The Student

Online Student Magazine of Faculty of Law, IFHE

Vol.X & XI

August & September 2014



IFHE (Icfai Foundation for Higher Education)

Contents

FOL News	3
Articles	
Personal Laws versus Fundamental Rights	5
The Ukrainian Crisis	8
Marital Rape and its Status in India	10
The 68th Independence Day. Independence in Reality	16
About Books	
Order with Anarchy: The Laws of War as an International Institution	19
Justice Denied: The Reality of the International Criminal Court	20
Legal Luminaries	
Hon'ble Mr. Justice Sudhansu Jyoti Mukhopadhaya	21
Colloquium	
Maxims	22
Competitions	23

Magazine Committee

Chief Editor: Mrs. M. Annapurna Devi

Advisor: Dr. V. Hemalatha Devi, Dean, FOL

Composer: Mr. S. Murali Mohan

Sub-Editors: Mr. Praject Daniel

Ms. Gehna Banga

Mr. Sourya Banerjee

Ms. Manveen Sandhu

Contributors: Mr. Praject Daniel

Ms. Dalia Pasaari

Ms. Roshni Preeti

Freedom Run @ FOL



Being part of ADVOGADO, under the initiative of our respectable Dean, Dr. V. Hemalatha Devi and Faculty Members, students actively participated in Freedom Run on 14th August, 2014 on the eve of Independence Day.

Eco-Ganesha



BBA.LLB students have made Eco-Ganesha as a part of their activity class on August 28th 2014 on the eve of Ganesh Chaturthi under the guidance of Dr. L. Lakshmi, Asst. Professor, FOL.

FOL News

Guest Lecture



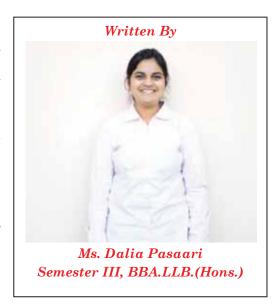
Guest Lecture by Prof. M.S. Prasad, General Manager – Corporate Relations, IFHE, Hyderabad, on "Placement Preparations" for Semester IX Students on 22nd August 2014.



Guest Lecture by Sri. Ch. Satyanarayana, Senior Consultant, Sirich Legal Consultants, Hyderabad, on "Clinical Aspects of Legal Education" on 22nd August 2014.

Personal Laws versus Fundamental Rights

A twenty eight year old Indian Muslim woman gets sexually assaulted by her father-in-law on June 6, 2005 in Uttar Pradesh. The qualified jurists, also known as the muftis in the Islamic Law dissolved her marriage with her husband and the woman was compelled to re-consider her marital status, accepting her father-in-law as her husband and her legally wed husband as her son. Yes, this is the very story of Imrana,



a twenty eight year old mother of five children who was raped by Ali Mohammed, her sixty nine year old father-in-law.

Darul Ulloom Deoband, a leading Islamic seminary issued his opinion, known as a 'fatwa' in Islam, not considering the difference between rape and adultery. As a result, the victim was ordered by a Local Muslim Panchayat to treat her husband, Nur Illahi as her son. Even without a legal wedlock, Imrana was forced to accept her father-in-law as her husband and was no longer permitted to live with Nur Illahi. However, Imrana defied the Panchayat's ruling and continued living with her husband.

A big question arises here is that who is being punished? The accused or the victim? Imrana, being a victim of the sexual assault is being punished by the dissolution of her marriage and is being forced to live with her rapist and the rapist himself is getting away without any punishment. Is this justice in the true sense of the word? In fact, it is no justice at all! Besides, do these local muslim panchayats or muftis have the authority or the sanction of Law? Are their decisions legally binding on the people? Can the fatwas issued by institutions like Darul Qaza and Darul Ifftaa compete against the Fundamental Rights that have been guaranteed to all Indian Citizens (irrespective of their religion) under the Constitution of India?

Articles

Advocate Vishwa Lochan Madan filed a public interest litigation challenging the constitutional validity and questioning the jurisdiction of the shariat courts, Dar-ul-Qaza and Deoband Muftis in dictating social behavior of citizens and in the process, virtually setting up a parallel judicial system on issues relating to Muslim personal Law. Advocate Madan believes that the fatwas are curtailing the fundamental rights of the individuals and hence, no personal law can dominate the provisions of our constitution.

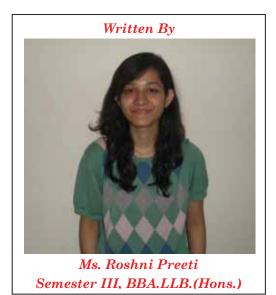
Does Justice know any religion? In fact, in all religions the innocent are rescued from the shackles of the crimes done by the accused. But these courts, as we have seen in Imrana's case and several other cases have always targeted the rights of innocent muslim women and also many a times, have punished the innocent. Let it be Islam or any other religion, justice always should be in favour of the innocent and in no religion, the innocent are meant to be punished. Then how can the Muslim Law favour punishing the innocent? Isn't it hampering the integrity of the Judiciary of our Country? Living in one country, having rights and duties under a single constitution, being labeled under the same nationality and facing the same kind of adversaries, why should people belonging to different religions be punished under different laws or under different judicial systems? If India has fifty religions, does that mean that each religion should have its own set of laws? So proudly we boast of India having 'Unity in Diversity', but why are we compromising on the Unity? Taking shelter under the umbrella of a Single Uniform Constitution, India cannot have two judicial systems.

The All India Muslim Personal Law Board (AIMPLB) in their arguments in favour of the shariat courts said that the purpose of these courts was to lessen the burden of the Judiciary system. These courts were meant to be in the nature of arbitration or alternate dispute resolution panels and were nowhere initiated to run a parallel judiciary as any individual aggrieved by its decision was free to approach the Court of Law.

In light if the arguments raised by both the parties, the Supreme Court on July 8, 2014 had ruled that the 'fatwas' or legal opinions issued by the shariat courts or muftis have no legal sanctity and their defiance will lead to no civil or criminal consequences. According to the Court, it would be illegal to impose these religion based opinions on personal issues on citizens in violation of their fundamental rights. In an earlier judgment in February, the court said that it was a religious issue and it did not have the jurisdiction, as the matter is one of 'faith and choice.' For this reason the Supreme Court has not banned the functioning of these courts in totality. This means that muslims who wish to obtain the advice of Islamic scholars can continue to invoke their jurisdiction voluntarily. These courts are permitted to exist and issue their opinions, but their decisions are not legally binding on the individuals. Also, fatwas on religious issues are acceptable, but when they come in conflict with the fundamental rights of an individual, the scope of the fatwas remains restricted. The Supreme Court held that the Shariat courts are only an "informal justice delivery system" and do not have the authority to run a parallel judiciary. It becomes the duty of the All India Muslim Personal Law Board (AIMPLB) to regulate the functions of these courts and to ensure that their edicts to not derogate the fundamental rights as promised under our Constitution.

The Ukrainian Crisis

"Half of the secular unrest and dismal, profane sadness of modern society comes from the vain ideas that man is bound to be a critic for life". As the devastation surges lets get down to the cause of unrest between Russia and Ukraine. It was in 2004 when the elections took place and it was the contest between the two Viktors, Viktor Yushchenko and Viktor Yanukovych. The



2004 referendum was strife of turmoil and chaos, the result of which was challenged by the public, this resulted in something called as the Orange Revolution. This non violent protest lead to a revote and it was Viktor Yushchenko who prevailed. Not faraway there was another election in which Viktor Yanukovych took the prize, who is more aligned to Russia than to Europe.

The root that surpassed the cause of outrageous protests was in November, 2013 when Ukraine decided not to join the European Union . This attracted grave, galling and perverse allegations by the cosmopolitan city of Kiev and by the people in western Ukraine.

Ukraine differed to join the EU cause of its strong inclination towards Russia, the immense source of black sea and the Russians too acted smartly by throwing millions of dollars to keep them in their fold, the Ukrainians which have tremendous and substantial resources.

So ultimately the Ukrainian crisis is about the Ukrainian identity, whether Ukraine is going to align with the western powers (The EU) and become more westernized or is it going to align to the former Soviet Union (The Russians).

Protests are on an upward rollercoaster which make the intervention of international communities inevitable. The US and the EU threatened and later

enacted sanctions against Russia for its role in the crisis and urged Russia to withdraw who accused the US and EU of funding and directing the revolution.

Such crisis between any two countries definitely has a long lasting and can prove to become a doomsday for the other countries as well, for which I have brought up certain examples.....

The world despises Economic crisis, but that can be the ensue of an unrest .When Russian forces took control of the Ukrainian region of Crimea, oil and gas prices temporarily spiked underlining Europeans dependence on Russian supplies .Western Europe gets 30 percent of its natural gas from Russia, Ukraine for its part gets 60 per of its supplies from Russia. Russia as we know is the second largest producer of natural gas and Europe heavily relies on Russia for gas. At times the situation seems to be so galling that the markets want to liberalise and not have their sole dependence on a particular country (Russia in this case). In 2006 and 2009 the Russians shut the pipe getting the gas supplies to Europe and Ukraine after Ukraine supposedly fell back on its gas bill .So as a result of constant nitpicking and unrest there is a rise in the global prices which further leads to mutual round of damaging sanctions.

Another such heartbreaking result might be the brutality towards humanity. It was not too late when the news channels poured down and stroked the breaking news of the Malaysian Airlines passenger plane with 295 aboard was shot down by a surface – to – air missile in Ukraine near the Russian border, the scene reported seeing burning wreckage and bodies strewn across.

Others such ensues might be cold war, steep dip in the trade routes and international trade, straining diplomatic relations and regional unrest.

It will not be too late to see a bunch of innocent humanity bawl in the pool of red blood every single day, if countries do not end up in a ceasefire and lead their ways towards peaceful bilateral treaties. Let's pray for the star to shine bright, by washing away the sins of the modern world.

Marital Rape and its Status in India

According to ancient scriptures, it is said that whatever be the status of man or however be the man to whom she is married to, she shall serve her husband like god and take care and fulfill every need of her husband until death does them apart. In addition to that, it is said that marriage is between two souls and is a very scared bond, it not only continues in this life time but up till seven lives. With this being said,



the main reason behind the sacred bonding of man and woman is "protection". According to Manu Smriti a woman passes through three stages in life, one of them being, as married lady she must be protected by her husband and it his dharma to safeguard her in every walk of life. Traditionally this was followed but in course of time many evils have crept into the bond of marriage. One such evil is the husband himself, who misuses his duties and obligations towards his wife.

Currently when the word "rape" is said, it reminds everyone one of the shocking and devastating rape incident that took place in Delhi in 2012. This also brings into purview and pre-set mind of people that rape is committed by strangers. The real question is what if one's own spouse rapes his wife? What then? Which is more traumatic? Being raped by your spouse again and again or being raped by stranger? Both of them are equally important but they stand at different pedestals of severity and gravity. Though rape is an offence against the society, wife rape is also the same irrespective of who is perpetrator. After the Delhi gang rape case, the legislators have been working overtime on making stringent laws on the offence of rape. The existing laws do not include the concept of marital rape not broadening the meaning of women. A rape by a stranger leaves an everlasting traumatic

and distressing memory in the minds of a survivor, but rape by a spouse is not only emotionally distressing for a woman/wife but instills constant fear and paranoia in their day to day life. Marital rape is one of frequently occurring sexual offences and the least reported one. It is a widely neglected area under the heading of offences against women by the legislators, criminal justice system, practitioners and large society as a whole.

Understanding Marital Rape

Which is more traumatic? Being raped by your spouse again and again or being raped by stranger? To understand this, one must need to understand the concept of rape under general English and the existing Indian law. The word "rape" has been derived from the term "rapio" which means "to seize". Rape is therefore, forcible seizure, or the ravishment of a woman without her consent, by force, fear or fraud. It involves coercive, non-consensual sexual intercourse with a woman. Rape can be viewed as an act of violence of the private person of a woman, an outrage by all means; it is the ultimate violation of the self of a woman. Rape is not merely a physical assault, but is destructive of the whole persona of the victim. The Supreme Court of India has aptly described it as "deathless shame and gravest crime against human dignity".

India

According to Indian Penal code, the definition of rape lists out six circumstances under which a perpetrator shall be liable for rape and shall be punished under the same law. The expression "sexual intercourse with a woman" under this definition is given a very narrow scope of interpretation and also the inclusion of exception clause i.e. "sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, it not rape" narrows down the scope even more. The word "woman" should be given a broader interpretation to include married woman. The exception clause should be removed because it violates the whole sanctity of marriage under the Indian religious system on moral basis and violates the right to life and live

Articles

with dignity on constitutional basis. The Criminal Law (Amendment) Act, 2013 has not made any changes to this exception. By this we understand that our laws and the court do not protect women who are battered and raped by their husbands.

There is no specific section in the Indian Penal code that addresses marital rape as offence against women or a grave crime against the society. Though India has made many attempts to pace up its laws on par with the changing scenarios with in the nation and globally, marital rape is not considered as a crime for the above mentioned reasons. In the light of making attempts, one must first carefully look into the definition of 'rape' under Indian Penal Code. From analyzing the penal provisions of offences against woman, the following instances can be drawn as to when the husband can be criminally prosecuted for an offence of marital rape:

- 1) When the wife is between 12-15 years of age, offence is punishable with imprisonment up to 2 years of fine, or both;
- 2) When the Wife id below 12 years of age, offence punishable with imprisonment of either description for a term which shall not be less than 7 years but which may extend to life or for a term extending up to 10 years and shall be liable to fine.
- 3) Rape of a judicially separated wife, offence punishable with imprisonment up to 2 years and fine,
- 4) Rape of wife of above 15 years in age is not punishable.

This clearly shows that there is not protection of a married woman above the age of 15 years under Indian Penal Code and does not have the remedy to go to the court. In 2005, the protection of Woman from Domestic violence Act, 2005 was passed which although did not consider marital rape as a crime, but considers it as a form of domestic violence. Under this Act, if a woman has undergone marital rape she can go to the court and obtain judicial separation from her husband. This is the only piecemeal legislation

that provides a very small relief to such victims. Recently, J.S. Verma Committee has stated in its report that marriage or any other intimate relationship between a man and a woman "is not a valid" defense against sexual crimes like rape. Taking the political Consensus in India to keep the institution of marriage outside the purview of the stringent rape law enacted in 2013, respect for woman and their rights that the flow from the ancient tradition of the Indian civilization are not enshrined into the constitution or the laws of modern India. Thus, it is visible that the laws that are made to save those who are victims to offence against woman are inadequate and insufficient to protect the interests of those with the ill of marital rape.

Unlike the 42nd Law Commission Report which put forward the necessity of excluding marital rape from the ambit of section 375. The law commission in its 172nd report which was passed in March 2000 has made recommendations for substantial changes in the law with regard to rape:

- 1) 'rape' should be replaced by the term 'Sexual Assault'.
- 2) Sexual intercourse as contained in section 375 of IPC should include all forms of penetration such as vaginal/penile, penile/oral, finger/vaginal, finger/anal, object/vaginal and object/anal.
- 3) In the light of Sakshi v. Union of India and others, "Sexual Assault" on ay part of the body should be considered as rape.
- 4) Rape laws should be made gender neutral as custodial rape of young boys has been neglected by law.
- 5) A new offence, namely Section 376 E with the title "Unlawful Sexual Conduct" should be created.
- 6) Section 509 of IPC was also sought to be amended, providing higher punishment where the offence set out in the said section is omitted with sexual intent.
- 7) Marital rape: explanation (2) of Section 375 of IPC should be deleted. Forced sexual intercourse by husband with his wife should be treated

Articles

equally as an offence just as any physical violence by a husband against wife is treated as an offence. On the same reasoning, section 376 A was to be deleted.

8) Under the Indian Evidence Act, 1872, when alleged that a victim consented to the sexual act and it is denied, the court shall presume it to be so.

Well till date there have been no attempts to amend the definition of rape, thus making marital rape officially legal in India.

Marital Rape and the Constitution of India

The mother of laws i.e. constitution of India, that organizes and control powers, ensures human rights, balances the competing claims of social and individual interests, mirrors the cultures and experiences of the country and operates as vehicle for national progress and unity, seems to be failing in protecting the rights of a married woman. The exemption to the doctrine of marital rape fails to meet the standard of conformity with the provisions of Article 14 and Article 21 of the Constitution of India. The definition of rape clearly makes a distinction of women, thus discriminating between married woman and women who are not. Thereby implying that the legislation only protects those women only who are below the age of 15 years. Such a right of protection is withdrawn on marriage and the focus only shifts to the perpetrator who is stranger in the commission of the offence of rape. This classification takes away the sanctity of article 14.

After Maneka Gandhi v. Union of India the meaning of the word "life" has been expanded to mean right to live is not merely confined to physical existence but it also includes within its ambit the tight to live with human dignity, in the words of Field J, 'life means something more than mere animal existence' In the light of this case above when we lord at the words of Lord Hale and John Stuart and the assumptions that they have concluded abut the doctrine of marital rape exemption dopes not hold good at all. The "right

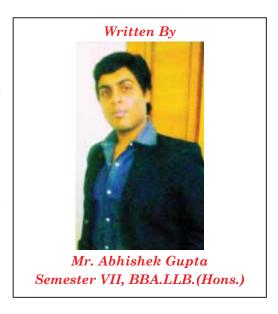
to life and personal liberty" is completely violated in marital rape. This exemption not only violates the right to life and personal liberty but also violates the right to privacy, right to bodily self-determination and right to good health (all of which form an integral part of Article 21).

The Supreme Court held in a number of cases that the offence of rape violates the right to live with human dignity of the victim of the crime of rape. The Supreme Court has held that rape is not merely an offence under the Indian Penal Code, but is a crime against the entire society. Rape is less of Sexual Offence than an acct of aggression aims at degrading and humiliating women. Thus the exemption under marital rape violates her right under Article 21. Any forceful form of sexual intercourse violates the right to privacy. The Supreme Court in the case of State of Maharashtra v. Madhkar Narayan held that every woman is entitled to her sexual privacy and it was not open for any and every person to violate her privacy as an when he wished or pleased, including workplaces. Further along the same line this right to privacy also exits with the bonds of marriage, but by decriminalizing rape with marriage this right of a married woman is violated. It is sad to know that all stranger rapes have been criminalized and all females, other than wives, have been given the right to privacy over their bodies.

The marital rape is more traumatic than the legally recognized rape, this because the wife shares her life with a person whom she trusts and has an emotional bond with. Wife's when raped by their husband are usually threatened or battered; this causes a great impact on the health of such victims. They began to live in fear and anxiety not knowing when their husband would rape them again. This violates the right to good health under Article 21. This right has to begin more importance because forceful sexual intercourse in marriage leads to the communication of a sexually transmitted disease to the victim of rape.

The 68th Independence Day. Independence in Reality

On 13th august, 2014 while going through the newspaper, I came across the news that Delhi is celebrating one week independence day at CP. On 14th Aug, 2014 our college organized a freedom run on the honor of the freedom fighters. All the students with full enthusiasm took part in the event screaming "Bharat mata ki jai" and "vande maa taram" and on 15th August ICFAI, Hyderabad celebrated Independence Day in a grand manner.



But if we observe properly, in order to get our work done or protect our rights or may I say fundamental rights we are dependent on such officials who are themselves slave of corruption, money and power.

Today most of the government officials and public servants as for bribes to work for them or protect their rights given by the Constitution of India. On the other hand, the politicians use their powers to win elections so that they can earn more and more black money and deposit them in international banks. No matter how many anti-corruption laws are enacted or anti-corruption bureau branches are opened, it seems that India is still a slave, a slave of Corruption and dirty politics and will be.

Corruption in India is a major issue that adversely affects its economy. A study conducted by Transparency International in year 2005 found that more than 62% of Indians had firsthand experience of paying bribes or influence peddling to get jobs done in public offices successfully. In its study conducted in year 2013, Transparency International reports about 40% of Indians had firsthand experience of paying bribes or using a contact to get a job done in public office.

According to polls of Corruption Perceptions Index (CPI), prepared by independent international agency Transparency International, India is placed in the rank of 74 in terms of corruption all over the world. India has received data on over 24,000 instances of alleged tax evasion and dubious funds which has been detected in foreign shores in the last fiscal year. These cases are now under investigation by the tax-man even as the special investigation team (SIT) on black money has set its eye on tracking the outcome of this classified information which has been received from over a dozen countries during the 2013-14 fiscal year.

Around a week back, chairman of State-Run Bank, Mr. Jain was arrested by CBI and Indian police against the charges of bribery. On 14th August itself when we the students of ICFAI were participating in freedom run, Assistant police inspector Subhash Samant and the developer Harprit Singh alias Vicky Arora who was on run after accepting a bribe amount of Rs 10 lakhs (only 20,000 geniune notes) last week, on Thursday surrender before the Anti Corruption Bureau (ACB) after the sessions court reject their anticipatory bail application. And there are more such of similar cases.

Another side of corruption that has come up today is scam. Any children reading newspaper would come across the word scam. What made the government think about the scam seriously and work against it was Harshad Mehta case. We have numerous cases of scams till recent like Golden tobacco case, Satyam case, Sharda Chit fund case, KBC case, Super Power investment scam, common wealth scam and so on.

Now the question is why there is so much corruption??

I think it exist because it makes people's life better. For example, we have a law that a person whose income is more than 4 lacs in rupees will have to pay tax. Now, the rate of tax is fixed say for example, 10% of the income. Now, what the people prefer doing is they pay certain amount to tax officers, that is bribes which is comparatively lower than the tax amount and promises certain service of their capacity. On the other hand, if tax is paid it will go to

Articles

government but thinking as extra income and better life, some tax officers get bribed so easily. Moreover, in terms of police and hawaldars, their salary is so low and their conditions are so poor that these officers, specially hawaldars don't have any other choice except taking bribes. I accept the fact that there are some officials who in order to have luxury lives takes bribes and earn black money and deposits in international banks but on the contrary there are some officials, mostly junior level, who in order to fulfill their normal life requirements, have no other option than to take bribes.

Now the question why the junior level officers are in such a bad stake? The answer to this question is again scams and corruption, what we also call white collar crimes among higher level officials and politicians.

Now, the relief part is that today Indians are waking up in such issues. There were certain initiations taken by Baba Ramdev and Kejriwal against black money deposited in Swiss bank and elsewhere. The people today know that they are tax payers and should be told what is going on with the government revenue and where are they and how are they utilized. Using their voting rights, the people today are trying to comprehend and choose the right people for the right post.

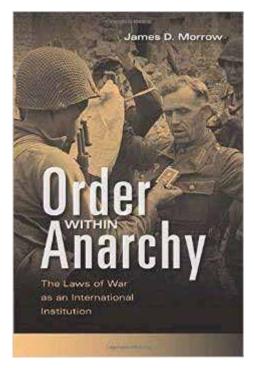
But the question still arises, are we really independent???



Order within Anarchy: The Laws of War as an International Institution

Authored by: James D. Morrow

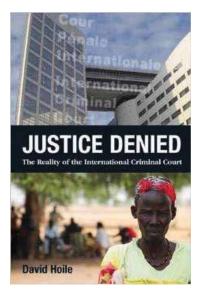
Order Within Anarchy focuses on how the laws of war create strategic expectations about how states and their soldiers will act during war, which can help produce restraint. International law as a political institution helps to create such expectations by specifying how violence should be limited and clarifying which actors should comply with those limits. The success of the laws of war depends on three related factors: compliance between warring states and between soldiers on the battlefield, and control of soldiers by their



militaries. A statistical study of compliance of the laws of war during the twentieth century shows that joint ratification strengthens both compliance and reciprocity, compliance varies across issues with the scope for individual violations, and violations occur early in war. Close study of the treatment of prisoners of war during World Wars I and II demonstrates the difficulties posed by states' varied willingness to limit violence, a lack of clarity about what restraint means, and the practical problems of restraint on the battlefield.

Justice Denied: The Reality of the International Criminal Court

Authored by: David Hoile



The pursuit of justice is one of mankind's most noble instincts. The International Criminal Court was embraced with enthusiasm when it was founded on 1 July 2002. Despite an auspicious start, the ICC has become one of the nastier manifestations of globalisation with an exclusive focus on Africa. The Court claims to be independent, but is inextricably tied both to the UN Security Council, to which the Court grants special "prosecutorial" rights, and the European Union, which provides most of its funding.

It has avoided any action against the wars of aggression waged by Western countries. And while the ICC claims to be a universal Court exercising universal jurisdiction, it does not qualify on either count. Its members represent less than one-third of the world's population: The United States, China, Russia, India and Indonesia are just some of the many countries that have remained outside of the Court's jurisdiction. The Court claims to be fighting impunity, yet it has afforded de fact impunity to several serial abusers of human rights who happen to be friends of the European Union and United States, and granted de jure immunity to non-member states such as the United States. The ICC is a Court whose judges are appointed not because they are the best legal minds in the world, but because of squalid vote-trading. The Court has judges who have never been lawyers, let alone judges. The ICC claims to be victimcentered but has been publicly criticised for its ambivalence towards victim communities. The Court has destroyed peace processes across Africa and exacerbated conflict. In short, it has failed mankind's hopes for justice. This is the book the International Criminal Court does not want you to read.

Hon'ble Mr. Justice Sudhansu Jyoti Mukhopadhaya



Mr. Justice Sudhansu Jyoti Mukhopadhaya born on 15th March, 1950, is the son of Late Sarojendu Mukherjee who was himself a leading practitioner specially in Service law in Patna High Court. He passed B.Sc. examination in 1971 from Magadh University. He obtained his LL.B Degree in 1979 from Patna University. Enrolled as an Advocate on 18th May 1979 and practised at Patna and Ranchi Bench of Patna High Court in Constitutional, Service, Civil and Criminal matters. He was designated as Senior Advocate in February, 1993.

Appointed as a Permanent Judge of the Patna High Court on 8th November, 1994. As a Judge, decided several important civil and Constitutional cases including deciding the vires of Bihar Panchayat Raj Act, 1993, wherein held that the limit of reservation of 50% as upheld by the Supreme Court of India, is equally applicable, so far as article 243D and/ or Panchayat Raj Act is concerned. Also held in the said judgment that reservation for the seat of "Mukhiya" or "Pramukh" or "Adhyakchh", reservation of solitary post amounts to 100% reservation which is not permissible. The permissible limit being 50%, therefore no reservation can be made for Mukhiya/Pramukh/ Adhyakchh. By notification dated 14th November, 2000 became the Judge of the Jharkhand High Court w.e.f. 15th November 2000. Functioned as Acting Chief Justice of Jharkhand High Court from 26.8.2004 to 1.3.2005, 8.9.2005 to 3.12.2005 and 10.6.2006 to 28.8.2006. Transferred to Madras High Court on 31.08.2006. Functioned as Acting Chief Justice of Madras High Court from 09.05.2008 to 18.05.2008. Mr. Justice Sudhansu Jyoti Mukhopadhaya assumed charge as the Chief Justice of High Court of Gujarat on 09.12.2009. Elevated as Judge, Supreme Court of India on 13th September 2011.

Colloquium

Maxims

Actiones legis - Law suits.

Ad hoc - For this purpose.

Ceteris paribus - Other things being equal.

De futuro - In the future.

Faciendum - Something which is to be done.

Id est (i.e) - That is.

Idem - The same person or thing.

In mortua manu - In a dead hand.

Ipso facto - By that very fact.

Mala in se - Bad in themselves.

Nisi - Unless

Par delictum - Equal fault.

Sciens - Knowingly.

Volens - Willing.

•

CBITMUN 2014 is set to be conducted from 18th to 21st of September, 2014

Delegates visit www.cbitmun.com

Amity International Moot Court Competition, 2014

Registration last date: 10th September 2014.

13th Surana & Surana International Technology Law Moot Court Competition, 2014

Registration last date: 13th September 2014 by 5.00 pm.

7th GNLU International Moot Court Competition, 2015

Registration last date: 15th September 2014.

3rd International Banking and Investment Law Moot Court Competition 2014 Submit by September 22, 2014.

The Society of International Economic Law [SIEL] and Cambridge University Press are organizing the 'Annual SIEL Essay Competition'.

Submit by September 30, 2014.

Call for Papers

Two Days National Conference on "Intellectual Property Rights" on 18th and 19th of October, 2014 organized by National Law University Odisha

Deadline for receipt of final papers: 15th September, 2014.