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THE STUDENT

Lawyers' musings



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same.



Smt. Sushma Swaraj
1952-2019



Shri Arun Jaitly
1952-2019

To the brave decisions taken and the wonderful changes made,
To the memories created and those forgotten,
To the impact generated and maintained,
To all the things that were effected by your presence,
You will be duly missed!

Contents

Foreword	i
A Tryst with Sabarimala	1
Intersectionality between Men and Women's Rights	3
Marital Rape: An Unspoken Sin	4
RTI: Transparency in Administration	8
My View on Article 370	12
Passive Euthanasia: Is it Right?	14
Maintenance Rights of a Hindu Wife - A Comparison	15
The Final Stand: Our last chance at Climate Justice	20
Social Media: Boon or Bane	21
Book Reviews	
Dawood's Mentor	22
The Alchemist	23
Drawing/Paintings	24
Poems	
A Father's Nightmare	26
Voice of a Girl	27
Never Let Them See You Fall	28
Chand Kavita	29
Sham Udaas Hai	31
My Maa	32
My Role Model	33
Photos	
14 th August, 2019 – Freedom Run	34
21 st August, 2019 – Environmental Club's Play on Water Scarcity	35

FOREWORD

Greetings from the Editorial team of the 'The Student'!

We are proud to present to you another edition of our own bi-monthly magazine. We have put together some of the best articles, poems and drawings from our students to create this wonderful collection of contributions.

This edition was a lot of fun to work on owing to the variety of content that we had received. We expect the same in the future.

We hope you enjoy it to the fullest.

Open to feedback and suggestions!

Subham Kumar Dalara

Editing In-Charge

A TRYST WITH SABARIMALA

-Lakshman Raghunath

Sabarimala is a beautiful mountain in Kerala famous for the Ayyappa temple which attracts 50 million visitors every year. The mountain is situated inside the evergreen forests of Periyar Tiger Reserves on Western Ghat mountain ranges.

The temple is dedicated for Lord Ayyappa, who is the son of Lord Vishnu and Shiva. When Lord Vishnu was in his Mohini avatar, Lord Shiva chanced upon him and seeing the beauty of Mohini, Lord Shiva fell in love and thus their union gave birth to Lord Ayyappa.

Ayyappa is the god of growth and youth and is often depicted as a beautiful boy who excelled in every aspect. He was adopted by a childless royal couple and grows up as a warrior yogi champion of ethical and Dharmic living.

The shrine receives devotees every late December and early January, where people irrespective of religion pay homage to the god. People prepare weeks before climbing the mountain barefoot like not eating non-veg for days and not eating any food with roots. Abstention from tobacco, cigarettes and alcohol is also a must.

Only women from the age of 12 to 50 are prohibited from entering the shrines as Ayyappa is a celibate and prohibits women who are under their menstrual cycle to enter the shrines. This created a lot of controversies in the Supreme Court and in the society.

By not allowing women to enter the shrines, the fundamental right of Equality and the freedom of speech and expression along with the practice was being violated. "We too want to visit our god. Why only men are allowed to visit? Why not us women?" were the questions that were raised.

"The evil practice of sati was abolished, many religious laws that permitted men to dominate over a woman's will were scrapped off so why this law still prevailed." These were the questions raised.

"We have the freedom to visit each and every part

of this country which is made accessible to the public at large so why this restriction?" This is one of the many questions raised too.

The Supreme Court finally gave the verdict to allow women, irrespective of any age to enter the shrines and pay their devotion. But the story debate doesn't

end here. Massive protests arose in Kerala and Tamil Nadu who did not welcome this decision at all. Not only men, many women too did not welcome this decision.

"My lord did not want me to visit him while I am under my cycle, so why should I go against him and still visit him?" A statement by my own sister. She further went on to say, "I have visited the shrines when I was 8 years old, I have already paid my homage to my deity. Maybe when my cycle ends, I will again track the mountains and visit him." Right now she is 22 years old.

A woman who was 72 years old was asked to share her views about the visit to Sabarimala temple by females and her reply was simple. "It's not good, I saw in an interview that a woman was wearing chappals while she was climbing the mountains, when asked about why she was wearing chappals she rudely replied that how she can climb such rocky mountains barefoot. Is this the devotion they all talk about?"

Another woman replied, "Sabarimala is a sacred Holy place where Lord Ayyappa resides and the sanctity must be protected. It's one of the most visited shrines of the world where devotees from all around the world come. Freedom of movement? It is a worshipping land with a legacy which is thousands of years old, it is not a picnic spot."

The religion sentiments were deeply hurt by this decision. There were many protests and many rallies which were conducted throughout the south Indian states. An army of police officers stood on the entrance of the temple, so as to hold the public together.

There is an old myth which goes around among the locals. It speaks of a Demoness who was beyond beautiful and was desired by even gods. She only had one person in her heart though and that person was Ayyappa. She wanted to marry Ayyappa, but since Ayyappa followed the path of celibacy, he rejected her. The Demoness did not take no for an answer and kept coming back day after day, hoping to entice him. To stop her Ayyappa made a deal with her. He told her, the year in which no new devotee of mine comes to visit me. That year I shall marry you. The Demoness agreed and on the far corner of the temple she resided on her shrine keeping a keen watch on him. Though that year never came.

Each year, a new devotee comes to visit Ayyappa and thus in this way he stalls the Demoness. These first-time devotees are held in high regard in the Sabarimala temple. The main point of this story is that the demoness is ever watchful. If she spots a young maiden paying a homage to Ayyappa, she will give her an evil eye which is ever deadly, hence one another reason why Ayyappa prohibited women under their cycle to visit the shrines.

“There is a rumour or a superstitious talk going

around the state, saying that the reason why there was a flood in Kerala in 2018 was because of the Supreme Court’s verdict. The anger of Ayyappa for allowing young maidens to visit him poured on the state in the form of massive floods. It’s a superstitious talk, but it is still held in high regards by the followers of Ayyappa.

There are ups and downs to every decision. In order to balance the gender equality, the religious sentiment of a large amount of society was hurt. Not all women were barred, but only the women who were under their cycle. My sister told me even if the court allows it she won’t go. Most of the female population who follow Ayyappa have the same reply. Religious sentiments are important. And there was no such big harm if a woman of a certain age category was not allowed. It’s not like sati where you were burned alive. Not like child marriage where you are married off at a very young age.

In Masjids, women are not allowed to enter inside rather, they are asked to pray from the outside. If there is change in one religion, then all religions must too change. That’s how you provide equality. That’s how you provide justice.



Lakshman is a student of BA-LLB. He was born in Kerala and raised in Madhya Pradesh. His hobbies are reading, writing and singing. He aspires to become a Public Prosecutor.



INTERSECTIONALITY BETWEEN MEN AND WOMEN'S RIGHTS

-Alekhya Nallan

In the world where there is a dispute for equality amongst men and women, the terms "Feminism", which was introduced in the 1890s by Eugenie Potonie-Pierre, and whereas "Men's Rights Activism (MRA)" was introduced in the 1970s, these terms were coined and framed for people who were fighting for safeguarding the interests and rights of the men and women.

The concept of intersectionality was however introduced for the first time, by Kimberlé Crenshaw in 1989, the concept of intersectionality in feminism in her paper as a way to help explain the oppression of African-American women. In Kimberle's paper she explained how black women faced oppression due to the combination of both sexism and racism. She also wrote her paper to show how non-white women have different experience than the white women due to their race and/or class which are not easily pinpointed or voiced. Though the concept of intersectionality was framed long ago many don't seem to be aware of it.

The Merriam Webster dictionary defines intersectionality as "the complex, cumulative manner in which the effects of different forms of discrimination combine, overlap, or intersect".

To break that down, it essentially means that discrimination doesn't exist in a bubble – different kinds of prejudice can be amplified in different ways when put together.

Intersectionality In feminism and men's right activism deals with the rights of men and women in all walks of life unlike normal feminism and men rights activism which deal with rights pertaining to a certain section of people. It is also noted that, in the men's rights activism there seems to be no concept of intersectionality. Lets take a look at the point of focus of the MRAs in India, it has always been on "misuse of laws that exist to protect women against violence". But with the generation becoming progressive day by

day, the MRAs should also shift their focal point towards the intersectionality and should include this concept.

Intersectionality is a very inclusive concept which includes all the identities of the people not just the gender but also important aspects such as ethnicity, race, status, religion, sexuality, etc. It also means understanding different identities of men and women and how they experience the oppression.

Therefore, by including this concept it gives the feminism or Men's right activism, grey undertones rather than just making it a black and white concept. Grey undertones here mean, that the concepts have a lot of layers or have multiple different identities which are being studied or are protected at the same time rather than just protecting one identity at a time in isolation.

Due to intersectionality, the oppression faced by a person due to their race, sexuality, religion etc. along with their gender are dealt by these activists and their organizations. The oppression faced due to race, caste, religion, sexuality etc. are to be included with the gender-based oppression or discrimination. So, more awareness about this concept needs to be made among the public so as to not study and deal with the oppression caused by various factors separately in isolation.

Feminists and their organizations have time and again fought for various problems such as triple talaq, LGBTQ rights, etc. In the case of the fight for LGBTQ not only LGBTQ activist were involved but feminists seem to have been involved in this historic moment.

Therefore, it is time for MRAs too, to also include men from LGBTQ community and not just heterosexual men while they fight for the men's right, after all they are men too and to be heard irrespec-
sexuality, religion, have a right tive of their caste etc.

Alekhya is a second year student of BBA-LLB. She hails from Mumbai. Her hobbies include singing, writing and reading novels.



MARITAL RAPE: AN UNSPOKEN SIN

-Aritra Kundu

Since the dawn of modernization people have argued whether marital rape supposed to be criminalized or not. This very question also points out that our laws have failed to understand the very meaning of marriage even. Marital rape is defined as any unwanted or non-consent sexual intercourse in any part of the body with the spouse in the due course of their marital relationship. It is also defined as where the husband pressurizes or manipulates her wife to go through sexual intercourse with him. Marital rape is the conjunction of two very dissimilar or contrasting words. "Marital" which is considered as one of the most purest and holiest form of relationship whereas "rape" is considered as one of the worst crime that could ever exist on the face of earth. Rape in most countries carries a punishment of death or imprisonment for life. Marital rape can be a tarnishing point in the due course of the marriage or which can ruin the whole relationship of marriage. Such crimes stays hidden in most of the developing countries and few developed countries because there are no laws in such countries which recognizes marital rape and criminalizes it. This non criminalization of marital rape also proves that we still live in male chauvinistic society rather than a rational liberal society where everyone has their say or voice out their thoughts.

Previously all such matters were kept hidden from the bright light of the society or maybe it got hushed down upon the busyness of our everyday world. As it got to surface of our real we started to know the horrors and the pain endured by the victims. Marital rape often leads to psychological traumas, depression, anxiety and such things often results to suicide or some other sort of grievous hurt inflicted by the spouse upon oneself. Since most of such incidents can't be reported in various countries spouses become closed within them and lead them to take grievous measures. Such type of incidents often goes unnoticed or unpunished and as contended by a Nobel laureate Bertrand Russell in his book named Marriage and Morals that a mar-

ried woman endures more amount of unwanted sexual intercourse than any prostitute out there. This may not be an absolute fact but this quite exceptionally explains our society and where it lacks the most.

In the earlier periods, marital rape was not considered as a possibility since marital relationships occur for the sole purpose of maintaining a sexual relationship with the spouse and to provide an offspring. But with the advancement of the society and with the advancement of the viewpoints of the community marital rape started to come to lime light of the busy modern society and it started being considered as a wrong which is inflicted on the spouse. This gave to popular saying that "Rape is a rape no matter where or how it was committed". Currently marital rape is considered to be a crime in most of the first world countries but the third world countries are still struggling to understand the grievousness of the situation of the victims of the marital rape and thus it still remains unconsidered and neglected by the vast population. With the popular belief one question that has always been asked "How can a spouse be raped?" This worded concept can be rooted back to the old time when women were considered to be a property of the husband and thus, husband could have sexual intercourse whenever he desired. This whole hasty concept of women being a sole property and nothing more than a tool to make children and satisfy the sexual desires of the husband was first explained by Hale in History of the Pleas of the Crown where he described that husband cannot be guilty of rape since the wife is a lawfully wedded one and she has bestow herself on her husband for all the good and the bad that she has to endure. Currently this concept has been discredited and discontinued since women are no longer considered to be husband's property and they're given proper entity. Thus, their thoughts, whims and desires are all to be considered and listened to. This also shone light over the fact that women are just not tools or pawns to

be used as men please. They're equal part of the society where they can work hand to hand to bring up the whole society. This thought of meaningfulness and how much women matter was realized by our patriarchal society only in the 20th century and in the early 21st century. But it is really sad to say or endure upon the fact that there still many countries exists where they don't consider women as an equal part of the male chauvinistic society and that their voices matter even in the due course of their marriage.

In one of the richest first world country this whole concept of women not being a property of their husband could only be realized through a famous landmark case named *Kirchberg vs. Feenstra* (1981), the Hon'ble Supreme Court in the United States which held that wife being a sole property of the husband as unconstitutional and amended the existing laws. From that point on marital rape was recognized as a crime in the United States which can tarnish the whole idea of marriage and thus became punishable under the law of the land. This also lead to many other countries change their existing laws but there had been many other countries where modernization of women being a dignified entity and who's not at all a property of their husband or their father swooped in a lot earlier than the rest of the world. Few examples of such countries are as follows Germany, Australia, Belgium, Ireland, and many more first world countries. But there are considerable number of countries where marital rape is still not considered to be rape or that country lacks any legislative objection to the matters of marital rape and that include countries like India, Singapore, Ethiopia, South Sudan, and few other commonwealth countries. A distinctive example of modernization and upliftment of the women can be seen in Bhutan where they have criminalized marital rape with dire consequences to anyone guilty of marital rape.

No doubt India went through a lot of changes of modernization but it still lacks in a lot of fields and judiciary and the legislative bodies are examples of such failures. In here there's no concrete laws recognizing marital rape as a rape since according to Section 375 of Indian Penal Code which describes rape and Section 376 talks about the punishment



related to rape but don't consider any facts related to marital rape. With one of the recent Act that came into force known as Protection of Women Against Domestic Violence Act, 2005 where it talks about marital rape in an indirect form but doesn't consider it as a rape offence rather considers such sexual acts of violence as domestic violence.

As being in the 21st Century, a Century of modernization and hope the growing consent about marital rape should be considered by all the remaining countries including India where it is still not recognized as an offence legislatively. All such Governments should take it into view and make marital rape a grievous offence and provide strict punishments to anyone guilty of such offence. Such laws should also take care of the modesty and the dignity of the spouses who fell victim to it.

This whole essay has been written to summarize the horrors faced by the victims of marital rape and how it affects the women where there are no laws criminalizing such offences. It also takes up the changes that we must go through to provide justice to such victims of marital rape.

Since the dawn of modernization people have argued whether marital rape supposed to be criminalized or not. This very question also points out that our laws have failed to understand the very meaning of marriage even. Marital rape is defined as any unwanted or non-consent sexual intercourse in any part of the body with the spouse in the due course of their marital relationship. It is also defined as where the husband pressurizes or manipulates her wife to go through sexual intercourse with him. Marital rape is the conjunction of two very dissimilar or contrasting words. "Marital" which is

considered as one of the most purest and holiest form of relationship whereas “rape” is considered as one of the worst crime that could ever exist on the face of earth. Rape in most countries carries a punishment of death or imprisonment for life. Marital rape can be a tarnishing point in the due course of the marriage or which can ruin the whole relationship of marriage. Such crimes stays hidden in most of the developing countries and few developed countries because there are no laws in such countries which recognizes marital rape and criminalizes it. This non criminalization of marital rape also proves that we still live in male chauvinistic society rather than a rational liberal society where everyone has their say or voice out their thoughts.

Previously all such matters were kept hidden from the bright light of the society or maybe it got hushed down upon the busyness of our everyday world. As it got to surface of our real we started to know the horrors and the pain endured by the victims. Marital rape often leads to psychological traumas, depression, anxiety and such things often results to suicide or some other sort of grievous hurt inflicted by the spouse upon oneself. Since most of such incidents can't be reported in various countries spouses become closed within them and lead them to take grievous measures. Such type of incidents often goes unnoticed or unpunished and as contended by a Nobel laureate Bertrand Russell in his book named Marriage and Morals that a married woman endures more amount of unwanted sexual intercourse than any prostitute out there. This may not be an absolute fact but this quite exceptionally explains our society and where it lacks the most.

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in most of the first world countries but the third world countries are still struggling to understand the grievousness of the situation of the victims of the marital rape and thus it still remains unconsidered and neglected by the vast population. With the popular belief one question that has always been asked “How can a spouse be raped?” This worded concept can be rooted back to the old time when women were considered to be a property of the husband and thus, husband could have sexual intercourse whenever he desired. This whole hasty concept of women being a sole property and nothing more than a tool to make children and satisfy the sexual desires of the husband was first explained by Hale in History of the Pleas of the Crown where he described that husband cannot be guilty of rape since the wife is a lawfully wedded one and she has bestow herself on her husband for all the good and the bad that she has to endure. Currently this concept has been discredited and discontinued since women are no longer considered to be husband's property and they're given proper entity. Thus, their thoughts, whims and desires are all to be considered and listened to. This also shone light over the fact that women are just not tools or pawns to be used as men pleases. They're equal part of the society where they can work hand to hand to bring up the whole society. This thought of meaningfulness and how much women matter was realized by our patriarchal society only in the 20th century and in the early 21st century. But it is really sad to say or endure upon the fact that there still many countries exists where they don't consider women as an equal part of the male chauvinistic society and that their voices matter even in the due course of their marriage.

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This whole essay has been written to summarize the horrors faced by the victims of marital rape and how it affects the women where there are no laws criminalizing such offences. It also takes up the changes that we must go through to provide justice to such victims of marital rape.



Aritra is a second year student of BBA-LLB. He is very enthusiastic and artistic person. He likes to read a lot of books, especially novels and calls himself a "book hound". He aspires to specialize in Cyber Law.



RTI: TRANSPARENCY IN ADMINISTRATION

-P. Samay Kumar

India is the largest democratic country in the world having 60 crores of voters and those voters decide the fate of the government and the people in general. The jurisprudence of democracy has been enshrined in the part-III and Part-IV of the constitution of India. According to the constitution the people of India are sovereign authority and they have Fundamental Rights to know what the government has been doing in their name. Freedom of Speech is the lifeblood of democracy without it democracy will be turned into tyranny or dictatorship. Freedoms of Speech Acts like a safety valve in democracy, because people ventilate their grievances by criticizing the government and public officials. Consequently, it does not give the scope to the people to revolt against the existing order.

The history has witnessed several revolutions, which is the result of the lack of information. When people do not get the right kind of information they develop the attitude of apathy and indifference towards the government. The secret policy of British government had compelled some prudent Indians to think otherwise. And in the long run that secret policy of alien rulers acted like a deadly weapon against themselves. Consequently, they had to leave this soil and Indians took the charge to rule them. Thus it is clear that Right to Information not only gives the scope to the people to know about the functioning of the government but it ventilates the grievances of the people.

The Universal Declaration of Human Rights of 1948 has clearly mentioned in Article-23 and 25 about the Right to Information which is the inherent right of human being. Right to Information laws result the basic premise that government is meant to serve the people. Access to government records and information is necessary prerequisite for enhancing transparency. Transparency removes the misunderstanding and checks the corruption in the administration. The government of India after being

realised its importance passed the Right to Information act on 12th October 2005 and since then the Right to Information Act 2005 is being applied throughout the country. In order to have a basic idea on Right to Information this article has been designed.

Definition of Right to Information:-

Right to Information accessible under this Act which is held by or under the control of any public authority and includes the Right to-

- Inspection of work, documents, records;
- Taking notes, extracts or certified copies of documents or records;
- Taking certified samples of material;
- Obtaining information in the form of diskettes, floppies, and tapes videocassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device.

Bodies coming under the RTI Act

The right to information Act covers all levels of Government-Centre, State district and local self-governing bodies like Panchayats and Municipal bodies. It also covers non-governmental organisations – i.e. NGOs and other private bodies – that are financed substantially with public funds provided by the government. Every citizen has the right to put in an application requesting information or copies of records held by these bodies and such information should be given by the concerned body.

The three level regime for accessing information

At the first level of the regime, every public authority has designated officers for receiving applications (also called information requests) from citizens. At the second level, every public authority has designated senior officers to look into those cases where citizens request for information have been refused. If citizens do not get the requested information or are not satisfied with the informatio

-n they have received under this law, they have the right to send an appeal to the Department Appellate Authority (DAA) designated within the concerned public authority.

At the third level, an independent State Information Commission (SIC) has been set up to look into those cases where citizen are not satisfied with the decision of the DDA. The SIC also has the powers and responsibility to monitor compliance of public authorities to this Act and submit an annual report to the State Legislature.

The Role and Duties of the Public Information Officer

Under the RTI Act, Public Information Officers (PIOs) should be designated in all administrative units of every public authority in order to receive information requests from citizens. They also have responsibility and duty to provide the requested information within 30 days. The PIO is the main point person whom citizens will contact for exercising their right to information under this law. In public authorities controlled by the State Government they are called State Public Information Officers (SPIOs).

Duties of a PIO: Sections 7, 10 & 11

- PIO should render assistance to those who cannot write an application.
- Must inform the application of the appellate authority to whom he should approach for review of the decision taken on the fees for supply of information and also the time limit.
- Give information in the form in which it is originally sought subject to resource constraint and preservation of the record in question.
- Give written reasons for rejection of information request, details of the time limit for appeals and the Approach appellate Authority.
- If allowing partial access he shall give notice to the applicant stating
 - Which part will be provided after serving the exempt portions,
 - Reasons for arriving at this decision including findings on any fac-

tual matter relating to the materials on which the findings are based.

- Name and designation of the person who gave his decision.
- Details of fees to be deposited.
- Applicant's right to seek review of the decision on fee charged or the decision taken-including details of the appellate Authority and the time limit for filing the review / appeal.
- If information sought has been supplied by third party or is treated as confidential by the third party, PIO must give written notice to the latter within 5 days of receiving the information request and take its representation into consideration.
- Third party must be given a chance to make a representation (oral or written) before the PIO within 10 days of receiving the notice.

Exemptions from disclosure of information according to Section 8:

- Information that would prejudicially affect the sovereignty, integrity, security, scientific or economic interest and relation with a foreign state.
- Information which would lead to commission of an offence.
- Information whose release is forbidden by a court or tribunal or discloser which might constitute contempt of court.
- Information whose release may lead to breach of privileges of parliament or state legislature.
- Commercial and trade secrets, intellectual property etc. that would harm competitive position of third party.
- Information available to a person in his fiduciary relationship (Information shares between client and lawyer or landlord and tenant or patient and doctor.)
- Information received in confidence from a foreign government.
- If information disclosure endangers life and

and physical safety of any person.

- If it is about a source of information or assistance given in confidence of law enforcement or security purposes.
- If it is likely to impede investigation and prosecution process.
- Cabinet papers including deliberations of Ministers, Secretaries and other officers. (But decisions and related reasons contained in them will be made public after the decision has been taken and the matter is complete or over)
- Personal or private information- subject to large public interest- to be decided by the public information officer.

All exemptions subject to public interest override. If public interest outweighs harm to the public authority, information must be disclosed. The power to decide whether public interest outweighs is with the public information officer and the Appellate Authorities.

Time bar on information covered by exemptions – Section 8

Upon completion of 20 years, information about any occurrence, event or matter will be given irrespective of exemptions. But information relating to sovereignty, integrity, security, scientific or economic interests information which would lead to incitement to commit an offence, Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers and matters relating to the privileges and immunities of legislators and MPs will not be given even after 20 years. Decision of the Central Government is final as regards computation of the time period.

Who is excluded? Section 24 and Schedule:

Central Intelligence agencies and security agencies like the IB, RAW, Directorate of Revenue Intelligence, Central Economic Intelligence Bureau, Enforcement Directorate, Narcotics Control Bureaus, Aviation Research Centre, Special Frontier Force, BSF, CRPF, ITBP, NSG, Assam Rifles, Special Service Bureau, CID Special Branch of Andaman and Nicobar Islands, CID Crime Branch of Dadra Nagar Haveli and Special and Special Branch, Lakshadweep Police. Similar agencies established by

the State Governments will also be excluded. But information relating to allegations of corruption and human rights must be given. Information about allegations of human rights violation will be given only with the approval of the Central or State Information Commission- as the case may be. Time limit for the same is 45 days.

The Right to Information (Amendment) Bill, 2019:

The Bill changes the terms and conditions of service of the CIC and Information Commissioners at the centre and in states. (Check table on next page)

Criticism:

A fixed tenure and high status is provided to Commissioners under the RTI Act, 2005, to allow them to carry out their functions with autonomy and impartiality. It is meant to empower them to direct even the highest offices to comply with the law when it comes to making relevant public information accessible to the citizen. This was also the recommendation of the parliamentary standing committee that had reviewed the original RTI law draft in 2004.

The 2019 amendment bill seeks to modify these protections and empower the central government to prescribe rules to decide the tenure, salaries and allowances of these commissioners. Allowing the central government to do so for all information commissioners is harmful for the following reasons: it undermines the autonomy of the officials whose role it is to remain independent of the government; it weakens the ability of information commissioners to pass orders to disclose information that the central government may not wish to provide; and it also damages citizens' access to vital public information, as well as the principles of open government.

Conclusion

By enacting the Right to Information Act the government has fulfilled long cherished desire of the common men of this country. In fact, the common men were not able to get information from the government as and when necessary. The Right to Information is not only strengthens the democracy but also it makes the representative more responsive

and responsible. Access to information is one of the prerequisites of Good Governance. Transparencies bring the openness and make the government free from corrupt charges.

But the recent RTI Amendment Bill 2019 seems to have weakened the law. The only implication that one can derive from this is that the government wants to control the information commissioners. The new provisions may dilute the purpose of fundamental right and Right to Information Act, 2005 given to citizens under the constitution. There was no need to bring this amendment. Hence a judicial review is required for this amendment done by the parliament. Because as Justice Bhagwati said “No democratic Government can survive without accountability and the basic postulate of accountability that the people should have information about the functioning of the government. It is only when people know how government is functioning that they can fulfil the role which democracy assigns to them and make democracy a really effective participatory democracy.”

Table 1 below compares the provisions of the Act and the Bill.

Table 1: Comparison of the provisions of the Right to Information Act, 2005 and the Right to Information (Amendment) Bill, 2019

Provision	RTI Act, 2005	RTI (Amendment) Bill, 2019
Term	The Chief Information Commissioner (CIC) and Information Commissioners (ICs) (at the central and state level) will hold office for a term of five years.	The Bill removes this provision and states that the central government will notify the term of office for the CIC and the ICs.
Quantum of Salary	The salary of the CIC and ICs (at the central level) will be equivalent to the salary paid to the Chief Election Commissioner and Election Commissioners, respectively. Similarly, the salary of the CIC and ICs (at the state level) will be equivalent to the salary paid to the Election Commissioners and the Chief Secretary to the state government, respectively.	The Bill removes these provisions and states that the salaries, allowances, and other terms and conditions of service of the central and state CIC and ICs will be determined by the central government.
Deductions in Salary	The Act states that at the time of the appointment of the CIC and ICs (at the central and state level), if they are receiving pension or any other retirement benefits for previous government service, their salaries will be reduced by an amount equal to the pension. Previous government service includes service under: (i) the central government, (ii) state government, (iii) corporation established under a central or state law, and (iv) company owned or controlled by the central or state government.	The Bill removes these provisions.

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Samay is a first year student of BBA-LLB. He is a writer and speaker. He hope to change the society for the better.



MY VIEW ON ARTICLE 370

-Gourish Goyal

Definition of Article 370 as per Indian Constitution defines, Article 370 of the Indian constitution is a 'temporary provision' which grants special autonomous status to Jammu and Kashmir. Under part XXI of the Constitution of India which deals with "Temporary, Transitional and Special Provisions", the state of Jammu and Kashmir has been accorded special status under article 370.

Article 370 (3) says power to abolish the operation - Article 370 (3) provides that notwithstanding anything in the foregoing provisions of this article, the president may, by public notification, declare that the article shall cease to be operative. But the president cannot issue such a Notification without the recommendation of the constituent assembly of that state.

Article 370 itself mentions Article 1, which includes J&K in the list of states. Article 370 has been described as a tunnel through which the Constitution is applied to J&K. Nehru, however, said in Lok Sabha on November 27, 1963 that "Article 370 has eroded". India has used Article 370 at least 45 times to extend provisions of the Indian Constitution to J&K. so here through presidential orders, india has almost nullified the effect of J&K's special status. By the 1954 order, almost the entire Constitution was extended to J&K including most Constitutional amendments. Ninety-four out of 97 entries in the Union List are applicable to J&K; 26 out of 47 items of the Concurrent List have been extended.; 260 out of 395 Articles have been extended to the state, besides 7 out of 12 Schedules.

So here removing of article 370 from J&K by the president of India Ram Nath Kovind is not at all unconstitutional or against the state of J&K.

The provision was drafted in 1947 by Sheikh Abdullah, who had by then been appointed prime minister of Jammu and Kashmir by Maharaja Hari Singh and Jawahar Lal Nehru. Sheikh Abdullah had argued that Article 370 should not be placed under temporary provisions of the constitution.

For some 600 princely states whose sovereignty was restored on Independence, the act provided for three options; to remain an independent country, join Dominion of India, or join Dominion of Pakistan – and this joining with either of the two countries was to be through an IoA (Instrument of Accession).

The Schedule appended to the Instrument of Accession gave Parliament the power to legislate in respect of J&K only on Defence, External Affairs and Communications. In Kashmir's IoA in Clause 5, Raja Hari Singh, ruler of J&K, explicitly mentioned that the terms of "my IoA cannot be varied by any amendment of the Act or of Indian Independence Act unless such amendment is accepted by me by an Instrument supplementary to the Instrument".

Article 3 of the J&K Constitution declares J&K to be an integral part of India. In the Preamble to the Constitution, not only is there no claim to sovereignty, but there is categorical acknowledgement about the object of the J&K Constitution being "to further define the existing relationship of the state with the Union of India as its integral part thereof. Moreover people of state are referred as 'permanent residents' not 'citizens'." Article 370 is not an issue of integration but of autonomy.

Those who advocate its deletion are more concerned with uniformity rather than integration.

The Supreme Court will examine whether it is unconstitutional or violates the basic structure of the Constitution. But unless it is upheld, many Presidential Orders may become questionable. Article 35A was not passed as per the amending process given in Article 368, but was inserted on the recommendation of J&K's Constituent Assembly through a Presidential Order.

Article 370 is not only part of the Constitution but also part of federalism, which is basic structure. Accordingly, the court has upheld successive Presidential Orders under Article 370.

Since Article 35A predates basic structure theory of 1973, as per Waman Rao (1981), it cannot be tested on the touchstone of basic structure. Certain types of restrictions on purchase of land are also in place in several other states, including some in the North-east and Himachal Pradesh. Domicile-based reservation in admissions and even jobs is followed in a number of states, including under Article 371D for undivided Andhra Pradesh. The Centre's recent decision extending to J&K reservation benefits for

SCs, STs, OBCs and those living along international borders, announced last week, throws the spotlight back on Article 35A.

So hereby I only want to say that removing of Article 370 will bring more peace and unity. It will not only increase techno hub in J&K, but it will also increase tourism. Some conflicts will arise but in future people will understand and everything will be alright.



Gourish is a second year student of BBA-LLB. He hails from the 'Suncity', Jodhpur. His hobbies are drawing and singing. He aspires to become an advocate.



PASSIVE EUTHANASIA: IS IT RIGHT?

-Hasan Mustafa

Euthanasia is the practice of intentionally ending a life to relieve pain and suffering. Different countries have different euthanasia laws. The British House of Lords Select Committee on Medical Ethics defines euthanasia as "a deliberate intervention undertaken with the express intention of ending a life, to relieve intractable suffering". In the Netherlands and Belgium, euthanasia is understood as "termination of life by a doctor at the request of a patient".

Even India has followed the footsteps and legalised passive euthanasia. Since March 2018, passive euthanasia is legal in India under strict guidelines. Patients must consent through a living will, and must be either terminally ill or in a vegetative state. On 9 March 2018 the Supreme Court of India legalised passive euthanasia by means of the withdrawal of life support to patients in a permanent vegetative state. The decision was made as part of the verdict in a case involving Aruna Shanbaug, who had been in a Persistent Vegetative State (PVS) until her death in 2015. Aruna Ramchandra Shanbaug, a nurse working at the King Edward Memorial Hospital in Mumbai's Parel, was brutally raped and gagged with a dog chain by a ward boy - Sohanlal Bhartha Valmiki.

It is said that one cannot make everybody happy. In the same way passive euthanasia is not liked by some people who uphold that in passive euthanasia they don't directly take the patient's life but rather they just allow them to die. This is morally unsatisfactory distinction, since even though a person doesn't 'actively kill' the patient, they are aware that the result of their inaction will be the death of the patient. The philosopher James Rachel has an argument that shows that the distinction between acts and omissions is not as helpful as it looks.

Consider these two cases: Smith will inherit a

fortune if his 6 year old cousin dies. One evening Smith sneaks into the bathroom where the child is having his bath and drowns the boy. Smith then arranges the evidence so that it looks like an accident. Jones will inherit a fortune if his 6 year old cousin dies. One evening Jones sneaks into the bathroom where the child is having his bath. As he enters the bathroom he sees the boy fall over, hit his head on the side of the bath and slide face-down under the water. Jones is delighted; he doesn't rescue the child but stands by the bath, and watches as the child drowns. According to the doctrine of acts and omissions Smith is morally guiltier than Jones, since he actively killed the child, while Jones just allowed the boy to die. In law Smith is guilty of murder and Jones isn't guilty of anything.

Difference between Active euthanasia and passive Euthanasia

- in active euthanasia the doctor takes an action with the intention that it will cause the patient's death
- in passive euthanasia the doctor lets the patient die
- when a doctor lets someone die, they carry out an action with the intention that it will cause the patient's death
- so there is no real difference between passive and active euthanasia, since both have the same result: the death of the patient on humanitarian grounds.

Thus the act of removing life-support is just as much an act of killing as giving a lethal injection

I would like to end by saying that passive euthanasia although releases the pain of the sufferer but can be more misused than used for the benefit of the society.

Hasan is a first year student of BBA-LLB. His hobbies include reading novels and cycling. He also writes lot of articles for various sites. He aspires to become a successful advocate in future.

MAINTENANCE RIGHTS OF A HINDU WIFE - A COMPARISON

-Shailja Mishra

In the social structure of a Hindu society mostly the families are joint-families, maintenance of the members of the family is an integral part of the Hindu law. In the joint family system, “**the Karta**” or the head of the family was responsible for the maintenance of all the members of the family and he could be sued by them if he failed to maintain them.

Since the time of Vedas marriage among Hindus is considered to be a sacramental union and not mere a contractual union. As described by various sages the union between the men and the women is a “divine union” and an “unbreakable union”. The tie once tied cannot be untied i.e. the marriage cannot be dissolved and it was said that the people are chosen by god for this holy union. The marriage in ancient times was given immense importance and was said that it is an “eternal union” i.e. the wife and husband are united for lives to come and their tie cannot be broken even after their death, hence the rule of widow remarriage was not considered. It was believed that having a son opens the gates of heaven but a true wife who maintains her chastity even after her husband’s death attains “moksh” even if she had no son. Manu declared that the mutual fidelity between the husband and the wife was the highest dharma. A woman who became unfaithful to her deceased husband had no claim on his property and maintenance.

Manu declared that a wife should become a *patur-nuvrate* i.e. she should follow the principles of her husband. The wife was termed as *grihni* (lady of the house), *ardhangni* (half of the husband who is incomplete without her), *dharmapatni* (she should help her husband in performance of religious and spiritual duties), *sakhi* (confidante), *sachiva* (wise counselor) etc. The husband was responsible for protecting her, supporting her and provide for all her needs. With the changing time and situations the man became more powerful and dominant towards women. The ideals recognized by Hindus were now only practiced by the wives. The mar-

riage became sacramental and monogamous for her alone. The husbands began to break the principle of mutual fidelity between the spouses by encouraging polygamy, prostitution and concubinage. The wives were inferior to men in terms of strength, economic status, and social status and were surrounded by all forms of emotional tangles which made her to just sit and face all the pain. Wives did not come out and protest against the injustice happening to them because of the fear of the criticism of the society and in some extreme cases of getting excommunicated by the members of the society. Ultimately all the rules were meant only for women and men could break them whenever they want.

In the old Hindu law as termed by Manu only “virtuous” wife who is living with her husband husband but with the evolution of the society, our culture, our thinking and recognition of women’s right even the wife who is living separately from her husband can claim maintenance. As it is rightly said in Mahabharata that “by cherishing women one virtually worships the goddess of prosperity and by afflicting her, one afflicts goddess of prosperity”, this change was essential for eradicating all the false beliefs, improving the deteriorated condition of women in our society and for empowering her and making her aware of her rights and for bringing her at par to men in our society which will ultimately help in moving our nation towards prosperity and progress.

During the codification of old Hindu law various new things were inserted into the legislation for the welfare of women. The concept of maintenance to the wife was broadened under modern law and this provision was granted under many acts Like Hindu Marriage Act 1955(HMA), Hindu Adoption And Maintenance Act 1956(HAMA), Protection Of Women From Domestic Violence Act (PWDVA), 2005 And Code Of Criminal Procedure, 1973 (CrPc) to keep the women under umbrella of protecting laws and give them a sense of power so that

they can fearlessly come out of various barriers and fight against various atrocities happening with them.

The husband under the modern law is under both moral and legal obligation to maintain the wife. Moral obligation is an obligation imposed on a person by the morals and values of the society in which he lives and failing which he may lose his friends, relatives, reputation, sense of satisfaction and worthiness and spouses while legal obligation is one which is imposed by the government, its agencies, courts or legislation which is mandatory to follow failing which can cost you your freedom or money. Section 3(b) of HAMA of 1956 defines **maintenance** as 'provisions for food, clothing, residence, education and medical attendance and treatment.' In simple words maintenance is given to wife to support her so that she can live in a manner more or less to which she was accustomed before the separation from her husband. To throw more light on 'why maintenance should be given to wife' I would like to mention the **doctrine of sustenance** which was illustrated by Hon'ble justice Dipak Misra in the case of Bhuwan Mohan Singh vs Meena And Others that the concept of sustenance does not only mean to lead a animal life, to thrown away from grace and to go for basic maintenance somewhere else. A wife is entitled in law to lead the similar life as she would have lead with her husband and the husband cannot escape by saying that he has no earnings as the law requires him to earn money with physical labour and pay maintenance if he is able bodied. The husband has to ensure that the wife is not deprived of benefit of living with dignity.

Under HMA either of the spouses can claim maintenance but it can be claimed only after judicial separation. The wife can seek maintenance and alimony under section 24 and section 25 of the act. **Are maintenance and alimony same?** When defined under law they are treated to be different. Firstly, alimony is onetime payment made to the spouse who is not able to maintain himself/herself while maintenance is a continuous payment made to the spouse who is unable to maintain himself/herself extending to certain periods as decided by the competent court and not just one time payment.

Secondly maintenance can only be paid in cash whereas alimony can be pair both in form of cash and property. Alimony is preferred mostly in matters where there is a mutual consent divorce.

Section 24 provides for maintenance pendente lite temporary maintenance which is to be provided when the proceedings are going on till the date when the main petition is disposed of. To claim maintenance under section 24 he/she must prove that he/she is unable to maintain herself and meet the expenses of the proceedings. The question is that whether the maintenance should be given from the date of filing application for maintenance or from the date of petition seeking the relief? Section 24 is silent about providing a specific date as to granting the interim maintenance so it is wholly on the discretion of the courts. Some courts are of view that it should be allowed from the date of filing the application and some hold that it should be allowed from the date of filing the petition for matrimonial cause. For deciding the quantum of maintenance the income of both parties should be considered. The term '**income**' used in section 24 means only his or her income and not any assets or property yielding any income. The application filed for maintenance shall be decided within 60 days of service of notice to the wife. Now think a person has dragged you to the court of law and then for recovering the expenses of proceedings (some of which you have already incurred) you succeeded in getting interim maintenance order under section 24 but then that person withdraws his petition to evade from paying you any maintenance, **will he be allowed to do that?** Our courts have well understood this and hence the person is not allowed to withdraw the main petition and he has to pay the maintenance and expenses of the proceedings as you have already incurred certain expenses and invested your time and labour.

Under section 25 of HMA the wife can claim permanent maintenance or alimony by filing an application at the time of decree granting the petition or after the decree granting the petition. It was believed that if the petition is dismissed the maintenance cannot be claimed. Various courts interpreted that the meaning of the term 'decree' should not be restricted; a decree includes an order granting a

petition as well as an order dismissing the petition. So application of maintenance can be made even after decree dismissing the petition. The application under section 25 should be filed in the court where original petition seeking matrimonial relief was filed. **Whether a wife of a bigamous marriage entitled to maintenance under this section?** The Supreme Court has laid down that though it was morally wrong to practice bigamy in Hindu law but many of them practiced it specially persons in royal family as a customary law, it will be unfair to the economically dependent wife to be denied of maintenance under this section on the ground that she is not a legal wife. She already suffers a lot emotionally and socially after such marriage and it is very difficult for her to restart her life in the same way as it was before so not supporting her financially she will suffer economically too. Now what if the wife was responsible for the dissolution of the marriage i.e. she was cruel, adulterous or she deserted her husband, **will she be allowed maintenance?** In dharmashastra the wife was not allowed maintenance if she was adulterous. Some of our courts have been following the same approach. Now with changing interpretation the courts have regarded the fact that a wife who has ceased to live in chastity is entitled to maintenance as in case of **amarkanta vs sovana**. The courts are of view that when our society have many of not working women who have to be dependent we should go with the bigger picture which is not condemning her to live her whole life in immorality though she was the cause of the marriage dissolution. However this conduct of hers will be taken into account while fixing the quantum of maintenance.

Under HAMA 1956 the only wife can claim maintenance for life time from her husband and this act has a retrospective effect. Section 18(1) provides for maintenance of wife when she lives with her husband. It is considered as the personal obligation of the husband to maintain his wife under Hindu law until she leaves him without any good cause or his consent. Even if the wife is unchaste but continues to live with her husband she is entitled to receive maintenance. Under clause (2) of section 18 the wife can claim separate residence and maintenance from her husband on the grounds of deser-

tion, cruelty, leprosy, another living wife, his conversion, keeps concubine or any other justifiable grounds. This clause gives a significant protection to the women whose husband is not letting her to break the tie of marriage and is committing all sorts of atrocities against her. She is protected from becoming a puppet in the hands of her husband and empowered by the law to live separately and claim maintenance and residence which is her right. Section 18(3) provides various grounds when the wife cannot claim maintenance; firstly when she becomes unchaste, secondly she ceases to be a Hindu by conversion to other religion and lastly when she resumes cohabitation with her husband. This section is applicable only to section 18(2).

Whether the chastity of women should be questioned? Well the Hindus regard their religion and culture as sacred and hence they considered that the values inculcated in them also come from this culture hence these values are most ethical. In Hindu culture to respect a woman is to respect the goddess of prosperity and the question of chastity is the most derogatory question asked to her. In modern society we talk about equality of women and men so why only women are questioned about their chastity? An unchaste woman is looked down and criticized by the society while an unchaste man never faces such situation. So the question of chastity should never be asked to a woman and hence the 252nd report of law commission of India has recommended for deletion of the word 'chastity' from this section. **Whether the wife who has resumed cohabitation with her husband be denied maintenance?** In *Dattu vs Tarabai* the court said that by mere resumption of cohabitation the order passed under section 18(2) shall not be terminated. Well the court is totally correct in coming to this conclusion. The responsibility of resuming the cohabitation is of both the husband and the wife so why should the wife suffer alone and above all mere resumption of the cohabitation does not extinguish the basic cause of separation. If the order of maintenance is terminated in this ground then it can be used by the husband who can evade his obligation of providing maintenance by having sexual intercourse with the wife and then again leaving her there where she was standing before. Under section 19 of HAMA the Hindu law recognizes the moral

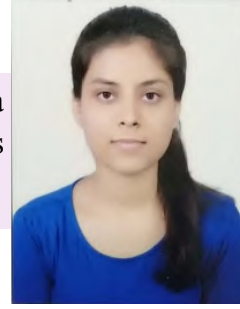
obligation and not any personal obligation of father-in-law to maintain his widow daughter in law if she is unable to maintain herself. This is a secondary obligation. In *Avatar Singh vs Jasbir Singh* the plaintiff was the wife of a man of unsound mind who sought 1/4th share in the land belonging to the family. In this case the high court observed if husband is insane or of unsound mind, the daughter in law who is not having any source of maintenance can claim maintenance for herself. When she has to maintain her mentally-ill husband, her condition is worse than being a widowed daughter in law. In such a situation, the wife should be deemed to be dependent upon the father in law and entitled to maintenance as provided under Section 19 of the HAMA. The law commission of India has recommended to add clause (4) in section 18 which says 'Where the husband is unable to provide for his wife, on account of physical disability, mental disorder, disappearance, renunciation of the world by entering any religious order or other similar reasons, the Hindu wife is entitled to claim maintenance during her lifetime, from members of the joint Hindu family of the husband, except where the husband has received his share in the joint family property.

A Hindu wife can claim maintenance under **section 125 of CrPc** which is more speedy, effective and preferred remedy. This section has a broader concept as it is a secular law or a general law which removes all forms of religious barriers and often prevails over the personal laws. It defines wife as 'divorced wife' irrespective of her religion. This section provided much relief to the Muslim women who were not able to seek maintenance after divorce before commencement of protection of rights of Muslim women on divorce act, 1986. The husband was easily able to evade from their obligation to pay maintenance by giving divorce to the wife. **What was the need to a provision of maintenance under CrPc?** It was needed to strengthen the protection of rights of women as to oblige the husband to pay maintenance and punish him under sub section (3) by issuing a warrant against him for levying fine or attachment of a property owned by him or imprisonment for a term not exceeding one month if he fails to provide maintenance. Under

sub-section (1) the maintenance amount should not exceed Rs. 500, the 132nd law commission report of India has recommended for removal of this ceiling of Rs.500 and empower the magistrate to grant any amount they seem just and reasonable. These rights of maintenance under various laws are complementary to each other hence a person cannot be denied maintenance under one law on the contention that she is getting maintenance under other law. **Does a strict proof of marriage required under this section?** As the courts have stated a strict proof of marriage is not a pre-condition for getting maintenance under this section is meant to serve social, economic and moral purpose. With the changing lifestyles and thinking new concepts have come in which one is live-in-relationship. In such relationship the couple lives as a married couple though it is unmarried. There is no legal responsibility or obligation towards each other in this relationship and both partners enjoy their freedom and live in a shared household. However this new age concept comes with problems of its own. In *Chanmuniya v. Virendra Kumar Singh Kushwaha* the Supreme Court called for broadening the definition of 'wife' given under the section by considering those women as legally wedded wife for the purpose of maintenance who has been living for a reasonably long period of time in a shared household as husband and wife and are assumed by the fellow society members as married couples.

Thus our constitution and courts have taken all steps in strengthening the rights of married women and divorced women. There has been an immense change in the status of women as it was in the Vedic period. Today their rights are recognized in almost every field; they can come out without any fear of society and fight against every injustice happening to them because they are supported by the strongest pillar i.e. of legislation. Every step is been taken to bring them at par with men and this work is still in process until we achieve a society which is ideal for women. Our courts and legislators very well understand the concept given by sages that by cherishing the women our country will move towards prosperity and progress.

Shailja is a second year student of BBA-LLB. She has a keen interest in research and has been improving her skills in the same area. She aspires to become a corporate lawyer.



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“At his best, **man** is the noblest of all **animals**; separated from **law and justice** he is the **worst.**”

Aristotle

THE FINAL STAND: OUR LAST CHANCE AT CLIMATE JUSTICE

-Aviral Gupta

Climate change is no longer a distant phenomenon affecting only a few parts of our planet. It is now the most important issue being faced by the countries across the world. With the rising sea levels, prolonged heat waves, erratic weather changes, India's major cities have already started witnessing the impacts of climatic change. Being one of the most vulnerable countries to these changes, India also houses the most number of people in risk of losing their livelihood and homes. If immediate action is not taken to deal with this situation millions of children and future generations are in peril of facing dire consequences.

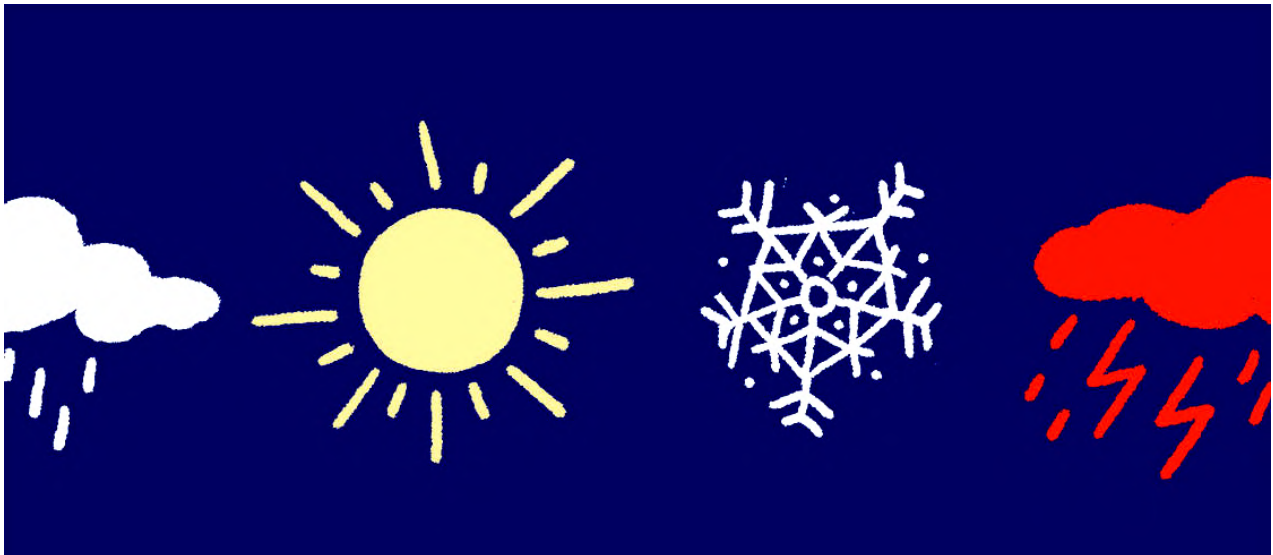
Concept of Ecological Economics:

In the book Ecological Economics: Principles and Applications, Herman E. Daly and Joshua Farley argue that the most critical element of the impact of globalisation comes from the science of global climatic change. "It is the absolute economic growth, not relative growth that contributes to climate change.

Apart from the climatic change, the economic effects of the environmental destruction and disruption have been mostly local- collapsing fisheries, abandoned cropland and shrinking forests. But if locals' damage keeps accumulating, it will eventually affect global economic trends. In an increasingly integrated global economy, local ecosystem collapse can have global economic consequences.

We Need Your Help!!

Being a part of the last generation that can actually has a chance at curbing the catastrophic impacts of climate change in India, I strongly believe that our collective voices can push those in power to act urgently towards this cause. With an increase in climatic strike and climatic change litigations across the globe, we need to act fast to get carbon-capping legislation in place and implement the already existing policies stringently.



Aviral is a first year student of BBA-LLB. He hopes to blend academic skills, experience and innovation to achieve the best result at workplace and hopes to become a peerless lawyer.



SOCIAL MEDIA: BOON OR BANE

-Anoonya Das

If I say that social media is a boon for the society, then I will have to face critics and if I say that social media is a curse for the society, then also I am going to face a lot of critics. Hence it is going to be a never ending debate that whether social media is a boon or curse for the society.

On one side, social media has made our life way easier than it could be and on the other side it has turned out to be the demons for the society. WhatsApp, Facebook, Instagram, Snapchat etc. so far has done a great job when we talk about conquering the 21st century but just because of some loopholes they have turned out to be the evil for the society.

Texting, chatting, sharing pics and videos who doesn't like to do?? But when the limit has been crossed there arises the problems for this society. Being active for hours together in social media often does the majority of damages. It not only harms the innate aspect of an individual's life but also kills the ethics of an individual.

But if we try to prohibit ourselves from the social media then I would rather say that we are doing injustice with the technology of this 21st century. Hours of jobs are being converted into minutes and minutes of jobs are being converted into seconds and seconds into milli seconds, hence this is the powerful impact of social media in our life.

Actually it is the society which is divided into 2 halves: one is looking forward to the benefits with nominal investment in the world of social media, while the other half is dragging themselves into hell without having any idea about where their destiny is carrying them. If I am not wrong social media is

just a game of hit and trial method. The one who hits right areas is showered with lots of benefits while the one who misses the target just mess up things and gets trapped in the Labyrinth.

People often have the wrong concept that the social media is in their control but to be honest it is the social media which controls our day to day life-style. Actually it is gaming the system and we are completely unaware of the fact.

Social media is just like a coin with 1 different faces: a head and a tail. Just like in a cricket match whoever flips the coin just hope that it goes in their favour and here it is only the "Social Media" that knows it very well that to whom it is going to favour in their life. So, yes as I mentioned earlier, this debate for social media that whether it is a "boon or curse" will last for decades and I really feel like there are mere chances of getting into my kind of conclusion.

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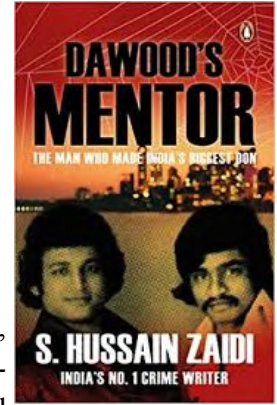
Anoonya is a first year student of BBA-LLB. He likes to play Cricket and has a varied music collection. He is quite dedicated in his life and aspires to become a corporate lawyer.



BOOK REVIEW: DAWOOD'S MENTOR

-Ebad Ur Rahman

*Pathan ka masla hai,
Zara sonch samajh ke.*



Hussain Zaidi has mastered the art of research on gangsters. His books, namely *Dongri to Dubai: Six Decades of the Mumbai Mafia*, *Byculla to Bangkok*, *Mafia Queens of Mumbai* are proof of that. He has well and truly established that again, with this book. This book delves into the life of Khalid Khan Pacha, a Pathan from Bhopal who later on became the uncrowned King of Indian Mafia. If Dawood Ibrahim was a seed planted, Khalid Khan was the farmer who knew exactly what amount of water, nutrients and sunlight were required for it to become a plant like no other.

The initial chapters speak about different aspects in Khalid Khan's life. From his training as a wrestler under his father to beating Ram Dayal Pehelwan at the age of 18, who happened to be Bhopal's best wrestler at the time and to winning the Bharat Kumar Trophy whilst still in college, Khalid Khan was a star since the beginning. These chapters also speak about how Khalid protected Dawood and Sabir (Dawood's elder brother) at notable instances while also portraying their individual lives separately.

The book then moves on to Khalid and Bashu Dada's teaming up and splitting. Bashu Dada was another notable name in the underworld back then. Bashu noticed Khalid when the latter won the Bharat Kumar Trophy against his favorite wrestler, Varun Mane. It was during his time with Bashu Dada that Khalid discovered Dawood. This first interaction between the teacher and student is a joy to read. Once the ice between them is broken, Khalid took Dawood under his wing after their famous run-in with Rashid Taxi, who was another fish in the deadly ocean of the Mumbai underworld. During the chase, out of no-where Dawood helped Khalid's men catch hold of Rashid, clearly implying the side he wanted to be on.

Moving on, the book reveals the impact of the split with Bashu Dada on Khalid and how he and Dawood later on ruled the underworld while their time lasted. This area of the book also highlights how Khalid Khan maintained a particular standard of doing work and how he never stooped low to those set by the underworld. Many instances reveal this trait, which show the face of a true Pathan. The separation from Dawood is also elaborated and the hole it left in Khalid which can be felt in his wordings till today. It also contains the only reason Khalid Khan was in hibernation up until this time.

All in all, this book replenishes the thirst of a reader filled with curiosity. Hussain Zaidi should be commended on the compilation of such a book, answering a lot of questions all along. For a reader interested in Indian Crime, this is a must-read.

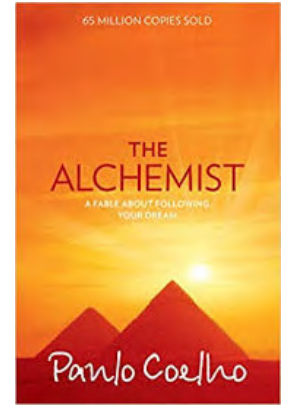
Ebad is a second year student of BBA-LLB.
He is an avid reader, writer and poet.



BOOK REVIEW: THE ALCHEMIST

-Divya Nimbalkar

Dreams are made to be followed
Life is meant to be lived
Some books are meant to be read
Loved and passed on The Alchemist is one of those books.



The story in short goes like this :

The story is about a boy named Santiago who is a shepherd. He dreams about treasure being in the land of Pyramids and then decides to take up the journey. The plot revolves around this remarkable journey itself. He meets few significant characters and learns life lessons from them. Among few, he also meets the Alchemist and spends weeks with him too. The story is about Soul of the World, God and following your heart. It's also about patience, humbleness, love, cheat, destiny and journey of life.

"**The Alchemist**" was written by a famous author Paulo Coelho. This book is about the way to reach our purpose of life. It is indeed a philosophical book but the story writing and relatable instances are very well explained. There are situations in the story which connect your circumstances and help you find a way to get out of it and reach to your destination. The main objective of the story is to make the reader feel strong in every hurdle while focusing on your goal. It explains **four obstacles in achieving your dream**:

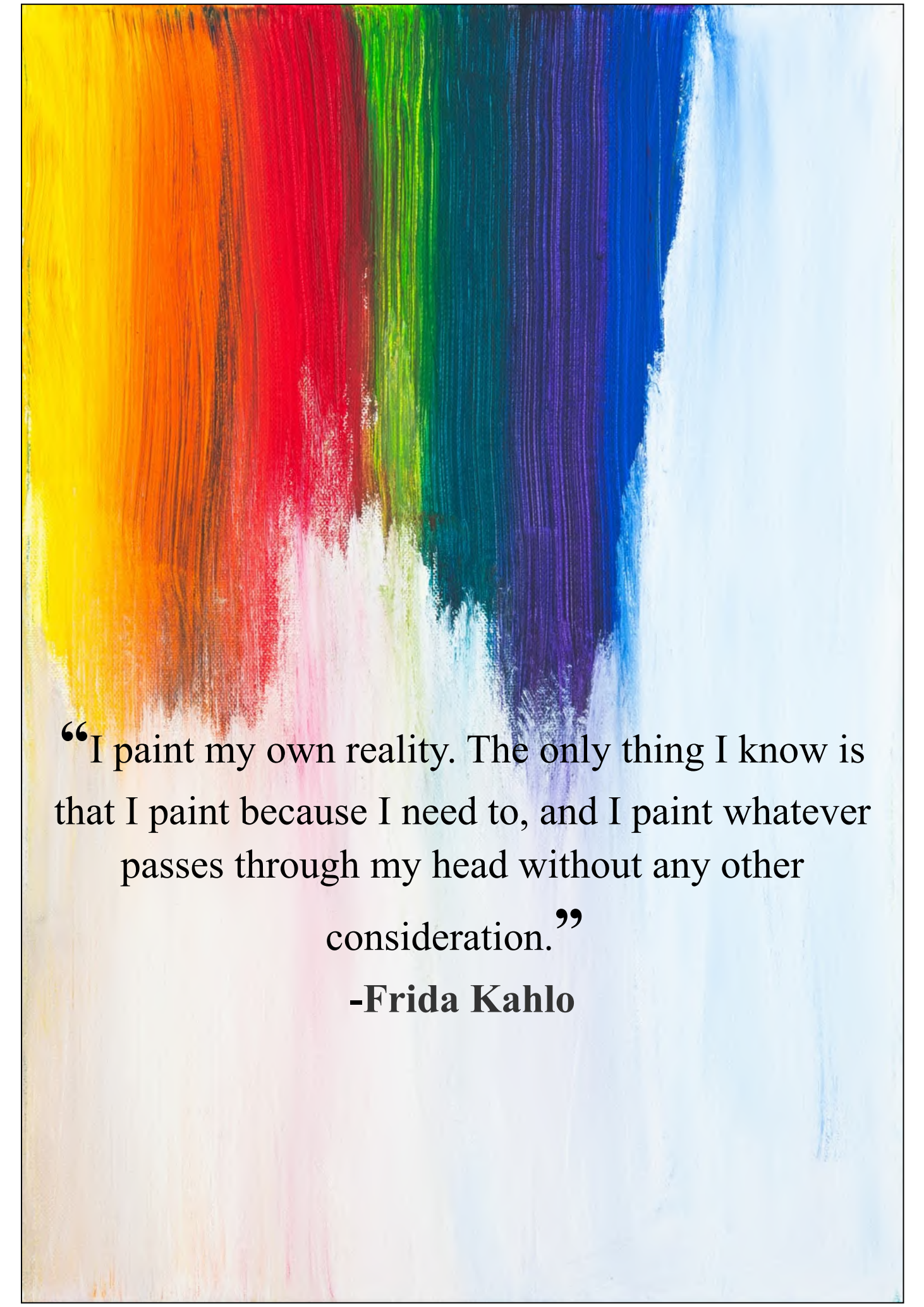
1. Thinking wrongly that everything we want to do is impossible.
2. Love : we are afraid of hurting those around us in path of achieving your dream but in actual love is stimulus.
3. Fear of defeats we will meet in path.
4. Fear of realizing dream for which we have been fighting for years.

This book hits you in phases. It can be read in one go but it can't be absorbed in alike manner. You need to come back to the book to keep those 'Life Lessons' raging on and on. One can take away many things from this literary work. Since the language used is very lucid and easy, the reading doesn't require any prerequisites.

I enjoyed this book, as it gives a fresh perspective into life. The author tries to convince the reader that he should go after his dreams through various examples in his characters, and he was quite successful in convincing me to not give up on my dreams.

Divya is a first year student of BBA-LLB. Her area of interest has always been book reviews and calligraphy. She is a very creative and enthusiastic person. She likes to read novels a lot.

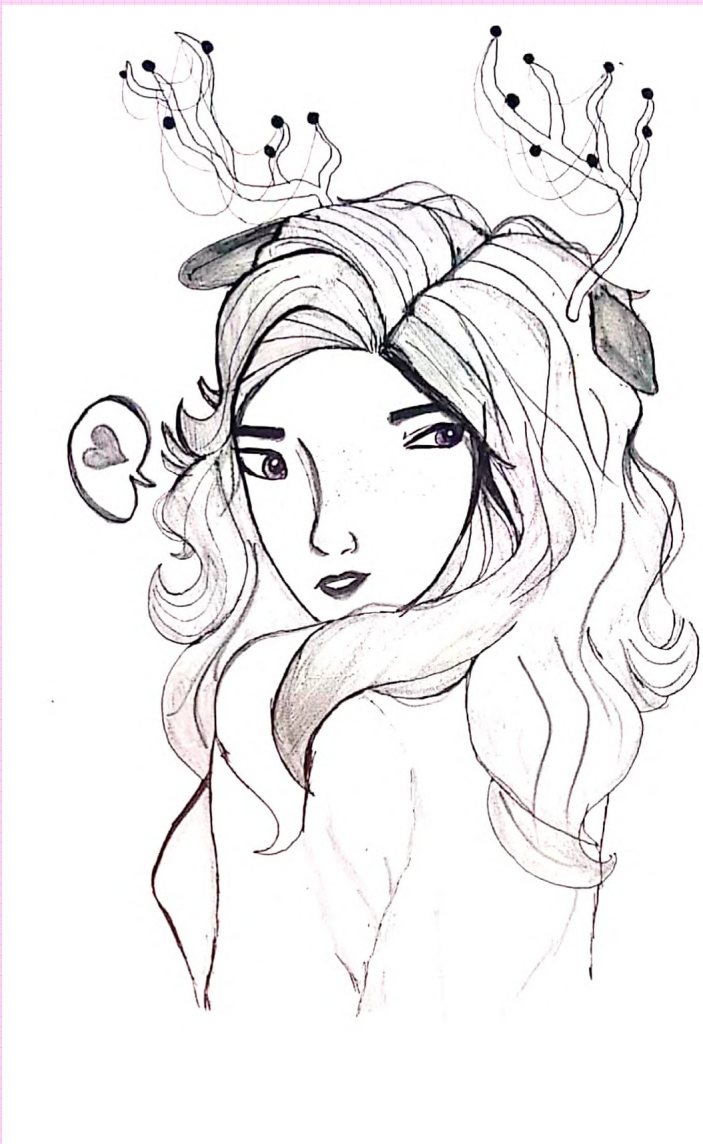
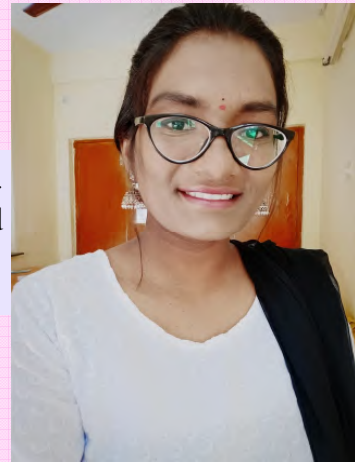




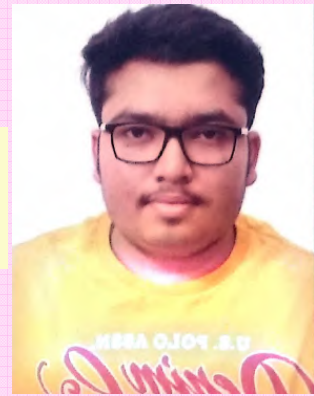
“I paint my own reality. The only thing I know is that I paint because I need to, and I paint whatever passes through my head without any other consideration.”

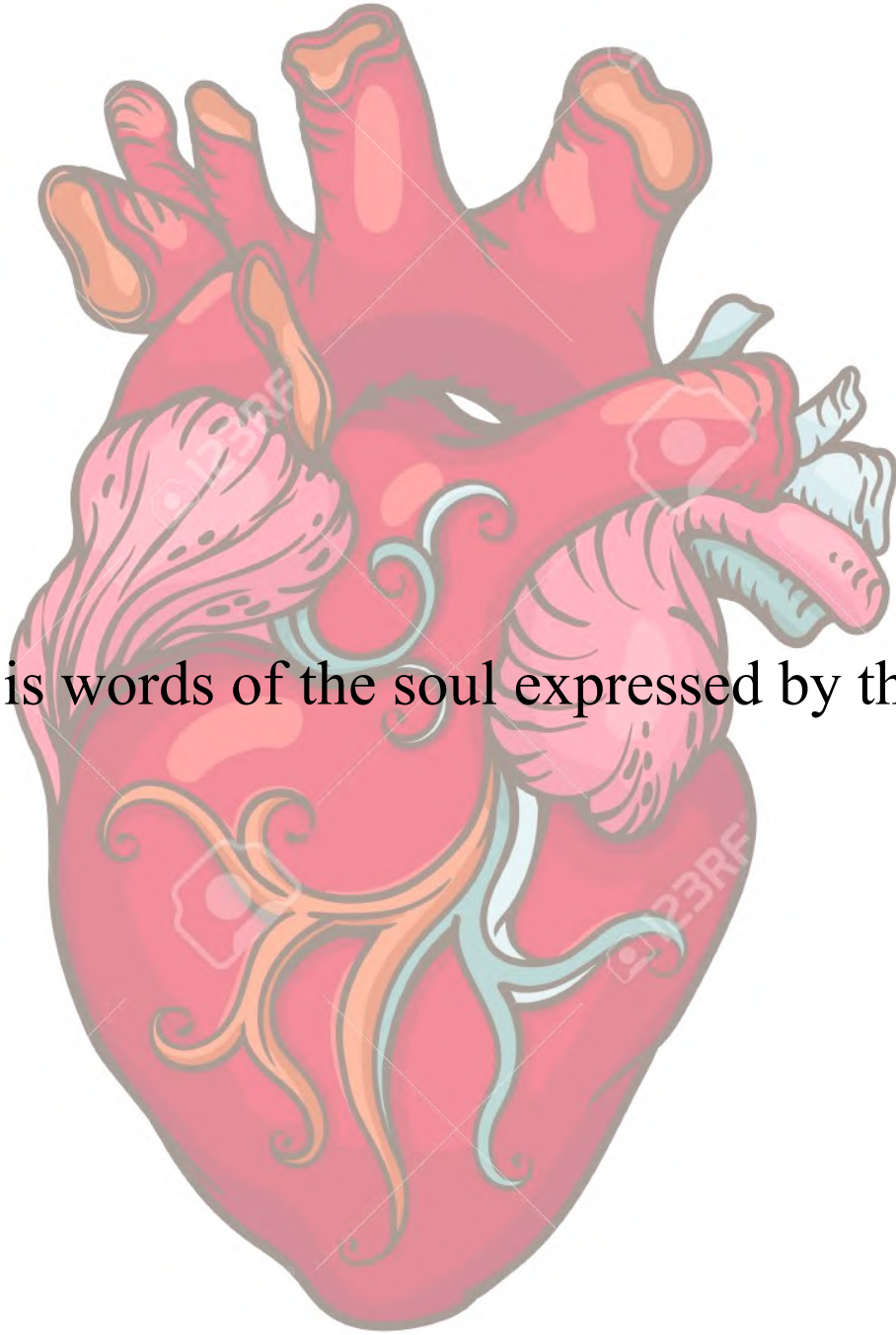
-Frida Kahlo

Anumandla Suma Sri is a second year student of BBA-LLB. She hails from Warangal. Her hobbies include sketching and dancing. She aspires to become a corporate lawyer.



Gourish is a second year student of BBA-LLB. He hails from the 'Suncity', Jodhpur. His hobbies are drawing and singing. He aspires to become an advocate.





“Poetry is words of the soul expressed by the heart.”

A FATHER'S NIGHTMARE

-Ankur Srivastava

1st November'2017 (day1): I ran to the hospital as soon as the call ended. It was from my daughter's friend. As I entered the emergency ward my eyes were shut tight like stuck with a glue stick and when I opened my eyes slowly I saw my daughter half-naked, and the other half covered with blood. The nightmare of every father had come true as saw my girl shifted to ICU. She could barely breathe.

6th November'2017 (day5): The doctor said that "Her condition was critical." After this, he explained what happened with my girl. he said that " they destroyed her intestines by a rod to avoid getting caught and didn't even spare her genital organs." I was dumbstruck after hearing this. I felt so helpless. Her mother hasn't moved from the chair for five days.

11th November'2017 (day10): The media covered around the hospital with the thirst of the news about the incident. With some hope, I decided to stand up for my daughter who was fighting for her life with death. But the incident was yet to be revealed. It was hard for me to accept that my 17-year-old daughter is allegedly gang-raped. But I did not give up.

13th November'2017 (day12): It has been past 2 weeks that she ate, spoke or woke up. When she did gain consciousness, the cops along with the judge arrived to record her statement. When she opened her swollen eyes, her face was torn. We could barely hear her. She sniffed unable to cry anymore vocalized about the incident. I could barely stay with her saying like that. How can a human be so brutal? Is humanity a lost cause?

21st November'2017 (day21): Today when I reached the hospital and saw my wife falling apart, crying miserably. The doctors informed that her condition was worsening. I sat down with all my hopes drowning, thinking about the law where a criminal can roam free and a victim lies in a four-wall closed room fighting for each breath she takes.

26th November'2017 (day25): "She wants to see her father." said the doctor. I got up and headed for the ICU. Thousands of thoughts were running in my head, what if she is afraid of me? , what if she didn't like when I touch her? What if...? Will, she ever again live her life normally? will she be able to live with her family without flinching every time we touch her?

30th November'2017 (day30): It's been a week or more since she left us.

Her mother is still waiting for her to return from tuition classes. My little girl's voice echoes in every corner of my house, every room holds her sweetest memories. It was difficult to give up but I had to relieve her from her suffering, her pain. It wasn't easy to let her go but her pleas to give her redemption echoed my ear. Fighting for justice wasn't hard enough rather removing the oxygen mask from my daughter's face broke me into pieces. I saw her body turn into ashes along with my soul which got buried in those " Ghats of Ganga."

"Girls are the blessing of God.
Girls are there then we are here.
Girls are the pride of their father.
Girls are princess and queens who
reside on their family's hearts."

Ankur is a first year student of BA-LLB. He is an enthusiastic writer and has high hopes for his future.



VOICE OF A GIRL

-Lakshman Raghunath

I feel so warm in here, in my mother's womb,
Everything is still, yet everything is so alive.
A string which ties me to her, the same which gives me food and her love.
I love my mother, and I know she loves me too..
But something is suddenly wrong, there is a chillness,
Someone's hands are inside my home searching something.
When they rest on me, they come to a halt.
They drag me away from my home, I screamed in agony but no voice came.
It's not time, I wanted to yell, but they did not listen.
And I was brought out to the world outside which was unknown and dark.
My mother will protect me, she will save me, I chanted it repeatedly.
And then the last hope died when the string was cut.
I was separated from her and in that agony my little heart died.
Did my mother do something?
Did she try to protect me?
Did she ever love me?
And just like that, before even taking birth,
I died.

-Girl Child

Lakshman is a student of BA-LLB. He was born in Kerala and raised in Madhya Pradesh. His hobbies are reading, writing and singing. He aspires to become a Public Prosecutor.



NEVER LET THEM SEE YOU FALL

-Ishika Prasad

LIFE IS TOO SHORT,
TO WAKE UP WITH REGRET,
YOU SHOULD HAVE THE ABILITY
TO DEFEND YOURSELF AGAINST ANY THREAT,
YOU ARE BENT NOT BROKE,
LIFE WILL BRING YOU UNREMITTING STROKE,
YOU ARE FALLEN
BUT CAN GET UP AGAIN,
AND EVEN THOUGH IT'S HARD
YOU MAY STRUGGLE THROUGH IT ALL,
THEY MAY SEE YOU STRUGGLE
BUT NEVER LET THEM SEE YOU FALL

Ishika is a second year student of BBA-LLB. She hails from Bihar. She is quite inquisitive and always tries to learn. She likes to write poems and short stories. She also loves watching movies and aspires to become a successful advocate.



CHAND KAVITA

-Lavanya Rai

DUBNA

Wo kya hai kae fulo ko dhoka hua tha
Titli ka mukhota tune pehna hua tha,
Wo kya hai ke mujhko dhoka hua tha
Bheriye ne tera mukhota pehna hua tha,
Mujhe kya pata baadh kab aayi aur mai kab dooba
Mai to tujhe pechane mein duba hua tha.

TARAS

Khade hain mujhko kharidaar dekhne kae liye
Mai ghar sae nikla tha bazar dekhne kae liye,
Mai nagina ban kar johri ki talash mae tha
Johri khara tha mujhe tarasne kae liye,
Hazaaro baar hazaron ki ankho mae tumhe dekha hai
Taras gaye tujhe ek baar dekhne kae liye.

BICHAR

Bichar kar uska dil lag bhi gaya to kya lagega
Wo thak jayega aur mere gale sae aa lagega,
Mai muskil mae tumhare kaam aau ya na aau
Mujhe awaz de lena tumhe achaa lagega.

डुबना

वो क्या है के फूलों को धोखा हुआ था
तितली का मुखोटा तुने पहना हुआ था,
वो क्या है के मुझको धोखा हुआ था
भेड़िये ने तेरा मुखोटा पहना हुआ था,
मुझे क्या पता बाड कब आई और मैं कब डुबा
मैं तो तुझे पहचानने में डुबा हुआ था।

तरस

खड़े हैं मुझको खरीदार देखने के लिए
मैं घर से निकला था बाजार देखने के लिए,
मैं नगीना बन कर जौहरी की तलाश में था
जौहरी खड़ा था मुझे तराशने के लिए,
हजारों बार हजारों की आंखों में तुम्हें देखा है
तरस गए तुझे एक बार देखने के लिए।

बिछड़

बिछड़ कर उसका दिल लाग भी गया तो क्या लगेगा
वो थक जाएगा और मेरे गले से आ लगेगा,
मैं मुश्किल में तुम्हारे काम आऊँ या ना आऊँ
मुझे आवाज दे लेना तुम्हें अच्छा लगेगा।

LAJAWAB

Sisakti ruh ko mehakta gulab kar dungi
Mai woh dawa hu jo sabka ilaj kar dungi,
Hazar pardo mae khud ko chupa kae baith
Par tujhe kabhi na kabhi benaqab kar dungi,
Mai inteazar mae hu tu koi sawal to kar
Yakeen rakh mai tujhe lajawab kar dungi.

लाजवाब

सिसकती रूह को महकता गुलाब कर दूंगी
में वो दवा हूं जो सबका इलाज कर दूंगी,
हज़ार पर्दों में खुद को छुपा के बैठ
पर तुझे कभी न कभी बेनकाब कर दूंगी,
में इंतजार मैं हूं तू कोई सवाल तो कर
यकीन रख मैं तुझे लाजवाब कर दूंगी।

MAA

Sab nae siskiya suni thi
Sab nae taslii di thi,
Baas ek maa hi thi
Jo wajah mitane aayi thi.

माँ

सब ने सिसकियाँ सुनी थी
सब ने तसल्ली दी थी,
बस एक माँ थी
जो वजह मिटाने आयी थी।

Lavanya is a first year student of BBA-LLB. Her hobbies include writing and reciting poems. She is also a martial artist. She aspires to become a renowned advocate.



SHAAM UDAAS HAI

-Ebad Ur Rahman

Kaale badal chaye hue hain mausam mein ek nau-meedi hai

Aisa lagta hai aaj shaam udaas hai,

Kisi ne geebat ki hai toh kisi ne jhoot bola hai

Kisi ne takleef di hai toh kisi ne moonh moda hai,

Paani ke tiptipane ki umeed toh humein bhi thi

Hum uske liye taraste rahe aur woh humein tarsate rahe,

Un kaale badalon ka ye ma'jrah hai ke

Na toh woh barse aur na hi barasne diye,

Kaale badal ab bhi hain aur naumeedi ab bhi hai

Iss dimaagi behaali ki misaal bemisaal hai,

Aafat thi balaa thi ya koi sazaa thi jo tal gayi

Phir bhi lagta hai aaj shaam udaas hai.

کالے بادل چھائے ہوئے ہیں موسم میں اک ناامیدی ہے
ایسا لگتا ہے آج شام اداس ہے،

کسی نے غیبت کی ہے تو کسی نے جھوٹ بولا ہے
کسی نے تکلیف دی ہے تو کسی نے منہ موڑا ہے،

پانی کہ ٹپ ٹپانے کی امید تو ہمیں بھی تھی
ہم اس کے لیے ترستے رہے اور وہ ہمیں ترساتے
رہے،

ان کالے بادلوں کا یہ ماجرا ہے کہ
نہ تو وہ برسے اور نہ ہی برسنے دے،

کالے بادل اب بھی ہیں اور ناامیدی اب بھی ہے
اس دماغی بحالی کی مثال ہے مثال ہے،

آفت تھی بلا تھی یہ کوئی سزا تھی جو ٹل گئی
پھر بھی لگتا ہے آج شام اداس ہے -

Ebad is a second year student of BBA-LLB.
He is an avid reader, writer and poet.



MY MAA

-Anoonya Das

Mom: what to say about mom?? Even words will fall short to describe "MOM". The word "MAA" itself is such a divine and spiritual word. How sweet it sounds when we hear the word "MAA".

You know, a young girl when grows up, gets married and becomes a mother, that moment of joy and happiness can't be expressed. All might have heard about the phrase "Jack of all trades , master of none" but here in the case of "Mom" it has been proved wrong. Mom is the jack of all trades as well as the master of all trades.

Mom is the:-

- Security guard of the house
- Master chef of the house
- Teacher of her children
- Manager of the house
- Doctor of the house
- Advocate of the house
- Home Minister of the house

And above all

Mom is the most altruistic among all in the house.

Can u believe it? How can a person expertise in all these professions within himself altogether single handily? The instant reply would be " It's Impossible".

But one person is there who is the master of all these trades without any professional guidance.

Yes she is none other than our "Mom". The word " impossible " has got mere value in a mother's life.

One may eat delicious food in 5 - star hotels, but a simple dish of "Roti and Bhindi Curry " served by your mom often steals the limelight. Yes because for others it is only "Roti and Bhindi Curry" but actually mom used to serve her love and affection in the plate. This is the magical influence of the divine word "MAA".

According to me, the synonym of the word " Love" is mother. Yes it is well said that " God can't be everywhere and therefore he made Mothers"

I LOVE YOU MAA.

Anoonya is a first year student of BBA-LLB. He likes to play Cricket and has a varied music collection. He is quite dedicated in his life and aspires to become a corporate lawyer.



MY ROLE MODEL

-Harika Sunkara

As every one has a role model, so do I but in a unique manner.

He isn't a scientist, politician or even a popular personality. Yet, he is a man of simplicity, a library of knowledge with loads of courage.

He is not well educated, but in my perspective he has completed his Masters in the subject of society. Though he has nothing for himself, he won't hesitate to help the needy.

Though financially not very rich, yet he is wealthy in principles.

In simple words, he can be called a 'Machine of Hard work'.

He is a prime example of the anecdote 'Work is Worship'.

In my perspective, he is a great teacher, mentor, father, son, husband and what not.

His name is 'Vijaya Rama Rao Sunkara', my father.

Happy Birthday Daddy!

I thought of purchasing a gift, but giving a gift to you with your money doesn't look apt to me so I thought of presenting this as your birthday gift because it shows my affection towards you and your role in my life.

Love you Daddy, forever!

Harika is a first year student of BBA-LLB. She is an avid reader and has high hopes for the future.



“Taking pictures is like tiptoeing into the kitchen late at night and stealing Oreo cookies.”

-Diane Arbus





Above: Held every year on the 14th of August, the Freedom Run being flagged off by our beloved Director, Prof. A.V. Narasimha Rao and other senior faculty members.

Below: Senior students of ICFAI Law School taking initiative and moving ahead with the National Flag.





Above: Group photo of Faculty In-charge(s) of Environmental club along with the members and students.



Left: Prof. D.V.N. Murty briefing the audience.

Right: Sidhani Teajsri along with the members of the club, briefing the audience.

Next Page: Performers in their roles during the performance.







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