

# The Student

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## Indian Judicial System on a Cross Road

*Divyodak Kumar, BA LLB, II Semester*

Whatever be the form of government in a country, whether democratic or dictatorial, capitalistic or socialistic or of mixed economy, there are three limbs of it i.e. legislature, executive and judiciary. The first formulates policy and enacts it as law, the second carries out policy in action and the third applies the law according to rules of procedural justice and resolves disputes, respectively.

In a developing country like India people are still illiterate and unaware of the changing flux of political leadership and intricacies of legislation and administration. **Therefore, judiciary has become the most important, independent and most powerful constituent of the constitution.** For democracy to be successful, the existence of an honest and free judiciary is a must. If judiciary is not independent, the system may practically be as if it is dictatorship. Judiciary is not only the guardian but also the interpreter of the constitution. Parliament and the state legislature are creatures of the constitution. **Judiciary has a duty to correct the errors of Parliament and the legislature,** if at times they cross the limits of their powers as defined in the constitution.

Today there is a wide-spread support and enthusiasm for the assertive posture adopted by the judiciary. The judiciary believes that the constitution is not isolated and disgraced. At times when any constitutional deadlock makes the government helpless, the judiciary is the only institution left as the authority, on the constitution, to sort out the crises. Lastly, as democracy leaves sufficient scope for different opinions and beliefs, sometimes there arise two almost equal forceful opinions, contradicting and conflicting with each other, holding out little chance of compromise. At this time, judiciary is being regarded and respected as independent and impartial,

However, because of the balance of power tilting towards legislation in most of the democratic systems, the role of the judiciary is generally limited. The legislative and executive bodies have partially been caught into the trap of bureaucracy. After capturing the administrative machinery of public corporations, which were set up to achieve the objectives of socialistic society, bureaucracy has become the central point of both political and economic powers. The legislature and the executive combine to demoralize the judiciary on one hand and make it 'committed' on the other. **Activeness and alertness of judicial system against corruption at high levels has sent shock waves all over the country.** A section of people has become hyperactive. Many legislatures are expressing their annoyance and describing this as judicial

activism. However, this should not be considered as the judicial activism. In fact these are the corrective measures being taken up by the judiciary. Our constitution itself has given over-riding powers to our judiciary.

There is a case of retired judge of the Orissa High Court Ishrat Masroor Quddusi, who is an accused in the Lucknow medical college bribery MCI scam, alongwith five others, including BP Yadav and Palash Yadav of the Prasad Education Trust which runs this medical college in Lucknow, Biswanath Agrawala a middleman and two others — Bhawana Pandey and Sudhir Giri. In September 2017, the CBI registered an FIR against them in an alleged corruption case and carried out searches at eight places in New Delhi. Later on a local court had granted bail to Quddusi. In November 2017, the apex court was involved in a heated drama when it had overturned the order passed by a two-judge bench headed by Justice J. Chelameswar to set up a larger bench to hear the plea for a Special Investigation Team (SIT) probe into corruption allegations involving Quddusi. Petitioner Kamini Jaiswal in her petition requested CJI Dipak Mishra not to be part of hearing at any level as Justice Quddusi allegedly attempted to influence the outcome of an earlier petition by using corrupt means and Justice Dipak Mishra himself was one of the judges in that case. Critics accused the Indian chief justice, Dipak Mishra, of intervening to ensure only judges of his choice can hear a sensitive case relating to corruption involving a retired high court judge. On the other hand CJI told that as Chief Justice “he is the master of court” and he alone had the power to decide the schedule and roster of the Supreme Court’s hearing (a 1998 SC’s decision). However, powers are also invested with SC judges under Article 142. Events in the case in recent days have led to extraordinary accusations of misconduct against India’s most senior judge and fierce criticism of the Supreme Court, which is considered one of the most upstanding institutions of country. Though it is not known which justices, if any, were allegedly offered bribes? Neither Quddusi nor Mishra who himself presided the bench have commented publically on the allegation. The result is senior lawyers in [India](#) say the country’s supreme court is in crisis over the case of a former high court judge accused of offering to influence decisions for cash.

There is another case of the death of lower court judge B H Loya in 2014. He died shortly before he was due to give a verdict in the case of a politician from Mr Modi's BJP party, Amit Shah, who was accused of ordering a murder. Judge Loya was said to have died of a sudden heart attack. The Supreme Court is now hearing a petition calling for an investigation into allegations that he was murdered. Speculations of our media are that the judges were unhappy with the way a case of alleged corruption by a retired high court judge was handled. In that case, Chief Justice Dipak Mishra overturned an order made by Justice Chelameswar referring the case to the court's top judges. He justified the decision by saying he was "master of the roster". But in a letter Justice J Chelameswar along with three other justices (Justices Kurian Joseph,

Ranjan Gogoi and Madan Lokur) said his role in distributing cases was to aid "an orderly transaction of business" and was not "recognition of any superior authority". Judges were gone public with their concerns because the Chief Justice had refused to listen to them. Justice Chelameswar torn all the sewing of Indian judiciary when he said in press conference held at his Delhi home that "The four of us are convinced that unless this institution is preserved and it maintains its equanimity, democracy will not survive in this country".

*Nemo judex in causa sua*, a dictum that translates to "**no one should be a judge in his/her own cause**", is widely considered a pre-requisite to a reliable, trustworthy judicial system. This principle is meant not merely to prevent a potential wrong-doer from condoning his errors by judging the validity of his actions, but also, and more importantly, to preserve public confidence in the sanctity and independence of the judiciary.

A free judiciary is a must as it is the important pillar of any country. It can only exist when democratic principles are truly believed in and acted upon by all alike. Furthermore, the judiciary in a democracy should have the courage to protect its independence and deliver impartial judgments free of fear of repercussions on career and prospects. Thus some basic priorities should be laid down for the reorientation of judiciary. We need today a judicial system which is answerable directly to the public, and which can work independently in accordance with the constitutional provisions without coming under the pressure of legislation and bureaucracy. In order that the judiciary may deliver the goods, it must maintain its integrity and efficiency. There should be inbuilt provision in the constitution related to judicial system which may keep the judges away from the corruption. Only an honest effort can inspire confidence and earns respect of the people towards judicial system.

"Human progress is neither automatic nor inevitable... Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals"

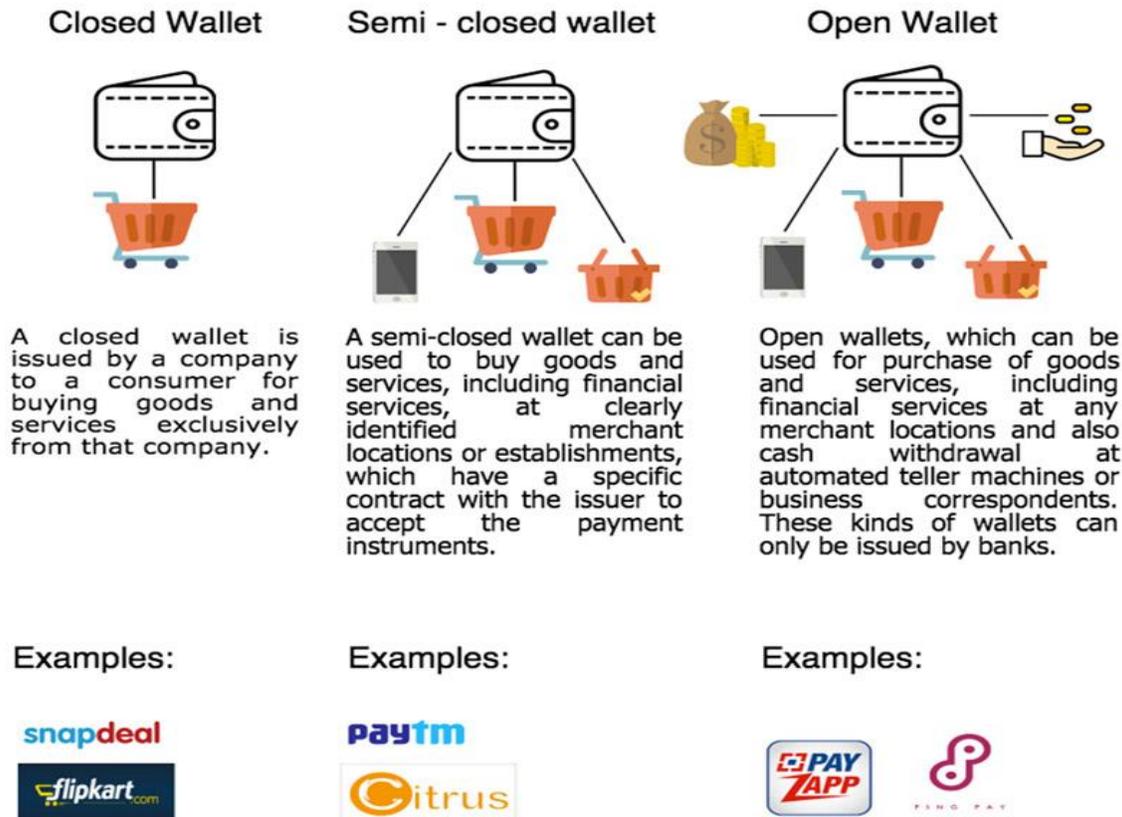
- **Martin Luther King, Jr.**

## PREPAID PAYMENT INSTRUMENTS

Mohammed Sohail, BBA-LLB, VIII Sem.

*“PPI the market boom!”*

Pre-paid Payment Instruments (PPIs) are the new payment instruments that facilitate transactions using an electronic device like mobile, computer, etc. The types of purchases include, purchase of goods, services and funds transfer, etc. The purchases and transfer take place against the value stored on such instrument. The values stored on PPIs signify the value paid by the holders by cash through a bank account. PPI sector is regulated by the Reserve Bank of India (RBI) and according to the RBI regulations; there are three types of PPIs:



**Eligibility:** Only banks are allowed to issue open wallets, as well as the other two types. NBFCs and other persons can issue only closed and semi closed wallets.

**Permission from RBI:** Entities issuing closed prepaid payment systems do not require authorization from the RBI; they just need to inform the RBI.

Entities issuing semi-closed and open prepaid payment systems are required to take authorization from the RBI.

**Law governing mobile wallets:** The Payments and Settlement Systems Act, 2007 is the primary law governing payments systems in India, with the RBI as the body that supervises related matters. Section 18 of the Act empowers the RBI to make such regulations as may be required, from time to time, to regulate payments systems in India. In exercise of the same, the RBI has laid down guidelines for the issuing and operation of Pre-paid Payment Instruments. A Master Circular consolidating all regulations on the same was put out on July1, 2014.

**Other Requirements:** A company (that which is not a bank or a NBFC) seeking the RBI's authorization should have a minimum paid-up capital of INR 5 crores, and a minimum positive net worth of INR 1 crore at all times.

The Circular specifies anti-fraud mechanisms/standards and the level of Customer Due Diligence required based on the quantum of transactions involved. KYC norms and Anti Money Laundering norms as relevant would continue to apply to pre-paid instruments. Importantly, these regulations do not cover any cross-border transaction and do not extend to any foreign exchange pre-paid instruments allowed by RBI under FEMA.

How to apply for PPI license:-

**1. Escrow for Non Banks with a scheduled bank:**

- Quarterly certificate from the auditors shall be submitted certifying the same
- Annual certificate, as above, coinciding with the accounting year of the entity to the RBI.
- Records regarding daily position of the value of instruments outstanding vis-à-vis balances maintained in the escrow made available for the scrutiny to the RBI or the bank with the Escrow account on demand.

**2. Issuance & reloading:**

- All entities issuing prepaid instruments are allowed to issue reloadable & non-reloadable instruments.
- Reloading of closed system payment instruments would be permitted at the retail agents & issuers outlets against cash/ debit cards/ credit card.
- Banks & NBFCs can issue & reload at branches against payment by cash/ debit to bank account or credit card.
- Banks are permitted to issue & reload through BCs

**3. Validity:**

- Minimum 6 months validity from date of issue.
- Transferring outstanding balances to a new instrument depends on Issuer

- The outstanding balances not to be terminated immediately at expiration
  - The value may be depleted at the rate of 10 percent of the outstanding value per month.
  - Holders should be adequately cautioned in advance regarding the expiry date
- 4. If Bank & non-Bank service provider wish to work together, then the suggested process is:**
- Bank takes a Board approval.
  - Confirms that the entity has fulfilled all requirements.
  - Writes to DPSS for a case-by-case approval.
- 5. Right over Escrow Account balance:**
- Acquirer will have first right,
  - Holder will have next right and
  - Issuer will have last right.



**END THE SHAME!**  
**PROTECTING THE CHILDREN FROM TRAFFICKING AND SEXUAL ABUSE**

*Bisweshwar Muni & Saloni Sharma, BBA-LLB, VI Sem.*

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*“Satyameveswaro Loke Satyaddharma Pratishtitaha Satya Moolani Sarvani Satyam Nasti  
Param Padam.” (This world is based on only one thing i.e. satya (truth), there is no other better  
place than satya (truth) itself.)*

*- Mahabharat*

**A. INTRODUCTION:**

Child trafficking is defined as a process of recruitment, transport, transfer, harbor receipt of a person under the age of 18 for the purpose of exploitation. That affects all nations due to porous borders in weak domestic laws. It causes physical mental and emotional exploitation of the victims and they are not often able to lead a healthy and stable life. It is prevalent in India on a large scale.

**B. LEGAL ANALYSIS:**

It is a fact that millions of girls and boys worldwide are being sexually abused within homes and outside. Used by family or unknown persons. Perpetrator can be anyone who explored the child’s ability to gain sexual gratification. It involves mental, physical and emotional abuse of a child through overt and covert sexual acts, gestures and disposition. It also involved activities, which do not involve direct touching.

A form of child sexual abuse in India child marriages. In Rajasthan and Akshay tritiya day, this is popularly known as Akha Teej, hundreds of child marriages openly performed. The sexual abuse of children not only has damaging and long-term impact on the victim but also affect the families, communities and Society. Crime that continues to go unchecked, the sexual abuse of children both within homes and outside is an issue of concern, indirectly suggesting the health of a society as a whole.

Laws relating to child sexual abuse:

1. In 2012, the Indian Parliament passed The Protection of Children from the Sexual Offences Act.
2. Model guidelines for POCSO.

### **The protection of children in Sexual Offences Act, 2012:**

- 1) Child has any person below the age of 18 years and provides protection to all children under the age of 18 years from the offences of sexual assault, sexual harassment and pornography.
- 2) This is the first time that an act has he expects of touch as well as non-touch behavior example, photographing a child in a obscene manner under the Ambit of sexual offences. The act incorporates child friendly procedure for reporting, recording of evidence, investigation and trial of offences.
- 3) The attempt to commit an offence under the act has also been made liable for punishment for up to half the punishment prescribed for the commission of the offence.
- 4) The act also provides for punishment for abetment of the offence, which is the same as the commission of the offence. This would cover trafficking of children for sexual purposes. For the more heinous offences of penetrative sexual assault, aggravated penetrative sexual assault, sexual assault and aggravated sexual assault, the burden of proof is shifted on the accused.
- 5) Media has been barred from disclosing the Identity of the child without the permission of the special Court.
- 6) Before the bill was passed, the cases of child sexual abuse were dealt under the following sections under Indian Penal Code, 1860:
  - Section 375 defines rape.
  - Section 376 of the IPC provides for the punishment of rape which shall not be less than 7 years but which may extend to 10 years.
  - The others IPC provisions that are invoked is relating to unnatural practices is Section 377 this is generally invoked when boy are sexually abused. Although forcible sex with the boy is Act of rape, the rape law of the country under Indian Penal Code, 1860 does not cover it.
  - Outraging the modesty of a woman or a girl is dealt in section 354.
  - For insulting modesty of women is in section 509.
  - Obscenity and pornography are dealt under the Young persons (harmful publications) Act, 1956. Young person means a person under the age of 20 years it is an offence to sell, let, Hire, distribute or publicly exhibit harmful Publications.
  - Under section 67 of the information technology act 2000, Publication and transmission of pornography through the internet is an offence.

Inadequacies in Indian Penal Code, 1860 laws:

The ordinary criminal laws are very inadequate to protect the children who are victims of sexual abuse. These sections do not include the common forms the child sexual abuse not the impact on the children. The restrictive interpretation of "penetration" in the explanation of section 375 is an obstacle to cases of CSA. Explanation to Section 375 does not treat sexual intercourse by husband against the wife as an offence. Section 376(A) also has the same reasoning. The IPC needs to be reviewed.

The existing definitions of rape and molestation should be suitably amended to adequately address the various type of sexual assault on children. In fact, sexual assault on children should be made a specific offence requiring stringent punishment. There is no provision to deal with the trauma of the child. The police / judge/prosecutor magistrate does not record the testimony of the child victim sensitively. Recording of the statements of child victim needs special provisions in the CrPC. There is no such provision at present.

Trained personnel should be interviewed the victim children. The language of the child is to be understood by the legal system. Under the present system the natural habitat of the victim is generally disturbed, which is a source of trauma to the child. The delays in the system in every stage for the add to the trauma of the child victim. There are several cases pending in the courts as a trial goes on for the years. In several cases pending in the court the girls have become adults by the time the final judgment comes through. The investigation of trial of sexual offences have to be made time bound.

Special courts need to be set up. There is a need for special provision relating to medical examination of child victim in the CrPC. The absence of a proper medical report in the case of sexual assault goes against child assaulted in the mental health of victim needs to be attended, as a trauma has to be reduced.

### **RECOMMENDATIONS:**

The committee's ultimate goals are to identify what is known about commercial sexual exploitation and sex trafficking of minors and to define Strategies for improving prevention identification of and interventions of victims and survivors of these crimes. Guiding the work was done by 3 principles:

1. Commercial sexual exploitation in sex trafficking of minor should be understood as acts of abuse and violence against children and adolescence.
2. Minors who are commercially sexually exploited or trafficked for sexual purposes should not be considered criminals.
3. Action of victims and survivors and any intervention, above all, should do no the further harm to any child or adolescent.

Hence the recommendations include strategy for increasing awareness and understanding among professionals and the public, including children and adolescents, for strengthening the laws response, as well as research, interventions and collaboration among essential partners, for evaluating current in future programs; and for creating a digital Information-sharing platform to

promote communication and coordination among providers, professionals and the public also provided is guidance on key implementation strategies for the recommendations by an array of individuals and entities.

### **OVERALL CONCLUSION:**

After reviewing all the evidences and circumstances starting to recognizing, understanding, and developing solution for commercial sexual exploitation in sex trafficking of minors lays emphasis on the following overall conclusions:

1. There is a substantial and compelling evidence that commercial sexual exploitation in sex trafficking of minors in the country are serious problems with immediate and long-term adverse consequences for children and adolescence, as well as for families communities and society as a whole.
2. Efforts to prevent the commercial sexual exploitation in sex trafficking of minors in the country are essentially but largely absent.
3. Efforts to identify and respond to the commercial sexual exploitation in sex trafficking of minors in the country are emerging with some noteworthy examples with efforts to date a largely unsupported, insufficient, uncoordinated, and unevaluated.
4. Effort to prevent, identify and respond to Commercial sexual exploitation and sex trafficking of minors in the country require collaborative approaches that build upon the core capabilities of people and entities from a range of sectors.
5. To address commercial sexual exploitation and sex trafficking of the minors in the country need to confront demand and individual to come in and benefit from these crimes.

The above conclusions reflect the need for action. The evidence, all the Limited identify the serious and largely an address issue that requires a national response. This calls for nothing short of a Paradigm shift from treating victims in survivors of commercial sexual exploitation and sex trafficking of minors is criminals to understanding and recognizing commercial sexual exploitation and sex trafficking of minors is form of child abuse. Realizing such a profound change will require significant and sustain efforts among numerous partners. This study and this moment as a critical turning point in the Nations approach to Commercial sexual exploitation in sex trafficking of minors in the country.

“Nobody can give you freedom. Nobody can give you equality or justice or anything. If you're a man, you take it”

– Malcolm X

## **DOOM OF INDIAN JUDICIARY**

*Rashmi Jain, BBA-LLB, VI Sem.*

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*“The prospect of Indian judiciary never seemed so faint”*

The future of Indian judiciary shrouded in darkness and uncertainty as of the cancer-like-corruption that has been spreading. What once started like a spark from government offices has now grown into a huge wildfire engulfing even the great judiciary. Powers were vested in the respective high courts to be impartial and to play a crucial role in the deliverance of justice, which no longer is the case.

The judiciary has a power to be not answerable to any other organ, this power has turned out to be tainted by the hands of men on whom this power has been entrusted.

The quote “Absolute power corrupts absolutely” seems to get its proof. The judicial system in every state must be impartial and the judges should strive to keep up its respect. They must provide justice to the people without any fear in their hearts and favour in their guts. The question arises when some of the judges bend to misuse the powers within the temple of justice and pronounce coloured judgments under influence in connivance with corrupt bureaucrats, politicians and non-governmental organizations in the society. Because of this the faith in judiciary is failing through its judges.

Judiciary is one of the strongest pillars of democracy, which is ought to be independent and impartial. If the judiciary involves itself in corruption, who else would gather the unfathomable fight of righteousness against all evil. There were some examples in the past that happened and because of it one should not ease the fidelity in Indian judiciary. However, this is not the first time when the members of higher judiciary expressed such strong opinion but also in the past they spoke through their judgements. It means that the Judges are independent enough from the Chief Justice of India. In fact, law says Judges are independent enough from judicial system if they feel that the decision which is taken by them is good for society at large and taken in good faith. Under article 142 of the Constitution of India, 1950 the judges of the Supreme Court have the power to disregard any provision of any law, if they feel that it is necessary for accomplishing complete justice. When an unprecedented move was made by the four most eminent judges of the Supreme Court to call forth a press conference to air their grievances against the Chief Justice of India. Reputation of the Supreme Court touched its new nadir. To put forward before the nation issues about survival of institution of judiciary and Democracy in India. The impromptu press conference not only called into question the assignation of the benches in certain cases by the master of roster but also hinted that there is something wrong with the judiciary in India and that it must be fixed for democracy to survive. And many-a-times in the history Indian judiciary stood out of their own by giving the judgements against the politicians even though they were threatened. Thus, it is important to take the stand if anything is not correct or not going with the law. One should not be biased while he or she is taking the

decisions in the good of the society at large because eventually it will affect the society. If this tussle continues and the Chief Justice of India decides matters in his own ways, the faith of the public in the Indian judiciary, which is already in the wane would totally cease one day and that day when the faith dies, justice will merely be a theory in jurisprudence and law.



## INTERVIEW WITH K. ALTAF HUSSAIN

(9<sup>th</sup> Special Metropolitan Magistrate at the criminal court, Nampally)

*Interview conducted by Istiaq Hussain, BBA-LLB, VIII Sem.*

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*“Truth is what always wins”*

Lower courts are the only places where there is the utmost contact between judges and the people. These courts directly affect the lives and faith of the people. For this special edition of the student magazine, I have chosen a man who has lived in this field since 23 years.



K. Altaf Hussain, is a Special Metropolitan Magistrate, at the criminal court of Hyderabad, Nampally. He has been practicing since 1995 and was appointed as the 9<sup>th</sup> Special Metropolitan Magistrate in 2013. He is also in charge of the FAC (Full Additional Charge).

**So you have been working in the position since the past 5 years, how would you like to summarise your experience?**

The reduction of crime rate in the society is the chief aspect of the judiciary. For this change of reduction to be permanent, several hard and ingenious steps are to be employed. Some of the steps or techniques may include imprisonment of the convicted. Though the imprisonment of these may be short term i.e. up to 2 to 3 days, it does make a huge impact on the reoccurrence of the offence. **“In my opinion, traffic violation requires a criminal rendering and merely the payment of the penalty cannot fulfil it.”**

“In my opinion when I first entered my court, I recognised the incompetence of the punishments being given. I have been attempting through my work a series of examples to make the people vigilant.”

Recently, he jailed 10 parents for allowing their minor children to drive, under section 180 of The Motor Vehicle Act, 1988.

**How do you think judiciary shapes one's life?**

“Higher court create phenomenon but lower courts direct the public. The public then executes the phenomenon in the society.”

**If you could live your university life again from the start, what would you do differently this time?**

I would study harder. The lack of academic knowledge is lethal. I had to study most criminal principles again and trust me, it is very hard without your lecturers. I would probably change my occupation of bunking classes to an actual student. One would always want to see into the future.

**What do you think are the mistakes that lawyers do?**

Most of the lawyers try to persuade a client to hire them as their council despite their lack of grip or understanding in that area of law, merely for a petty amount of money. It is the duty and responsibility of lawyers to strive for justice above everything.

“For a fresh lawyer, it takes a long course of learning and experience before he is able to have a steady income. Patience and determination never go un-awarded for.”

**How do you deal with the stress?**

Stress is due to uncertainty and doubt in you. The best way to not be stressed is to enjoy in what you do.

“The beginning of everything from personal life to the ladder of career is filled with potholes of anxiety and bother, but with a little time and belief, you shall and will overcome it all and excel at it.”

**What are your final words of advice to the students reading this interview?**

Strive to make our society better. Better not by heft degrees or by towering heaps of money, but by values and morals in small things.

## **IT WILL COME**

*Anant Agarwal, BBA-LLB, II Sem.*

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It will come,  
It will come one day,  
The day of the doomed it will be,  
And the Earth will be set free,

Free from the gunfires  
Free from the bloodshed  
Free from the living  
And free from the dead

Free from marching armies  
Free from politics  
It will balance out  
All the crosses and ticks

It's a silent war  
We are raging against ourselves  
Before it's too late  
Humanity is what I delve.

[The poem (the coverpage) is based on the recent bombings in Syria]

## **CREASED PAPER**

*Sanchit Halder, BBA-LLB, II Sem.*

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A thousand words,  
Preserved through time,  
In the yellow pages of the  
Creased paper,  
Someone lives the  
Immortal life,  
Countless Laughs  
Hidden beneath the crease,  
Tumbling out in the open,  
And countless tears,  
Of pain and happiness,  
Soaked in the canvas,  
Drying up in time,  
Page one...Page two...Page three...  
And then creased again,  
This time a new page,  
A white one,  
For someone else,  
In some other time.

## FACTS DEBUNK

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I think it is time for us all to know bit more about our history, not who killed whom but what did we invent, there is no debate about Zero or Pi but other than mathematics Indian scholars gave bunch of useful gifts to the world.

### 1. We liked out board...

India has gifted board games like Snake and Ladder and Chess.

**Gyandev invented Snakes & Ladder in the 13th century.** *Snakes & Ladders was originally called as 'Mokshapat'*

*Now that's not surprising people! We gave chess to the world and that too during Gupta Empire around 6th century AD. And do you what it was called then, "Ashtapada".*

### 2. Who likes to wash Hair.

Other than games and maths, Indians were also beauty conscious, they took extra care of their skin and their hair. Hey do you know Shampooing is actually an Indian Concept. *Shampoo was derived from the word 'Champo' originally used by Nawabs of Bengal and Mughal Rulers around 1760 as hair cleansers.*

### 3. Technology, we got it.

**Indian Scientist, Jagdish Chandra Bose invented the technology of Wireless Communication.** *He demonstrated radio waves in the year 1895, two years before Marconi. Not only that first airplane was made by an India names Shivkar Bapuji Talpade in 1895, eight years before Wright Brothers. Earliest Evidence of weighing scale can be traced back to Indus Valley Civilization back in 2400 BC. Bose-Einstein condensates were first predicted theoretically by Satyendra Nath Bose (1894-1974), an Indian physicist who also discovered the subatomic particle named for him, the boson. Bose was working on statistical problems in quantum mechanics, and sent his ideas to Albert Einstein.*

### 4. Exact time of Earth's Orbit

*Yes, we Indians were also the genius in astronomical sciences. Bhaskaracharya was the first person to calculate the exact time taken by earth to complete one round of sun's orbit. And the value identified was 365.258756484 days.*

### 5. In our defense.

*Martial art in different form was created, practiced and propagated in India.*

<https://www.thebetterindia.com/81513/ancient-martial-arts-training-india/>

(The facts were collected by Niharika Gayakwad, BBA-LLB, 2<sup>nd</sup> year)

## **MEDIA AND ETHICS – AN ANALYSIS**

*Santosh, BBA-LLB, VIII Sem.*

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Media plays a very important role in disseminating information in our society through the means of broadcasting. Information and ideas are able to reach and penetrate the public through broadcasted media such as television, radio, internet, and etc. However, there are restriction and limitation pertaining to the amount of truth that can be implemented and that is how censorship policy comes about. So what is censorship policy? Censorship policies are policies that are created to filter the content in media that can be considered as sensitive, harmful, inappropriate and even malicious. On the other hand, there is freedom of expression but what exactly is freedom of expression? Based on Google, the meaning of freedom expression is the freedom to speak freely without censorship or limitation, or both. That is only providing if the speech or act does not cause conflict or pose any threat to the public's interests. Freedom of expression also acts as a channel that allows the public to voice their opinions and views.

Based on my understanding in Broadcasting Act 1988, I've to disagree with the statement because freedom of expression and censorship policy are both essential to a country's development and growth. Censorship policy is a necessity to media because contents that are published through the media must always be checked and filtered in order to prevent harmful and misleading contents to reach the public. Examples are sex-related scenes, violence and gore scenes, and some to the extent of causing racial controversy among the people. It is true that the contents found in media are not 100% true and authentic; However if too much truth and info are exposed to the public, then how certain are we that the public are ready to accept all the facts?

Secondly, freedom of expression is essential for a democratic country to grow and develop succeeding without the abuse of power. Freedom of expression also allow different views and opinions to be voiced out to the public and a country such as Malaysia that has citizens of diverse race, religion, and culture can share their beliefs and be more aware. In addition, freedom of expression has many beneficial effects to society. Freedom of expression also opens opportunity for citizens to take part in decision making of the country such as the rights to vote. Furthermore, citizens can voice out their thoughts and opinion freely without being judged. We refer to freedom of expression rather than freedom of speech because it is more accurately conveyed that it does not have to be words that is said but by the acts that we did.

However, freedom of expression may cause harm to others and if it is not controlled properly, libel and slander might occur and conflict will happen. A good example will be the case of Wee Meng Chee aka Namewee that has caused a racial controversy by putting a video of our national anthem with racial slur in it. So this is why freedom of expression should be controlled even though it is necessary for a democratic society. As we can see, freedom of expression and censorship policy synchronizes together and a democratic country could not grow with just one and without the other.

That boils up to the point, is all this restriction and limitation really necessary and needed? I will say it's very important to be able to balance both freedom of expression and censorship policy. We need to have strong moral values in order to be able to filter contents that are useful and contents that may be harmful and malicious. We the people of the country are actually the cause of all the conflict and controversy that has happened in our nation. As long as we are not

educated with proper moral values and ethics, there will always be issues regarding censorship policy and freedom expression. There is a saying: "With great power, comes great responsibility". Based on that quote, I believe that both freedom of expression and censorship policy can be a very useful tool if we were to use it wisely but it can also be a very destructive weapon if we do not imply wisdom in using it.

There must be boundaries and limitation concerning freedom of expression because more and more individual are starting to rise up and make a stand by voicing out their opinion. It is a good thing that we are able to listen and share different views and opinion. If freedom of expression is used with the intent of helping others and bringing unity then those kinds of acts and speeches should not be blocked and restricted. A very good example pertaining to good use of freedom of expression is the issue of Martin Luther King. Quoting from his speech, he said that we should face hostility with peace. If the public can have a mature and rational thinking like Martin Luther King then freedom of expression can lead to a good thing.

The government should control the public from delivering hate speech but they shouldn't restrict and stop the public from expressing honest opinion or we as a nation would always be distorted and blinded with lies. The case of Irene Fernandez has sparked up a very sensitive issue among the public. Irene Fernandez published a report on the living conditions of the migrant workers entitled "Abuse, Torture and Dehumanized Conditions of Migrant Workers in Detention Centres" and she was detained and charged for maliciously publishing false news. Malaysia is recognized as a democratic country with variety of races, religion, and culture and Malaysia supports freedom of expression but the charge of Irene Fernandez has bring about confusion to the public. It is said that we have the freedom of expression but the arrest of Irene Fernandez has proven that we do not really have the freedom of expression rather it is just a cover up done by the government. We the people make the government so henceforth if we can grow to be a wise and developed society, then freedom of expression and censorship policy can be a channel for us to share beliefs and opinion without worrying that conflicts might spark.

### **Ethics of journalism**

The ethics of journalism is one of the most well-defined branches of media ethics, primarily because it is frequently taught in schools of journalism. Journalistic ethics tend to dominate media ethics, sometimes almost to the exclusion of other areas. Topics covered by journalism ethics include:

- News manipulation. News can manipulate and be manipulated. Governments and corporations may attempt to manipulate news media; governments, for example, by censorship, and corporations by share ownership. The methods of manipulation are subtle and many. Manipulation may be voluntary or involuntary. Those being manipulated may not be aware of this.
- Truth. Truth may conflict with many other values.
  - Public interest. Revelation of military secrets and other sensitive government information may be contrary to the public interest, even if it is true. However, public interest is not a term which is easy to define.
  - Privacy. Salacious details of the lives of public figures is a central content element in many media. Publication is not necessarily justified simply because the information is true. Privacy is also a right, and one which conflicts with free speech.

- Fantasy. Fantasy is an element of entertainment, which is a legitimate goal of media content. Journalism may mix fantasy and truth, with resulting ethical dilemmas.
- Taste. Photo journalists who cover war and disasters confront situations which may shock the sensitivities of their audiences. For example, human remains are rarely screened. The ethical issue is how far one risk shocking an audience's sensitivities in order to correctly should and fully report the truth.
- Conflict with the law. Journalistic ethics may conflict with the law over issues such as the protection of confidential news sources. There is also the question of the extent to which it is ethically acceptable to break the law in order to obtain news. For example, undercover reporters may be engaging in deception, trespass and similar torts and crimes.

### **Ethics of entertainment media**

Issues in the ethics of entertainment media include:

- The depiction of violence and sex, and the presence of strong language. Ethical guidelines and legislation in this area are common and many media (e.g. film, computer games) are subject to ratings systems and supervision by agencies. An extensive guide to international systems of enforcement can be found under motion picture rating system.
- Product placement. An increasingly common marketing tactic is the placement of products in entertainment media. The producers of such media may be paid high sums to display branded products. The practice is controversial and largely unregulated. Detailed article: product placement.
- Stereotypes. Both advertising and entertainment media make heavy use of stereotypes. Stereotypes may negatively affect people's perceptions of themselves or promote socially undesirable behavior. The stereotypical portrayals of men, affluence and ethnic groups are examples of major areas of debate.

### **Media and democracy**

In democratic countries, a special relationship exists between media and government. Although the freedom of the media may be constitutionally enshrined and have precise legal definition and enforcement, the exercise of that freedom by individual journalists is a matter of personal choice and ethics. Modern democratic government subsists in representation of millions by hundreds. For the representatives to be accountable, and for the process of government to be transparent, effective communication paths must exist to their constituents. Today these paths consist primarily of the mass media, to the extent that if press freedom disappeared, so would most political accountability. In this area, media ethics merges with issues of civil rights and politics. Issues include:

- Subversion of media independence by financial interests.<sup>[2]</sup>
- Government monitoring of media for intelligence gathering against its own people.

## **Media integrity**

Media integrity refers to the ability of a media outlet to serve the public interest and democratic process, making it resilient to institutional corruption within the media system,<sup>[3]</sup> economy of influence, conflicting dependence and political clienteles. Media integrity encompasses following qualities of a media outlet:

- independence from private or political interests
- transparency about own financial interests
- commitment to journalism ethics and standards
- responsiveness to citizens

The **5 core principles** which media should follow are:

1. Truth and accuracy :  
Journalists always cannot guarantee “truth”, but getting the facts right is the cardinal principle of journalism. We should always strive for accuracy, give the all relevant facts we have and ensure that they have been checked.
2. Independence:  
Journalist must have independent voices; they should not act formally or informally or on behalf of special interest whether political, corporate, or cultural.
3. Fairness and impartiality;  
The media should act as fairness and impartially such as balanced and no  
Obligation to present in every side in every piece. object is always not possible .
4. Humanity:  
As far as I am concerned apart from the a normal common man journalist must have more humanity. Journalist should not do harm, the harm caused by the journalist is harm caused to society which is more dangerous. Whatever they publish or broadcast must be careful as it might hurt the sentiments of people.
5. Accountability:  
A sure sign of professionalism and responsibility journalism is ability to hold their accountability. When they commit any error we must correct it and our expression of regret must be sincere not cynical.

## **Impartiality and objectivity in the media world:**

As consumers of the media, the public has every right to assume that everything published by media source is true, unless noted. To be impartial is to be unbiased, fair and just. They are host of ethics issues that can arise in the world of professional media. But some of the most important issues are those concerning defamation, libel and slander. These three terms are often confused with each other. Libel and slander fall under defamation. Defamation is the false or unjustified injury of good reputation of another, as by slander or libel. In the media world reputation is extremely important. For some it is all they have going for them. When an individual’s reputation has been tarnished, the party that is responsible, if it is not the person him/her must answer to the law.

## **Responsibilities of media in democracy:**

With regard to the responsibility of media in an efficient democratic set-up, there are some dos and don'ts that need to be followed. The responsibility is never on the positive side of achieving, but that also has the duties to control and check any degradation of the procedure and ceases the spreading the ill-effects.

### **DO'S for the media:**

First let us discuss about the responsibility of media towards democracy-

#### **1. Maintain transparency in Government:**

This is the most important feature, as the political world can never be visualized in their factual manner by common man. It is only the media retains the power to reach the Government and its ministers and expose the realistic picture to the world.

#### **2. Revealing the truth in the acceptable form without creating agitations:**

Revealing truth is easier in comparison to expressing the same in a socially acceptable form. Especially in country like India, exposing the truth of the Government to the people is as challenging as a democratic set-up.

#### **3. Help people in nourishing their rights:**

Media definitely have the duty to help the citizens nourish their rights. On the same hand they need to check whether the citizens are exercising their rights in correct manner.

#### **4. Expose and challenge both the consensus of government and its people:**

Media has the toughest job to check both its citizens and government And its citizens. They need to play the role of two-edge sword which need to be handled with utmost caution.

#### **5. Debate- encouragement and criticism to dig out loop holes:**

Any democracy can give its best, when they can understand their strong and weak points. Media is the one which can open up the debate and welcome the appreciation and criticism to open up the loop holes and make the government to understand its significance.

#### **6. Build a sense of patriotism within the citizens:**

Media can have a positive radiance that could circulate a positive aura the amongst the masses who could drive out their energy in cleaning up the political sewer and save the nation from dooming down.

#### **7. Find a free way out for the free press:**

Free press can help a lot in maintaining the democratic set-up. With a flair for media to fly they can achieve the untouchable limits and help out the functioning of the democracy.

### **DON'TS of media in democracy:**

- 1. Twisting facts:** The information should be as it is; facts should not be deliberately twisted to create sensation.
- 2. Paid news:** Media should not get involved in creating news, media's responsibility is to report news no to create.

# **LOOKING BACK AT GST'S: AN IDEA IS NOW NEAR REALITY**

*Saloni Sharma, BBA-LLB, VI Sem.*

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## **Introduction-**

Goods and services tax law in India is a comprehensive multistage destination based that will be on every value addition in simple words GST it on the supply of goods and services. GST law has been replaced by indirect tax that previously existed in India.

The goods and services tax is a concept that simplifies a giant tax structure by supporting and enhancing the economic growth of a country GST is a comprehensive tax levy on manufacturing sale and consumption of goods and services at a national level<sup>1</sup>. The goods and services tax bill or GST bill also referred to as a Constitution 122<sup>nd</sup> Amendment Bill 2014 initiates a value added tax to be implemented on a national level in India GST will be an indirect tax all the stages of production to bring about uniformity in the system.

On bringing GST into practice there would be amalgamation essential and state taxes into a single tax payment. It would also enhance the position of India in both domestic as well as international market. At the consumer level GST would reduce the overall tax burden which is currently estimated at 25 to 30%.

In order to avoid the payment of multiple taxes such as excise duty and service tax at Central level and VAT at the state level GST would unify these taxes and create a uniform market throughout the country integration of various taxes into GST system will bring about an effective cross utilization of credits the current system takes taxes production where as GST will aim to tax consumption.

Experts have enlisted the benefits of GST as under-

- 1) It would introduced two tiered one country one tax regime.
- 2) It would sub some all the indirect taxes at the center in the state level.
- 3) It would not only widen the tax Regime by covering goods and services but also make it transparent.
- 4) It would free the manufacturing sector from cascading effects of taxes thus by improving the cost competitiveness of goods and services.
- 5) It would bring down the prices of goods and services and thus by increase consumption

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<sup>1</sup> The Economic Times (2009) Featured Articles from the Economic Times.

- 6) It would create business friendly environment thus by increase GDP tax ratio.
- 7) It would enhance the ease of doing business in India.

### **Why no to GST?**

However the question is: is the picture is Rosy as it is portrayed??

Wall Street from Goldman Sachs in a a note ‘India: Q and A on GST-growth impact could be Muted’. Has put out estimates that show that the Modi Government Model for the goods and services tax will not release growth will push up consumer price inflation and may not result in increased tax revenue collections<sup>2</sup>.

There appears to be certain loopholes in the proposed GST tax regime which may be detrimental in delivering the desired results they are-

India has adopted dual GST instead of national GST. It has made the entire structure of GST fairly complicated in India. The centre will have to co-ordinate with 29 states and 7 union territories to implement such tax regime is likely to create economic as well as political issues the states are likely to lose the say in determining rates is implemented. The sharing of revenues between the States and the Center is still a matter of contention with no consensus arrived regarding the revenue neutral rate.

Chief economic advisor Arvind Subramanyam on 4th December 2015 suggested GST rates of 12% for concessional goods,17 to 18% for standard goods and 40% for luxury goods which is much higher than the present maximum service tax rate of 14%. Such initiate is likely to push inflation.

The proposed GST structure is likely to succeed only if the country has a strong IT network it is well known for fact that India is still in the budding state as far as Internet connectivity is concerned. Moreover, the proposed region seems to ignore the imaging sector of e-commerce.

E-Commerce does not leave signs of the transaction outside the Internet and has anonymity associated with it. As a result it becomes almost impossible to track the business transaction taking place through Internet which can be business to business, business to customer, or customer to customer. Again, there appears to be no clarity as to whether a proud product under the concept of e-commerce. New techniques can be developed to track such transactions but until such Technologies become readily accessible. Generation of tax revenue from this sector would continue to be uncertain and much below the expectation. Again E-Commerce has been insulated against taxation

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<sup>2</sup> Mehra P (2015) Modi govt.’s model for GST may not result in significant growth push. The Hindu.

under custom duty moratorium on electronic transmissions by WTO Bali ministerial conference held in 2014<sup>3</sup>.

While presenting the budget of Delhi last month finance minister Manish Sisodia announce and expenditure of rupees 102 crore on training of teachers and principals in the new fiscal year. This was just Rs.9.4 crore last year Sisodiya said his aim was to bring Government schools to world class standards in Delhi while one would have to wait and see whether these goals are realised, improving learning outcomes and perception of Government schools seems to be national problem. Recent National Sample Survey Organization (NSSO) report shows that a majority of students studying in private schools do so to make sure that they get better quality education. The survey was conducted between January and June 2014<sup>4</sup>.

### **The proposed GST regime appears to be unfavorable for telecommunication sector as well-**

"One of the major drawbacks of the GST regime could be direct spike in the service tax rate from 14% to 18%" (GST impact on the telecommunication sector in India). The proposed GST appears to be silent on whether telecommunication can be considered under the category of goods or services. The entire issue of Telecommunication sector assumes a series proportion when India's rural teledensity is not even 50%.

### **The proposed GST Regime intends to keep petroleum products, electricity, real estate and liquor from human consumption out of purview of GST-**

Is a well known fact that petroleum products have been a major contributor to inflation in India. Inflation in India depends on how long the government intends to include petroleum products under GST in future.

Again there appears to be lack of consensus over fixing the revenue rate as well as threshold limit. One thing is for sure, services in India going to be steeply costly if GST is fixed above the present service tax rate of 14% which in turn will spiral up inflation in India. "Asian countries which implemented GST all had witnessed retail inflation in the year of implementation<sup>5</sup>".

### **What are the components of GST?**

There are 3 applicable taxes under GST: CGST, SGST & IGST.

- **CGST:** Collected by the Central Government on an intra-state sale (Eg: Within Karnataka)
- **SGST:** Collected by the State Government on an intra-state sale (Eg: Within Karnataka)

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<sup>3</sup> Sardana M (2005) Evolution Of E-Commerce In India Part 3

<sup>4</sup> SKP (2014) GST: Impact on the Telecommunications Sector in India.

<sup>5</sup> Patrick M (2015) Goods and Service Tax: Push for Growth. Centre for Public Policy Research (CPPR).

- **IGST:** Collected by the Central Government for inter-state sale (Eg: Karnataka to Tamil Nadu)

In most cases, the tax structure under the new regime will be as follows:

Transaction	New Regime	Old Regime	
Sale within the State	CGST + SGST	VAT + Central Excise/Service tax	Revenue will be shared equally between the Centre and the State
Sale to another State	IGST	Central Sales Tax + Excise/Service Tax	There will only be one type of tax (central) in case of inter-state sales. The Center will then share the IGST revenue based on the destination of goods.

Illustration-

A dealer in Maharashtra sells goods to a consumer in Maharashtra worth Rs.10,000 with GST rate is 18%, comprising CGST of 9% in SGST of 9%. In such cases, the dealer collects Rs.1800 and of this amount, Rs. 900 will go to the central government and Rs. 900 will go to the Maharashtra government. Now, let us assume the dealer in Maharashtra has sold the goods to a dealer in Gujarat worth Rs 10,000.

The GST rate is 18% comprising on only IGST. In such case, the dealer has to charge rupees 1800 as a IGST. This ICST revenue will go to the central government.

### What changes does GST bring in?

Before GST, tax on tax was calculated and tax was paid by every purchaser including the final consumer. The taxation on tax is called the **Cascading Effect of Taxes**.

GST will improve the collection of taxes as well as boost the development of Indian economy by removing the indirect tax barriers between states and integrating the country through a uniform tax rate.

Illustration:

Say a shirt manufacturer pays Rs. 100 to buy raw materials. If the rate of taxes is set at 10%, and there is no profit or loss involved, then he has to pay Rs. 10 as tax. So, the final cost of the shirt now becomes Rs (100+10=) 110.

At the next stage, the wholesaler buys the shirt from the manufacturer at Rs. 110, and adds labels to it. When he is adding labels, he is adding value. Therefore, his cost increases by say Rs. 40. On top of this, he has to pay a 10% tax, and the final cost therefore becomes Rs. (110+40=) 150 +10%tax=Rs.165.

Now, the retailer pays Rs. 165 to buy the shirt from the wholesaler because the tax liability had passed on to him. He has to package the shirt, and when he does that, he is adding value again. This time, let's say his value add is Rs. 30. Now when he sells the shirt, he adds this value (plus the VAT he has to pay the government) to the final cost. So, the cost of the shirt becomes Rs. 214.5 Let us see a breakup for this:

Cost = Rs. 165 + Value add = Rs. 30 + 10% tax = Rs. 195 + Rs. 19.5 = Rs. 214.5  
So, the customer pays Rs. 214.5 for a shirt the cost price of which was basically only Rs. 170 (Rs 110 + Rs. 40 + Rs. 30). Along the way the tax liability was passed on at every stage of transaction and the final liability comes to rest with the customer. This is called the **Cascading Effect of Taxes** where a tax is paid on tax and the value of the item keeps increasing every time this happens.

Action	Cost	10% Tax	Total
Buys Raw Material @ 100	100	10	110
Manufactures @ 40	150	15	165
Adds value @ 30	195	19.5	214.5
Total	170	44.5	214.5

In the case of Goods and Services Tax, there is a way to claim credit for tax paid in acquiring input. What happens in this case is, the individual who has paid a tax already can claim credit for this tax when he submits his taxes.

In our example, when the wholesaler buys from the manufacturer, he pays a 10% tax on his cost price because the liability has been passed on to him. Then he adds value of Rs. 40 on his cost price of Rs. 100 and this brings up his cost to Rs. 140. Now he has to pay 10% of this price to the government as tax. But he has already paid one tax to the manufacturer. So, this time what he

does is, instead of paying Rs (10% of 140=) 14 to the government as tax, he subtracts the amount he has paid already. So, he deducts the Rs. 10 he paid on his purchase from his new liability of Rs. 14, and pays only Rs. 4 to the government. So, the Rs. 10 becomes his input credit. When he pays Rs. 4 to the government, he can pass on its liability to the retailer. So, the retailer pays Rs. (140+14=) 154 to him to buy the shirt. At the next stage, the retailer adds value of Rs. 30 to his cost price and has to pay a 10% tax on it to the government. When he adds value, his price becomes Rs. 170. Now, if he had to pay 10% tax on it, he would pass on the liability to the customer. But he already has input credit because he has paid Rs.14 to the wholesaler as the latter's tax. So, now he reduces Rs. 14 from his tax liability of Rs. (10% of 170=) 17 and has to pay only Rs. 3 to the government. And therefore, he can now sell the shirt for Rs. (140+30+17) 187 to the customer.

Action	Cost	10% Tax	Actual Liability	Total
Buys Raw Material	100	10	10	110
Manufactures @ 40	140	14	4	154
Adds Value @ 30	170	17	3	187
Total	170		17	187

In the end, every time an individual was able to claim input tax credit, the sale price for him reduced and the cost price for the person buying his product reduced because of a lower tax liability. The final value of the shirt also therefore reduced from Rs. 214.5 to Rs. 187, thus reducing the tax burden on the final customer.

### **Conclusion-**

Every concept has both positive and negative aspects. Just on the basis of some negative aspects, a system cannot be just torn out which has many big long term advantage. Thus the GST should be widely accepted and supported because similar to the Demonetization Policy, this will also come up with flying colors.

As correctly said, “GST is like that one slightly expensive and bitter pill given by the doctor instead of various pills. Now it is your call whether you want to take that one pill or go for many”.

(The above is submitted by Saloni Sharma for the competition of Lovely Professional University, which secured 4<sup>th</sup> position in the essay writing competition.)

## GOOD READS

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### A HAUNTED HOUSE

*-VIRGINIA WOOLF*

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Whatever hour you woke there was a door shunting. From room to room they went, hand in hand, lifting here, opening there, making sure—a ghostly couple. "Here we left it," she said.

And he added, "Oh, but here too!" "It's upstairs," she murmured. "And in the garden," he whispered "Quietly," they said, "or we shall wake them." But it wasn't that you woke us. Oh, no. "They're looking for it; they're drawing the curtain," one might say, and so read on a page or two.

"Now they've found it," one would be certain, stopping the pencil on the margin. And then, tired of reading, one might rise and see for oneself, the house all empty, the doors standing open, only the wood pigeons bubbling with content and the hum of the threshing machine sounding from the farm. "What did I come in here for? What did I want to find?" My hands were empty.

"Perhaps it's upstairs then?" The apples were in the loft. And so down again, the garden still as ever, only the book had slipped into the grass. But they had found it in the drawing room. Not that one could ever see them. The window panes reflected apples, reflected roses; all the leaves were green in the glass.

If they moved in the drawing room, the apple only turned its yellow side. Yet, the moment after, if the door was opened, spread about the floor, hung upon the walls, pendant from the ceiling—what? My hands were empty. The shadow of a thrush crossed the carpet; from the deepest wells of silence the wood pigeon drew its bubble of sound. "Safe, safe, safe," the pulse of the house beat softly.

"The treasure buried; the room... "The pulse stopped short. Oh, was that the buried treasure? A moment later the light had faded. Out in the garden then? But the trees spun darkness for a wandering beam of sun. So fine, so rare, coolly sunk beneath the surface the beam I sought always burnt behind the glass.

Death was the glass; death was between us; coming to the woman first, hundreds of years ago, leaving the house, sealing all the windows; the rooms were darkened. He left it, left her, went North, went East, saw the stars turned in the Southern sky; sought the house, found it dropped beneath the Downs. "Safe, safe, safe," the pulse of the house beat gladly. "The Treasure yours." The wind roars up the avenue. Trees stoop and bend this way and that. Moonbeams splash and spill wildly in the rain. But the beam of the lamp falls straight from the window. The candle burns stiff and still. Wandering through the house, opening the windows, whispering not to wake us, the ghostly couple seeks their joy.

## **Our Invisibility Cloak**

*Niharika Gayakwad, BA LLB, IV Sem*

When duty to save Suez Canal from the war and attacks was given to a magician named Maskelyne, he decided to use big cart wheeling flashlights to cover the canal, it was considered highly impractical by the officers at that time but it worked. Whenever enemy came to attack it, the lights were turned on and the helicopters were unable to see the water or their reflection in the water, this is the reason why Suez Canal did not get destroyed because of an illusion because the enemies couldn't see what was right in front of them covered in the cloak of the sparkle.

We are facing the similar situation around where there is an important issue of Farmers right in front of our eyes, all we notice is death of a famous actress or ban on a famous film or fashion show happening around the state. Media is unenthusiastic to show us the reality that is necessary to be conveyed, rather they have focused on the news which is more spicy but rather useless. With all the sympathies for the actress and her family, I have to say that her death was paid far more importance that too in a time where there was an issue prevailing which needs attention of the government and of the people.

India has always been an agrarian nation and our farmers are our strength, but we are not bothered about their strength, physical strength and financial strength. India is a country to country to secure buffer stock of two years which is an achievement. How do you think this buffer was even achieved, by praying to God, I guess not. Farmer of this nation work day and night and they work hard to produce grain, it is because of them that we do not need to grow food on our soil for two years in case of emergency, are we thankful, I guess not.

In our country farmers play an important role and yet they are ignored and deprived. Ignored of their rights and privileges. They make sure that there is food in our plate and we are least to know about their hunger, who is supposed to satiate their hunger. All farmers demanded was government to purchase the crops so that they can cope up with the loss and can at least look forward to have a life. For that, for a basic right, they had to rally and march for weeks, just for government to look at them and notice their problem. Media would have played a great role but all it decided to do was to highlight the issue of protest, protest not of farmers but by a sect of people who confused fiction as history. Second time when the rally was held again, Media hid the fact by covering it with the death of an actress.

Why these illusions are used, what is it that government does not want us to see, what is the reason that even media has lost its sense of sensibility. This ignorance of media and government has led to the suicide of so many farmers and still we are not at all bothered. They are suffering and they are exploited; exploited by government, by middleman by every single person in process of selling and distributing of crops. Do they not deserve to be heard, do they not deserve to raise their voice, do they not deserve to be noticed, where is media when we need it.

Media is too busy talking about important issues like Maut ka Bathub and dropping one I from Padmavati.

It is necessary for the viewers to realize the difference between news and necessary news. For how long will we be bedazzled with fake glitter.

## QUIZ

Q1. It is the third largest two wheeler manufacturer in India, founded in 1978 where it belongs to the Iyengar community of Tamil Nadu. Its products are motorcycles, scooters, three wheeler vehicles and spare parts. Its parent company is Sundaram-Clayton Limited. The company even shared a relationship with Suzuki for 19 years. What is this company?

1. Mahindra
2. Tata Motors
3. Hero Motors
4. TVS

Q2. This person was the earliest Indian feminist and started the first school for girls in India.

1. Sarojini Naidu
2. Jyothiba Phule
3. Savitribai Phule
4. Bal Gangadhar Tilak

Q3. It is a series of fortifications made of stone, brick, tamped earth, wood and other materials. It was generally built along an east to west across the northern borders to protect the states and empires against the raids and invasions of various nomadic groups.

1. The Colosseum
2. Carnac- Megalithic Standing Stone in France
3. Great Wall of China
4. Mysterious stone Wall

Q4. Choose the correct option:

1. Indira Gandhi's constituency was Delhi
2. Kiran Bedi was the first female IAS Officer
3. Sucheta Kriplani was the first female Chief Minister
4. Sarojini Naidu served in World War I

Q5. The tale of two cities is based on which two cities?

1. New York and Paris
2. London and New York
3. Manchester and Paris
4. London and Paris

Q6. Which part of the digestive system behaves as a human being?

1. Large intestine
2. Mesentery
3. Small intestine
4. Pancreas

Q7. Which country has a ministry of suicide?

1. Russia
2. Norway
3. Denmark
4. Canada

Q8. Which park is famous for the great Indian one-horned rhinoceros?

1. Jim Corbett
2. Gir National Park
3. Kaziranga National Park
4. Nehru Zoological Park

Q9. Which of the below is not a book by Stephen Hawking?

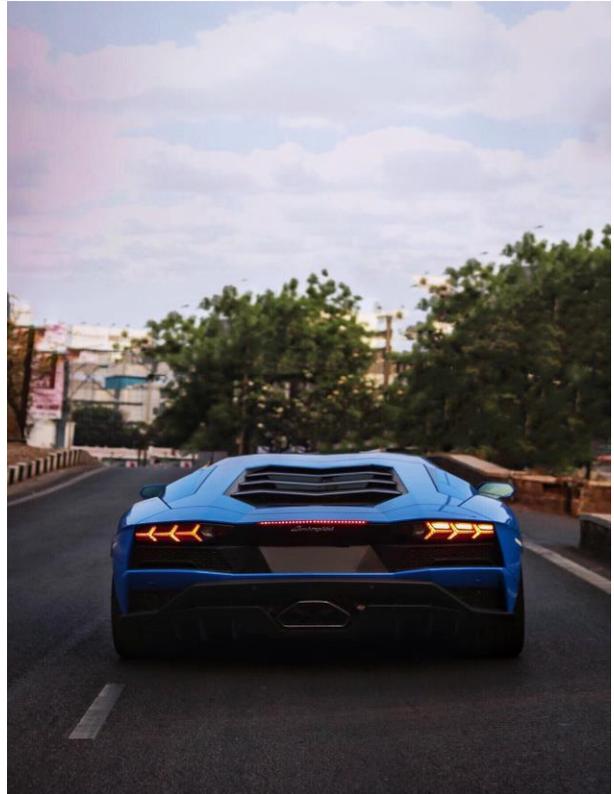
1. Theory of Everything
3. Universe in a Nutshell
3. Physics of the Impossible
4. Brief History of Time

Q10. Who was the first Asian to win the Nobel Prize?

1. Rabindranath Tagore
2. Leo Esaki
3. Chandrashekhara Venkatesan Raman
4. Abdus Salam

## PHOTOGRAPHY

*Sarath Chandra, BBA LLB, II Sem*



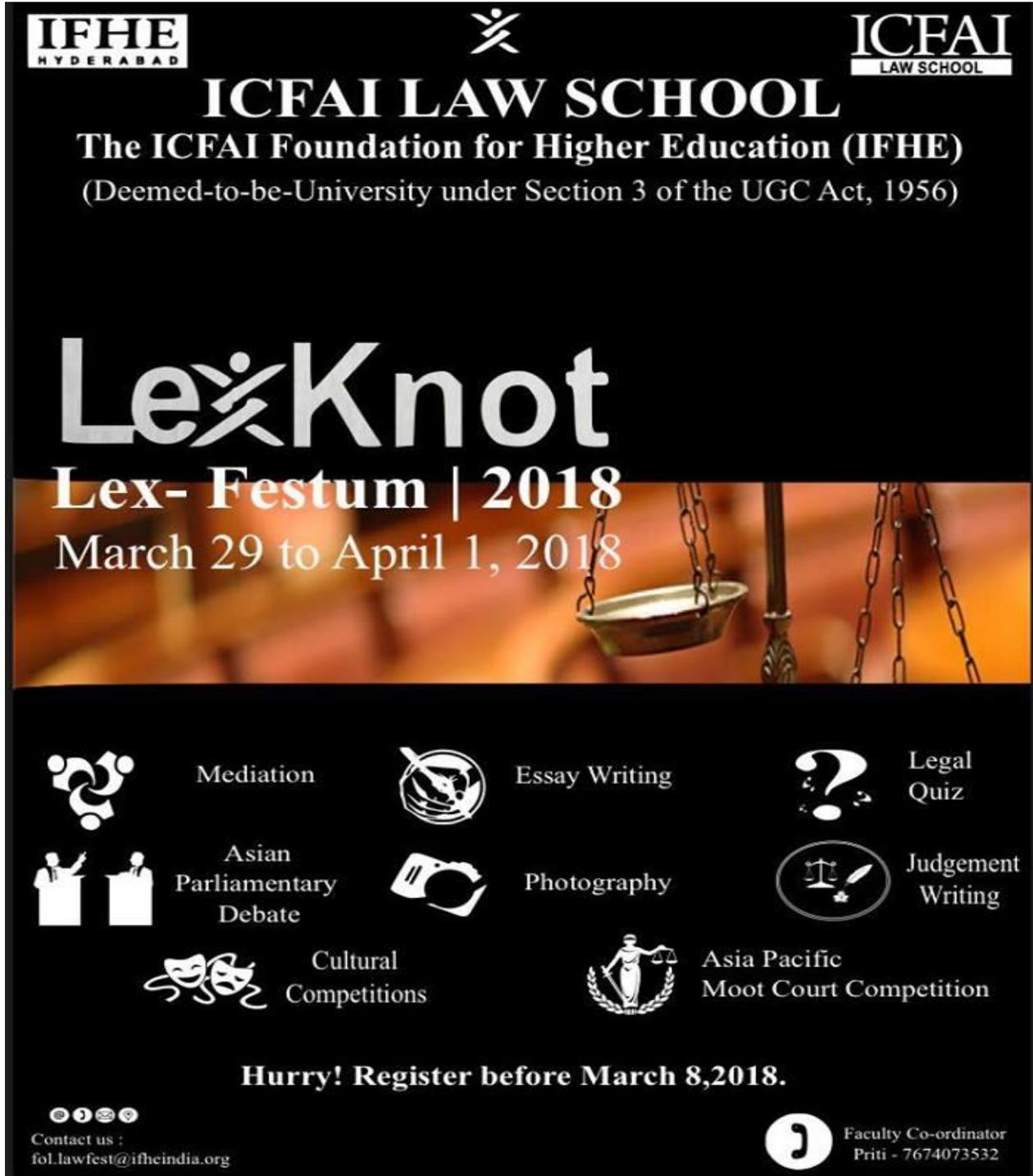
Follow him on instagram @supercarhomework

## Upcoming Event

SECOND EDITION OF LEX-KNOT 29 MARCH '18 TO 01 APRIL '18.

A NATIONAL LEVEL LAW COMPETITIONS.

WATCH THIS SPACE FOR MORE UPDATES ON LEX-KNOT 2018



The poster features a black background with white text and icons. At the top left is the IFHE Hyderabad logo, and at the top right is the ICFAL Law School logo. The central text reads 'ICFAI LAW SCHOOL' in large, bold letters, followed by 'The ICFAL Foundation for Higher Education (IFHE)' and '(Deemed-to-be-University under Section 3 of the UGC Act, 1956)'. Below this is the event title 'Lex-Knot Lex-Festum | 2018' and the dates 'March 29 to April 1, 2018'. A background image of a scale of justice is visible. The bottom section lists seven activities with corresponding icons: Mediation (two people talking), Essay Writing (pen and paper), Legal Quiz (question mark), Asian Parliamentary Debate (two speakers), Photography (camera), Judgement Writing (scales and pen), Cultural Competitions (masks), and Asia Pacific Moot Court Competition (figure with scales).

**IFHE**  
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**ICFAI**  
LAW SCHOOL

**ICFAI LAW SCHOOL**  
The ICFAL Foundation for Higher Education (IFHE)  
(Deemed-to-be-University under Section 3 of the UGC Act, 1956)

**Lex-Knot**  
**Lex-Festum | 2018**  
March 29 to April 1, 2018

 Mediation

 Essay Writing

 Legal Quiz

 Asian Parliamentary Debate

 Photography

 Judgement Writing

 Cultural Competitions

 Asia Pacific Moot Court Competition

**Hurry! Register before March 8,2018.**

Contact us :  
fol.lawfest@ifheindia.org

 Faculty Co-ordinator  
Priti - 7674073532