. अस्तित्व हरवते. आणि 'भेटली तू पुन्हा' ह्या गाण्यासारखं 'शोधता मी मला शोध लागे तुझा' असं होतं. खूप सुंदर असतं हे हरणं. मला माहित नाही की एखादे डोळे आपल्यासाठी हरल्यावर समोरच्या माणसाला कसं वाटत असेल. थोडं लाजल्यासारखं, ओशाळल्यासारखं की हसू फुटते नजर ओळखून.

माझीही नजर एकदा हरलेली, एका व्यक्ति समोर... कालीदासच्या नाट्यगृहात, 'आयुष्यावर बोलू काही' चं मध्यांतर असताना आई सरळ बॅकस्टेजकडे घेऊन गेली. माझ्यापुढे संदीप खरे होते ! आणि माझे तिथे फक्त डोळे. हरलेले. अस्तित्व घट्ट पकडून ठेवण्याइतपत भान ही नव्हतं तेव्हा मी सातवीत होते. तेव्हा फार काही कविता कळतपण नसतील मला. पण त्यातलं सौंदर्य कळायचं आणि त्यांच्या खरेपणाला अनुभवता नक्कीच यायचं. जी अनुभूती त्यांची गाणी ऐकून होते, आवाज ऐकून होते, ते स्वतःसमोर असताना कसे मी माझे अस्तित्व हरवले नसते ! त्यांनी माझे डोळे वाचले आणि ते हसले. मी काहीच बोलू शकले नव्हते. ते कायम मला माझे "सोल पोएट" वाटायचे. सगळ्याच कविता त्यांच्या माहित नाही पण माझ्या आयुष्यात जशा गोष्टी चालू आहेत, नेमक्या बरोबर त्यांनाच जुळणाऱ्या कविता त्यांच्या डोळ्यासमोर यायच्या. विलक्षण खरेपणा, प्रामाणिकपणा असलेल्या, त्यांच्या लेखणीच्या बाबतीत कवितेतच सांगायला गेलं तर,

कधी गुंतणे रंगात, कधी प्रकाशाची आस
आत्मग्लानी असो किंवा, वाटे विद्रुप भकास ।
शब्द उतरती खरे, त्यांना कुणाची ना लाज
लेखणीतून दिसला दिगंबर शिव आज...।।

इतका खरेपणा स्वतःशी! असो... मूळ सांगण्याचा मुद्दा हा की काही व्यक्ति, गोष्टी, अगदी आपल्या घरापासून हजार कि.मी. लांब असलेलं एखादं गाव पण आपल्याला आपलंसं वाटतं. आणि आपण हरतो. हरखतो. त्या व्यक्तिंना, वस्तुंना, गावांना, मार्गांना पूर्ण किंवा सर्वोत्तम असायची गरज नसते. गरज असते ती आपलं असण्याची.

अश्याही काही व्यक्ति असतात ज्या देवांपुढे हरतात. तत्वांपुढे हरतात. कुणी व्यक्ति कशाला? आपणच ! सगळ्या रंगात रंगून, गोंधळ मांडून, धगधगून फुटतो ! आणि शून्य होतो... डोळ्यात पाणी असते आणि समोर अनंत आकाश. स्वतःला उंच उंच करत राहताना, सगळ्या इच्छा पूर्ण करू बघत असताना, ही अशी मधूनच एक लहर येते. अस्तित्व हलवणारी. "अर्जियाँ" मधल्या...

"जब तू रुबरु आया, नजरें ना मिला पाया ।
सर झुकाके इक पल में, मैंने क्या नहीं पाया...।"

ह्या ओळींसारखं, अशी प्रत्येकाला एकदा तरी अनुभूती येते. आणि मग ती अवस्था निघून जाते. आपण पूर्ण हा एका आवरणात झाकले जातो. एक हुरहुर राहून जाते. संदीप खरेंच्या भाषेत.

'ती कळ सरते... हूरहूर उरते अन् पिकण्याची घाई गं,

वरवर सारे शिंपण काही आतून उमलत नाही गं'

हे असे जरी असले, तरी हरलेली नजर ही अनंतापूढे असो किंवा व्यक्ति/मार्गापुढे दोन्ही वेळेस ती तेवढीच 'श्रीमंत' असते. कधी कदाचित त्या हरलेल्या डोळ्यांचा अपमान ही होईल, पण संदीप खरेंच्या भाषेत सांगायचं झालं तर.

"आज झुरु देना जीव, उद्या सवय पडेल,
आज एकाशी जडला, उद्या जगाशी जडेल'
सोस क्षुद्रापायी आज थोड्या निखळ यातना,
उद्या विराटासाठीची, हीच ठरेल साधना।"

-हर्षला केणी
2nd year BLS-LLB

हिंदी भाषा में मुहावरे और लोकोक्तियों का महत्त्व

भाषा की सुंदर रचना हेतु मुहावरों एवं लोकोक्तियों का प्रयोग आवश्यक माना जाता है। ये दोनों भाषा को सजीव, प्रवाहपूर्ण एवं आकर्षक बनाने में सहायक होते हैं। यही कारण है कि हिंदी भाषा में विभिन्न मुहावरों एवं लोकोक्तियों का अक्सर प्रयोग होते हुए देखा गया है। 'मुहावरा' शब्द अरबी भाषा से लिया गया है, जिसका अर्थ है अभ्यास। मुहावरा अति संक्षिप्त रूप में होते हुए भी बड़े भाव या विचार को प्रकट करता है। जबकि 'लोकोक्तियों' को 'कहावतों' के नाम से भी जाना जाता है।

मुहावरा एक ऐसा वाक्यांश है, जो रचना में अपना विशेष अर्थ प्रकट करता है। रचना में भावगत सौन्दर्य की दृष्टि से मुहावरों का विशेष महत्त्व है। इनके प्रयोग से भाषा सरस, रोचक एवं प्रभावपूर्ण बन जाती है। इनके मूल रूप में कभी परिवर्तन नहीं होता अर्थात् इन में से किसी भी शब्द का पर्यायवाची शब्द प्रयुक्त नहीं किया जा सकता। हाँ.. क्रिया पद में काल, पुरुष, वचन आदि के अनुसार परिवर्तन अवश्य होता है। मुहावरा अपूर्ण वाक्य होता है। वाक्य प्रयोग करते समय यह वाक्य का अभिन्न अंग बन जाता है। मुहावरे के प्रयोग से वाक्य में व्यंगार्थ उत्पन्न होता है। अतः मुहावरे का शाब्दिक अर्थ न लेकर उसका भावार्थ ग्रहण करना चाहिए।

उदाहरण : १. अपने मुँह मियाँ मिट्टू बनना - (स्वयं अपनी प्रशंसा करना) - अच्छे आदमियों को अपने मुँह मियाँ मिट्टू बनना शोभा नहीं देता।

२. आँख का तारा (बहुत प्यारा) आज्ञाकारी बच्चा माँ-बाप की आँखों का तारा होता है।

लोकोक्ति संस्कृत भाषा का शब्द है। इसका अर्थ है लोक+उक्ति। अर्थात् लोक की उक्ति, लोक में प्रचलित और प्रसिद्ध उक्ति। बोलचाल की भाषा में लोकोक्ति को कहावत कहते हैं। साधारणतः लोक में प्रचलित उक्ति को लोकोक्ति नाम दिया जाता है। कुछ लोकोक्तियाँ अंतकथाओं से भी संबंध रखती हैं, जैसे भगीरथ प्रयास अर्थात् जितना परिश्रम राजा भगीरथ को गंगा के अवतरण के लिए करना पड़ा उतना ही कठिन परिश्रम करने से सफलता मिलती है। संक्षेप में कहा जाए तो मुहावरे वाक्यांश होते हैं। जिनका प्रयोग क्रिया के रूप में वाक्य के बीच में किया जाता है। जबकि लोकोक्तियाँ स्वतंत्र वाक्य होती हैं। जिन में एक पूरा भाव छिपा रहता है। किसी घटना या कहानी से सम्बंधित अनुभव के सार को व्यक्त करने वाली लोक प्रसिद्ध उक्ति या कथन को लोकोक्ति या कहावत कहते हैं। प्रत्येक लोकोक्ति समाज में प्रचलित होने से पूर्व में अनेक बार लोगों के अनुभव की कसौटी पर कसी गई है और सभी लोगों के अनुभव उस लोकोक्ति के साथ एक से रहे हैं, तब वह कथन सर्वमान्य रूप से हमारे सामने है। लोकोक्तियाँ दिखने में छोटी लगती हैं, परंतु उनमें अधिक भाव रहता है। लोकोक्तियों के प्रयोग से रचना में भावगत विशेषता आ जाती है।

उदाहरण : १. अंधेर नगरी चौपट राजा, टके सेर भाजी टके सेर खाजा-जहाँ मुखिया मुख हो और न्याय अन्याय का ख्याल न रखता हो।

२. अकेला चना भाड़ नहीं फोड़ सकता-अकेला व्यक्ति किसी बड़े काम को सम्पन्न करने में समर्थ नहीं हो सकता।

हिंदी भाषा में मुहावरे और लोकोक्तियों का महत्त्व

भाषा की सुंदर रचना हेतु मुहावरों एवं लोकोक्तियों का प्रयोग आवश्यक माना जाता है। ये दोनों भाषा को सजीव, प्रवाहपूर्ण एवं आकर्षक बनाने में सहायक होते हैं। यही कारण है कि हिंदी भाषा में विभिन्न मुहावरों एवं लोकोक्तियों का अक्सर प्रयोग होते हुए देखा गया है। 'मुहावरा' शब्द अरबी भाषा से लिया गया है, जिसका अर्थ है अभ्यास। मुहावरा अति संक्षिप्त रूप में होते हुए भी बड़े भाव या विचार को प्रकट करता है। जबकि 'लोकोक्तियों' को 'कहावतों' के नाम से भी जाना जाता है।

मुहावरा एक ऐसा वाक्यांश है, जो रचना में अपना विशेष अर्थ प्रकट करता है। रचना में भावगत सौन्दर्य की दृष्टि से मुहावरों का विशेष महत्त्व है। इनके प्रयोग से भाषा सरस, रोचक एवं प्रभावपूर्ण बन जाती है। इनके मूल रूप में कभी परिवर्तन नहीं होता अर्थात् इन में से किसी भी शब्द का पर्यायवाची शब्द प्रयुक्त नहीं किया जा सकता। हाँ.. क्रिया पद में काल, पुरुष, वचन आदि के अनुसार परिवर्तन अवश्य होता है। मुहावरा अपूर्ण वाक्य होता है। वाक्य प्रयोग करते समय यह वाक्य का अभिन्न अंग बन जाता है। मुहावरे के प्रयोग से वाक्य में व्यंगार्थ उत्पन्न होता है। अतः मुहावरे का शाब्दिक अर्थ न लेकर उसका भावार्थ ग्रहण करना चाहिए।

उदाहरण : १. अपने मुँह मियाँ मिट्टू बनना – (स्वयं अपनी प्रशंसा करना) – अच्छे आदमियों को अपने मुँह मियाँ मिट्टू बनना शोभा नहीं देता।

२. आँख का तारा (बहुत प्यारा) आज्ञाकारी बच्चा माँ-बाप की आँखों का तारा होता है।

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उदाहरण : १. अंधेर नगरी चौपट राजा, टके सेर भाजी टके सेर खाजा-जहाँ मुखिया मुख हो और न्याय अन्याय का ख्याल न रखता हो।

२. अकेला चना भाड़ नहीं फोड़ सकता-अकेला व्यक्ति किसी बड़े काम को सम्पन्न करने में समर्थ नहीं हो सकता।

मुहावरा वाक्यांश होता है तथा इसके अन्त में 'होना', 'जाना', 'देना', 'करना' आदि क्रिया का मूल रूप रहता है, जिसका वाक्य में प्रयोग करते समय लिंग, वचन, काल, कारक आदि के अनुसार रूप बदल जाता है। जबकि लोकोक्ति अपने आप में पूर्ण वाक्य होती है और प्रयोग स्वतन्त्र वाक्य की तरह ज्यों का त्यों होता है दोनों में अंतर इस प्रकार है—मुहावरा वाक्यांश होता है, जबकि लोकोक्ति एक पूरा वाक्य, दूसरे शब्दों में, मुहावरों में उद्देश्य और विधेय नहीं होता। जबकि लोकोक्ति में उद्देश्य और विधेय होता है। मुहावरा वाक्य का अंश होता है। इसलिए उनका स्वतंत्र प्रयोग संभव नहीं है, उनका प्रयोग वाक्यों के अंतर्गत ही संभव है। लोकोक्ति एक पूरे वाक्य के रूप में होती है, इसलिए उनका स्वतंत्र प्रयोग संभव है। मुहावरे शब्दों के लाक्षणिक या व्यंजनात्मक प्रयोग हैं जबकि लोकोक्तियाँ वाक्यों के लाक्षणिक या व्यंजनात्मक प्रयोग हैं।

—अर्चना गुप्ता
3rd year BLS-LLB

सोचो कितने फसाद होते...

सोचो कितने फसाद होते...	थी खामोशी फितरत हमारी,
समंदर सारे शराब होते तो।	तभी तो बरसो निभाई गई,
ख्वाब सारे हकिकत हो जाते ।	अगर हमारे मुंह मेंभी जवाब होते,
सोचो कितने फसाद होते...	तो सोचो कितने फसाद होते...

किसी दिल में क्या छुपा है,	हम अच्छे थे पर लोगो की
यह बस खुदा जानता है,	नजर में सदा रहे बुरे,
दिल अगर बेनकाब होते तो,	कहीं हम सच में खराब होते तो,
सोचो कितने फसाद होते...	सोचो कितने फसाद होते...
	सोचो कितने फसाद होते...

—शिल्पा त्रिपाठी
3rd year BLS-LLB

मेरी माँ

सब कहते हैं कि मैं बड़ी हो गई हूँ,
पर वो यह नहीं जानते कि मैं अभी भी
आपकी नन्ही सी गुडिया हूँ माँ।

लोग कहते हैं कि मैं बहुत प्यारी सी हूँ,
पर वो यह नहीं जानते कि मैं कितनी शैतान हूँ,
आप जानते हो माँ।

चाहें मैं आपसे कितना भी झगडा करूँ,
मैं आपके आपके पास ही रोती हूँ।

पापा के साथ चाहे मैं जितना भी वक्त बिताऊँ,
मैं आपको ही सारी बातें बताती हूँ माँ।

लोग कहते हैं कि माँ की जगह कोई नहीं ले सकता, और यह सच है,
क्योंकि हर झगडे में आपकी मेरे लिए फिक्र और मेरा आपके लिए प्यार होता है।

फिर चाहे लोग कितना भी कहें,
मैं आपकी छोटीसी नन्ही सी गुडिया हूँ,
और आप मेरी दोस्त हो माँ।

-अर्किती जैन

1st Year BLS-LLB

भारतीय अर्थव्यवस्था के विकास में भारतीय रेल की भूमिका

दि. १६ अप्रैल १८५३ में जब पहली बार रेल का पहिया चला था तब शायद ही यह सोचा होगा कि भारतीय रेल अर्थव्यवस्था का मेरुदंड होगी, और भारतीय अर्थव्यवस्था का चक्र "भारतीय रेल" नामक धुरी पर निर्भर होगा।

१८५३ से लेकर १८४७ तक भारतीय रेल का विकास अत्यंत धीमी गति से हो रहा था। इस में भी मुख्यतया इसकी दिशा उद्योगमुख ही रही क्योंकि 'जी.आय.पी', 'मद्राससेंट्रल' या इस तरह की गैर सरकारी कंपनियों का मुख्य उद्देश्य लाभ कमाना था। क्योंकि उनका कार्यक्षेत्र सीमित होने के साथ ही उसमें पूंजीगत निवेश की अपनी सीमा थी। स्वाधीन भारत में बहुत से उद्योगों का राष्ट्रीयकरण हुआ जिस में रेल उद्योग का नया जन्म हुआ और वह 'भारतीय रेल' उद्योग कहा जाने लगा। १९५१ में प्रथम पंचवर्षीय योजना के तहत रेल उद्योग को बजट में साधारण सी राशि आबंटित हुई और उत्तोरत्तर बढ़ोतरी होती गई। जिसमें से बहुत बड़ा हिस्सा नई रेल लाइने बिछाने के लिए हुआ जो कि आवश्यक भी था।

१९९६ में आधुनिकरण तथा भारतीय अर्थव्यवस्था को और मजबुत करने के लिए 'कोंकण रेल्वे निगम लिमिटेड' की स्थापना हुई जिसके प्रणेता थे "बी. राजाराम"। अतिशय कुशल नेतृत्व तथा अपार कष्ट करने की वृत्ति से इन्होंने 'कोंकण रे. लि.' को नई उंचाई पर पहुंचाया।

ऐसा माना जाता है कि जिस देश की सड़क व्यवस्थित एवं सुचारु रूप से चलती है वहाँ उद्योग व्यापार को फलने फूलने से कोई नहीं रोक सकता। उसी प्रकार बदलते वैश्वीकरण के बदलते परिवेश में नई लाईने, नये रुट, नए जोन बनाने की जरूरत महसूस की गई ताकि अधिकाधिक पिछड़ इलाकों को समृद्ध शहरों से जोड़ा जा सके ताकि उस प्रदेश में व्यापार को प्रोत्साहन मिले जोकि आखिर में सफल घरेलू उत्पाद का हिस्सा बनेगा एवं अर्थव्यवस्था की सक्षमता की कड़ी होगा।

भारतीय रेल ने 'कोरेनिल' की तरह दूसरी और कई योजनाओं को कार्यरत किया जैसे 'पैलेस ऑन व्हील्स'। यह अपने आप में एक अनुठा प्रयोग था जिस में भारतीय रेल में 'रेल पर्यटन' संकल्पना का उदय हुआ। रेल पर्ययन कि दिशा में भारतीय रेल ने 'टॉय ट्रेन' को जगतिक सांस्कृतिक धरोहर बनाया जिसकी वजह से उनकी अंतरराष्ट्रीय पहचान बन गई और पूर्वोत्तर भारत में विदेशी मुद्रा का चलन तेजी से बढ़ गया।

माल लदान एवं दुलाई के परिप्रेक्ष्य में भारतीय रेल के सामने सबसे बड़ी चुनौती गैरसरकारी परिवहन प्रणाली की थी जिस में ग्राहक को उसका सामान उसके दरवाजे तक और कम समय में मिल जाता था। इस दिशा में कदम उठाए गए और "Door to Door" और "Container Service" 'दिल्ली कोलकता फ्रेट कॉरीडोर' जैसी योजनाएं शुरु हुई। इसी की अगली कड़ी है 'मुंबई दिल्ली पश्चिम फ्रेट कॉरीडोर' सर्विस जिसका कौशिला समारंभ पिछले दिनों भारत महामहिम प्रधानमंत्री के करकमलों द्वारा किया गया।

भारतीय अर्थव्यवस्था में आनेवाले पैसों में बहुत बड़ा हिस्सा भारतीय रेल की तरफ से आता है। इसमें ६४ प्रतिशत मालभाड़ा, ३४ प्रतिशत यात्री भाड़ा एवं २ प्रतिशत भंगार आदि सामान बेचकर आधुनिक युग की जरूरत है बदलाव। स्वाभाविक है कि भारतीय रेल को आमूल परिवर्तन की जरूरत है जिसमें सबसे बड़ी समस्या है निधि उपलब्धता की। उदा. आज रेल विभाग के पास केवल २,३१,००० वैगन है और इतने ही वैगन की आवश्यकता है माल आपूर्ति के लिए।

“आइए हम भी इसका हिस्सा बने और अपना शत प्रतिशत योगदान दे और ईमानदारी एवं सच्चाई से अपना कर्तव्य निर्वाहन करें।”

—चंद्रकांत तायडे
5th year BLS-LLB

फकीरी

फर्क नहीं जन मानस में
ये पंचतत्व की काया,
कहाँ अमीरी कहाँ गरीबी,
किसने किसका साथ निभाया?

सहृदयता की बात तभी हो
देखे मन जब एक फकीरी।
फटे पुराने अवतार हो,
छुपी हुई है एक लाचारी।

मन रोता है बिलख बिलख कर
आँसू भी जब सुख गए हो,
अरमानों की लाश बिछी हो।
नीलाम्बर की चद्दर ओढ़े,
माँ वसुंधरा की गोद बना के,
कर्मों का साथ निभाते हो।

तब कहता है मन
कह दूँ उसको
जप साई का नाम।
सिवा नाम के नहीं है कोई
यह व्यर्थ धरा दन धाम।
तु उसका है वो तेरा है,
जल मछली का साथ।
प्रेम निभायें कछुवन सा दिन हो चाहे रात।
कहा कभी किस रूप में
साई को तुम पाओगे।
त्रस्त करो अगर भूखी आत्मा ये जीवन सफल बना लोगे।

—ओ.पी. लालवानी
3rd year BLS-LLB

बहुत खुबसूरत हो तुम...

कभी मैं कह दू की मुहब्बत है तुमसे ।
तो मुझे खुदारा गलत ना समझना ॥
के मेरी जरूरत हो तुम ।
बहुत खुबसूरत हो तुम ॥

है फूलों की डाली ये बाँहे ।
है खामोश जादू निगाहे ॥
जो काँटें है सब अपने दामन में रखलू ।
कलियों से तुम्हारी राहे सजालू ॥
नजर से जमाने के खुदको बचाना ।
किसी और से देखो दिल न लगाना ॥
के मेरी अमानत हो तुम ।
बहुत खुबसूरत हो तुम ॥

है चेहरा तुम्हारा के दिन है सुनेहरा ।
और उसपर ये काली घटाओं का पहरा ॥
गुलाबों से नाजुक महकता बदन है ।
ये लब है तुम्हारे के खिलता चमन हे ॥
ये बिखरे जो जुल्फे तो शर्माये बादल ।
ये फराज भी देखे तो हो जाए पागल ॥
वो पाकीजा मूरत हो तुम ।
बहुत खुबसूरत हो तुम ॥

जो बनके कली मुस्कुराती है अक्सर ।
शब-ए-हिज में जो रुलाती है अक्सर ॥
जो लम्हों ही लम्हों में दुनिया बदल दे ।
छुपाना जो चाहे छुपाई न जाए ।
भुलाना जो चाहे भुलाई न जाए ॥
वो पहली मोहब्बत हो तुम ।
बहुत खुबसूरत हो तुम ॥

-फराज खान

2nd year BLS-LLB

साई पथदर्शी

पथदर्शी बनकर तुम आओ
ओ मेरे श्री राम ।
पथ अपना हम भूल न जाओ,
ओ मेरे श्री राम ॥

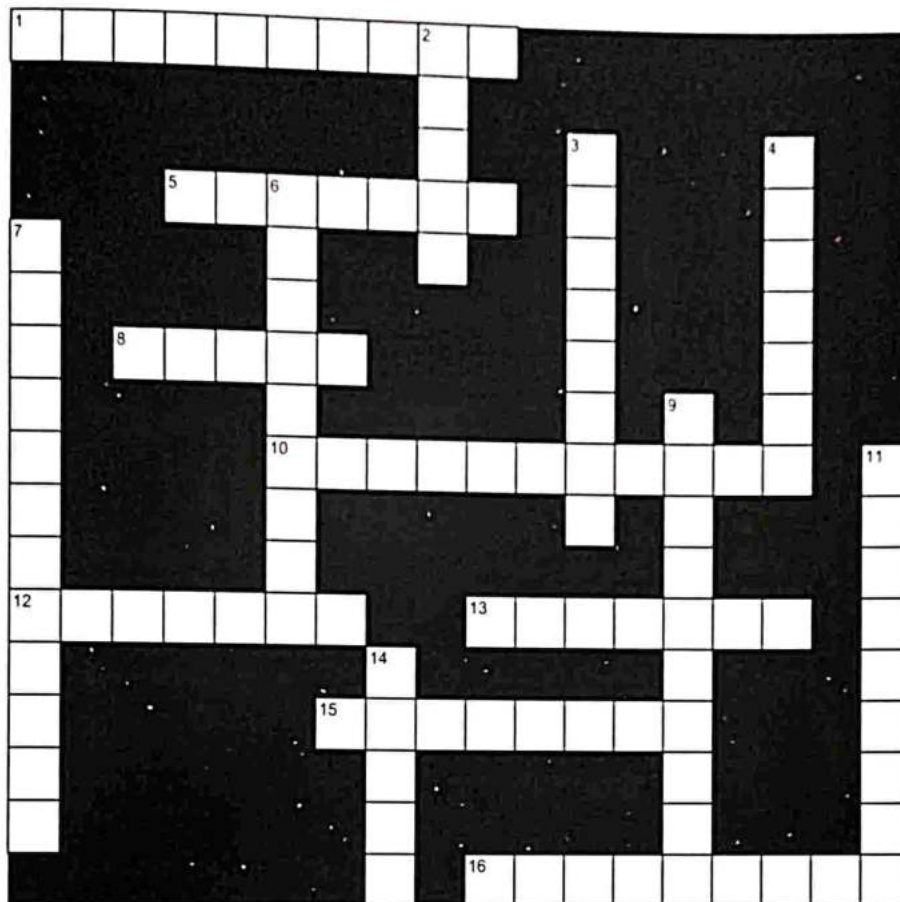
अनेक पथ है मंजिल के,
और मंजिल पास नहीं ।
पग पग पर ठोकर लगती है,
और कोई साथ नहीं ॥
ऐसे मैं तुम आकर बाबा,
पथ हमको दर्शाओ ।
पथदर्शी बनकर तुम आओ,
ओ मेरे श्री राम ॥

लोग नए है,
नई है राहे,
कोई नहीं है अपना ।
किसे क्या उम्मीद करे ॥
ये जीवन का है एक सपना
ऐसे मैं तुम बाबा आकर
पथ हमको दर्शाओ,
पथदर्शी बनकर तुम आओ ॥

-ओ.पी. लालवानी

3rd year BLS-LLB

LEGAL CROSSWORD PUZZLE



ACROSS

- 1 The purpose of enforcing a right or to seek a remedy in a court of law.
- 5 Another name for personal property
- 8 A written argument of counsel related to one or more legal issues in a case.
- 10 Professional negligence or misconduct .
- 12 Forgiveness of past acts.
- 13 The findings of fact by a jury in a civil or criminal trial.
- 15 A writ commanding the named individual to appear at a specific time and place.
- 16 Sworn statement in writing taken before a notary public or other authorized officer.

DOWN

- 2 A promise or commitment to do or refrain from doing a one or more specific acts.
- 3 When competent parties enter into an agreement to do or refrain from doing something.
- 4 Legislative enactment by Congress or a state legislature.
- 6 Meeting of the minds.
- 7 A judgment or decision of a court.
- 9 The process of converting property or claim to its cash equivalent.
- 11 A right to reap the financial benefits of literary property
- 14 To suppress, stop, cease and abate .



*Rangoli by Hansraj Mourya (5th Year BLS)
First Prize at INFINITUM 2016-17*



*Rangoli by Ankita Patil (4th Year BLS)
Second Prize at INFINITUM 2016-17*



Rangoli by Dr. Jyoti Deshmukh, Principal- VES College of Law

Late Shri Hashu Advani Memorial **State Level Moot Court Competition 2016-17**



**Adv. Laxman Kanal (Management Trustee)
felicitating the Chief Guest
Hon. Justice Suresh Gupte**



**Adv. Satish Sonalkar and
Adv. Dilip Shinde judging the Finals of
the State Level Moot Court Competition**



Participants and Winners of the State Level Moot Court Competition 2016-17 with the Dignitaries



**Prof. Sheetal Kumar Setia and Adv. Ashwin Advani,
Judges of the Preliminary Round**



**Dr. Rashmi Oza and Dr. Budhwani,
Judges of the Preliminary Round**