



**RAMAIAH**  
College of Law

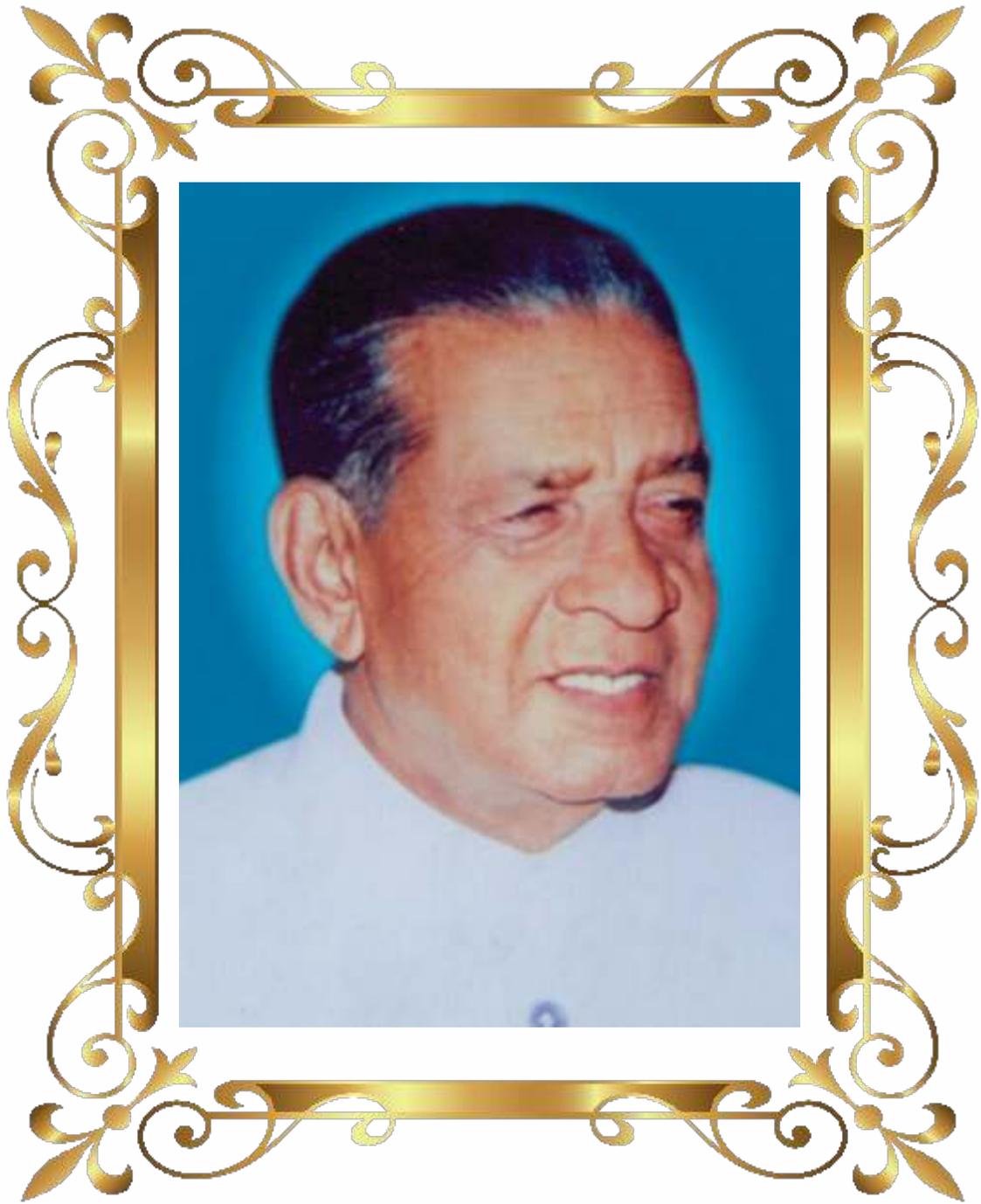
# LEGALIA

2017 - 2018



## RCL - RANKING

- Ranked 12<sup>th</sup> amongst 'India's Top Professional Law Colleges' by Outlook -Survey, 2017.
- Ranked 9<sup>th</sup> in India's Best Private Law Colleges in India by Careers 360, in January, 2017.
- Ranked 5<sup>th</sup> in the category of Excellence and 6<sup>th</sup> Rank in the Southern Region conducted by GHRDC in 2017.
- Ranked 16<sup>th</sup> in India's Best Law Colleges by India Today, 2017.



**Dr. M.S. Ramaiah**  
Hon'ble Founder Chairman  
Gokula Education Foundation  
20/04/1922 - 25/12/1997

## **Vision**

To make Legal Education the preferred course of learning for the discerning intellect.

## **Mission**

- To expose all students to as many facets of human endeavor as possible, building in them a sense of moral, ethical and social responsibility in the discharge of their duty in the profession of their choice.
- To inculcate in students the universal nature of law and the need to understand its application for the well being of human kind.

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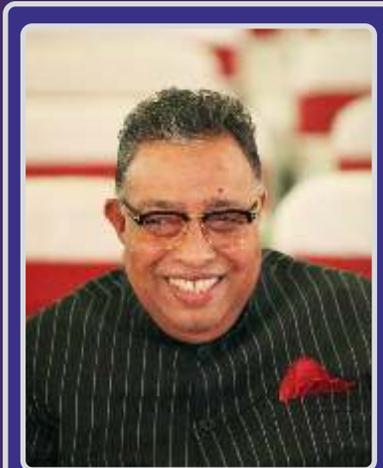
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## **Dr. M. R. Jayaram**

Hon'ble Chairman  
Gokula Education Foundation  
(Founders of Ramaiah Educational Institutions)

## Message

I am happy to learn that Ramaiah College of Law is bringing out its Magazine “**LEGALIA**” for the academic year 2017 -18.

The Gokula Education Foundation, a Public Charitable Trust whose mission is to enable “through work in healthcare and education, to move the society towards harmony and inclusiveness”. Hence all the educational initiatives undertaken by the Foundation primarily focuses on renewing the desire for knowledge and wisdom among the educands as envisaged by its founder Late Dr. M. S. Ramaiah.

A wise and just legal system makes the world a better place to live in. Ramaiah College of Law is committed to its tradition of imparting quality legal education through varied media with a humane touch and produce not just lawyers but also social engineers. The College Magazine is one such medium wherein the students can contribute their perspectives and ideas on challenging societal issues and come up with literature which helps in enhancing the present legal system. The Magazine also serves as a tool for the Institution to share its thoughts, principles and achievements to the legal fraternity.

I congratulate the Principal, Members of the Editorial Committee, Faculty, Contributors and all others who have contributed in bringing out this magazine successfully.

A handwritten signature in black ink, appearing to read 'M. R. Jayaram', written in a cursive style.

### **Dr. M. R. Jayaram**

Hon'ble Chairman  
Gokula Education Foundation  
(Founders of Ramaiah Educational Institutions)



### **Sri. M. R. Seetharam**

Vice Chairman, G.E.F. and Director,  
Ramaiah Institute of Technology  
Ex-Minister, Government of Karnataka

## Message

Congratulations once again to the team of Ramaiah College of Law, for bringing out its college magazine “**LEGALIA**” for the year 2017-18.

Confidence doesn't come when you have all the answers. But it comes when you are ready to face all challenges. Be kind, be fair, be human, be honest, be true, all these things will come back to you.

I wish each and every student a very bright and prosperous future and all the success.

Best wishes and warm wishes.

### **Sri. M. R. Seetharam**

Vice Chairman, G.E.F. and Director,  
Ramaiah Institute of Technology  
Ex-Minister, Government of Karnataka



## **Sri M. R. Anandaram**

Hon'ble Director  
Ramaiah College of Law, Bengaluru

## Message

It is my pleasure to learn that Ramaiah College of Law is releasing the college magazine “**LEGALIA**” for the year 2017-18 showcasing the academic and cultural talents of the students, faculty and staff.

College magazines are source of inspiration for students, teaching and non-teaching staff to express their creativity. Our teaching staffs are determined to provide best legal education with teaching, class seminars and Moot Court Competitions.

It has been our constant endeavour to install in ethical values of our students, making them socially responsible citizens. Our extracurricular programs combined with curricular activities to ensure that what we profess we achieve.

I take this opportunity to wish you all success in future endeavours.

A handwritten signature in blue ink, appearing to read 'M.R. Anandram'.

**M.R. Anandram**

Director



## **Sri. B.S. Ramaprasad**

Chief Executive  
GEF (Engg. & General Sciences)

## Message

I am happy to know that Ramaiah College of Law, one of the leading private law colleges in the country, is bringing out its Annual Magazine “**LEGALIA**” for the year 2017-18. To become a successful lawyer, proficiency in language and the ability to articulate one’s thoughts effectively through a medium of writing is essential. This College Magazine provides a nurturing platform for the student community in developing this fundamental skill in voicing their opinion.

I am certain that this edition will receive a great response. My best wishes to the Principal, the Editorial Team and all the Contributors to the Magazine.

A handwritten signature in black ink, appearing to read 'B.S. Ramaprasad'.

## **B.S. Ramaprasad**

Chief Executive



**Dr. (Smt.) Manjusree Mishra**  
Principal  
Ramaiah College of Law

## Message

Ramaiah College of Law strives to provide quality legal education, focusing on building a theoretical foundation supplemented by dynamic practical exercises to familiarize students with the current legal profession. We instill a sense of ethical and social responsibility in our students, motivating them to work towards bringing social change through law, while ensuring that they receive proper training in communication skills and interpretation of facts necessary for a promising career in law. The institution is strongly committed to learning and creation of new knowledge, and encourages students to pursue excellence in all academic endeavors.

The present issue of our college magazine “**LEGALIA**” represents the talent, effort and dedication of our students, who are the pride of the institution. I would like to express my deep gratitude to all the contributors and the editorial committee for this literary achievement.

A handwritten signature in black ink, appearing to read 'Manjusree Mishra'.

**Dr. (Smt.) Manjusree Mishra**  
Principal



**Mr. Omprakash**  
Chief Editor

## Message

It gives me immense pleasure to present before our readers the annual magazine for the academic year 2017-2018.

The college continues to strive its efforts in achieving excellence in delivering legal education to its students. The students again this year too have made the Institution proud by bagging four ranks in the KSLU examination. The performance shown by our students in academic, co-curricular and extra-curricular activities continues to be commendable once again.

The college magazine portrays the ideas, thoughts, and the views of our dear students and provides a platform to exhibit their skills.

I acknowledge the efforts of all the members of the editorial committee and the members of the office staff for their continuous assistance in bringing out the college Annual Magazine and I welcome valuable comments and suggestions.

A handwritten signature in black ink, appearing to read 'Omprakash'.

**Omprakash**  
Chief Editor

## Magazine Editorial Committee



**Dr. (Smt.) Manjusree Mishra**  
Principal  
Chair Person



**Mr. Omprakash**  
Assistant Professor of Law  
Chief Editor

## Editors



**Ms. Ramya. V**  
Assistant Professor, (SOC.)



**Dr. A. Mumtaj**  
Research Officer



**Ms. Vanitha D. M**  
Clerk



**Ms. Nikhila S. Tigadi**  
Assistant Professor of Law



**Ms. P. Vaishnavi Narayeni**  
Assistant Professor of Law

Published by Research, Consultancy and Extension Centre, RCL

## Governing Council

- |  |                    |
|--|--------------------|
| 1. Hon'ble Mr. Justice Rajendra Babu, <small>Former Chief Justice of India</small>               | Chairperson        |
| 2. Honb'le Dr. Justice K. Bhakthavatsala, <small>Hon'ble Chairman, KSAT</small>                  | Member             |
| 3. Honb'le Mr. Justice A.V. Chandrashekara, <small>Former Judge, High Court of Karnataka</small> | Member             |
| 4. Prof. Dr. V. Vijayakumar, <small>Professor of Law, NLSIU</small>                              | Member             |
| 5. Dr. M.R. Pattabhiram, <small>Director, RCL</small>  | Member             |
| 6. Sri. M.R. Ananadaram, <small>Director, RCL</small>  | Member             |
| 7. Sri. M.T. Nanaiah, <small>Senior Advocate</small>   | Member             |
| 8. Sri. M. Partha, <small>Advocate &amp; Syndicate Member, KSLU</small>                          | University Nominee |
| 9. Sri. G. Ramachandra, <small>Chief Executive (Engg. &amp; GS)</small>                          | Member-Secretary   |
| 11. Dr. Manjusree Mishra, <small>Principal, RCL</small>  | Member-Secretary   |
| 12. Mr. Omprakash, <small>Assistant Professor, RCL</small>                                       | Member             |
| 12. Dr. A. Mumtaj, <small>Research Officer, RCL</small>  | Member             |



## Full Time Faculty Members

Dr. Manjusree Mishra	Principal
Mr. Omprakash	Assistant Professor (Law)
Mr. Vivek Shukla	Assistant Professor (Law)
Ms. Rhea Roy Mammen	Assistant Professor (Law)
Ms. Th. Nanaomacha	Assistant Professor (Law)
Ms. Nikhila S. Tigadi	Assistant Professor (Law)
Mr. Sanjeeb Kumar Mishra	Assistant Professor (Law)
Ms. Rajashree. K	Assistant Professor (Law)
Ms. Tulika Shree	Assistant Professor (Law)
Ms. Sangeetha Murali. S	Assistant Professor (Law)
Ms. Shibu Sweta	Assistant Professor (Law)
Ms. P. Vaishnavi Narayeni	Assistant Professor (Law)
Ms. Ramya V.	Assistant Professor (Sociology)
Ms. Brinda Balaji	Assistant Professor (Political Science)
Ms. Roshni Sharma	Assistant Professor (Political Science)
Mr. Chetan B. Singhai	Assistant Professor (Political Science)
Mr. Basavarajaiah M.S.	Assistant Professor (Economics)
Dr. A. Mumtaj	Research Officer
Mr. Siddappa. N. C.	Physical Education Instructor

### Visiting Faculty

Ms. Vidyashree. K.S  
Ms. Krupaja Karnick  
Ms. Shimreichon A. Shimray  
Mr. Sudhanshu Singh  
Ms. Chetana  
Mr. V.S. Nayak  
Ms. Nidhi Sinha  
Mr. B.S. Bhargava  
Ms. Sadhvi C. Kanth  
Mr. Deepak Bhaskar  
Ms. Kshama Naragund

### Non-Teaching Staff

Mr. Ranganathappa. D  
Mr. Umesha D  
Mr. Chandrashekar V  
Ms. Vanitha D. M  
Ms. Nalini Srinivas  
Mr. Isaac  
Mr. Ejaraiah  
Mr. Reddy Prasad  
Mr. John Benny  
Mr. Ramesh  
Mr. Mahadeva  
Ms. Indrani

### Library Staff

Mr. Shekarappa  
Mr. Naveen Kumar  
Mr. Ravishankar. G. K  
Mr. Srikanth Reddy  
Mr. Govinda

## Excellence in Academics

### KSLU Rank Holders 2012-17 Batch



**Ms. Jaithra Narayan**  
I Rank & Gold Medalist



**Ms. Jasleen Kaur**  
II Rank



**Ms. Sonal Priya**  
VII Rank



**Ms. Rhea Roy Varghese**  
IX Rank

## Felicitation of Rank Holders



University Rank holders were felicitated by Dr. Jayaram, Chairman, GEF, Sri. B. S. Ramaprasad, Chief Executive, GEF, Sri. G. Ramachandra, Chief of Finance, GEF and Dr. Manjusree Mishra, Principal were present during the occasion.

## Students who secured 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> position in the Academic Year 2016-2017

### 1<sup>st</sup> Year (I & II Semester)

Sl. No	Name of the Students	Marks	Rank
1	Aishwarya M R	501	I
2	Nachiket Joshi	499	II
3	Neha Chaturvedi	458	III

### 2<sup>nd</sup> Year (III & IV Semester)

Sl. No	Name of the Students	Marks	Rank
1	Bharati T V	574	I
2	Bhargavi M	561	II
3	Advaith Rao	530	III

### 3<sup>rd</sup> Year (V & VI Semester)

Sl. No	Name of the Students	Marks	Rank
1	Bhavya Golecha	667	I
2	Arihant Nahar	591	II
3	Vinith Mathew	590	III

### 4<sup>th</sup> Year (VII & VIII Semester)

Sl. No	Name of the Students	Marks	Rank
1	Ankita Sharma	629	I
2	Vidyashree K S	576	II
3	Ridima Sinha	574	III

### 5<sup>th</sup> Year (IX & X Semester)

Sl. No	Name of the Students	Marks	Rank
1	Jaithra J Narayan	583	I
2	Madhujia Ritwika	573	II
3	Vishnupriya Shivashankar	548	III

## 7<sup>th</sup> M.S. Ramaiah Memorial National Moot Court Competition, 2017

The 7<sup>th</sup> M.S. Ramaiah Memorial National Moot Court Competition, 2017 was organized by RCL from 8<sup>th</sup> to 10<sup>th</sup> September, 2017 on the recently debated topic 'Beef Ban in India' and witnessed participation from forty three law schools across India. The competition was inaugurated on 8<sup>th</sup> September, 2017 by Hon'ble Mr. Justice V. Gopal Gowda, Former Judge, Supreme Court of India. It was done in the presence of Dr. V. Vijayakumar, Professor of Law, NLSIU, Bengaluru, Dr. M.R. Jayaram, Chairman, GEF, Sri. G. Ramachandra, Chief of Finance, GEF and Dr. Manjusree Mishra, Principal, RCL.

The final round of the competition was judged by Hon'ble Mr. Justice Raghavendra S. Chauhan, Hon'ble Mr. Justice B. Veerappa and Hon'ble Mr. Justice B.A. Patil, Hon'ble Judges, High Court of Karnataka. The School of Legal Studies, CMR University, Bengaluru were the Winners of the Competition and ILS Law College, Pune were the Runner Up. The teams won a cash prize of Rs. 25,000/- and Rs. 20,000/- respectively along with a six-month subscription of Manupatra for each member of the team.

The awards for the Best Speaker and Best Researcher along with a cash prize of Rs. 5,000/- were bagged by Mr. Saunak Kumar Rajguru, KIIT (Deemed to be University), Bhubaneshwar & Mr. Praveen S. Tomar, NLUJA, Assam, respectively. The Best Memorial award along with a cash prize of Rs. 5,000/- was awarded to KIIT (Deemed to be University), Bhubaneshwar.



## Surana & Surana National Tort Law Moot Court Competition and Judgment Writing Competition 2018

In association with Surana & Surana International Attorneys, RCL organized the 1<sup>st</sup> edition of the 'National Tort Law Moot Court Competition and Judgment Writing Competition, 2018' on 9<sup>th</sup> to 11<sup>th</sup> March, 2018. The competition was inaugurated by Hon'ble Mr. Justice Aravind Kumar, Judge, High Court of Karnataka. Sri. B.V. Acharya, Senior Advocate, was the Guest of Honor, Dr. S. Ravichandra, Advocate & Head - Academic Initiatives, Surana & Surana International Attorneys, Dr. M. R. Jayaram, Hon'ble Chairman, GEF, Sri. G. Ramachandra, Chief of Finance, GEF & Dr. Manjusree Mishra, Principal, RCL were also present on the occasion. The competition intended to promote interest amongst the law students in the area of Tortious Liability. 37 Law Schools from all over India participated in this venerated moot court competition.



The semi-final round was adjudged by Mr. B.V. Acharya, Mr. S.P. Shankar, Mr. M.B. Nargund, Mr. Dhyan Chinappa, Mr. Shashikiran Shetty, Designated Senior Counsels, High Court of Karnataka. The Final round was presided by Hon'ble Mr. Justice Vineet Kothari, High Court of Karnataka; Hon'ble Mr. Justice B.A. Patil, High Court of Karnataka and Hon'ble Mr. Justice Sudhindra Rao, High Court of Karnataka.



The results of the competition are as follows:

Winners	Government Law College, Mumbai
Runner-Up	National Law Institute University, Bhopal
Best Speaker in Finals	Mr. Soham Bannerjee, Government Law College, Mumbai
The Best Student Advocate	Ms. Vibhaa, Sastra (Deemed to be University), Tanjavur
Best Researcher	Mr. Kritanjali Sardaa, Christ (Deemed to be University), Bengaluru
Winner (Judgement Writing)	National University of Advanced Legal Studies, Cochin
Runner Up (Judgement Writing)	Amity Law School, Noida



In addition to the moot court competition, a Researchers' Test and Judgment Writing Competition was also organized. The researchers' test was conducted to appreciate the researching skills of the participants and to award the outstanding researcher.

## Surana & Surana International Essay Competition on Media & Communication Laws, 2017

RCL in collaboration with Surana & Surana International Attorneys, Chennai organized the International Essay Competition on “Media & Communication Laws: National and International Perspectives” between 1<sup>st</sup> April to 30<sup>th</sup> June, 2017. Over hundred entries were received from the participants across the globe. The top three entries and the next twelve entries received cash prizes of Rs. 25,000/-, Rs. 15,000/-, Rs. 10,000/- and Rs. 1,000/-, respectively and were selected to be published in the form of a book. The Prize Distribution Ceremony was held on 18<sup>th</sup> November, 2017. Hon’ble Mr. Justice N. Kumar, Former Judge, High Court of Karnataka, Mr. Kalyan Jhabak, Partner, Surana & Surana International Attorneys, Dr. S. Ravichandran, Head- Academic Initiatives, Surana & Surana International Attorneys and Dr. Manjusree Mishra, Principal, RCL were present for the occasion.



## Ramaiah Inter-varsity Debate Tournament 2017

Ramaiah College of Law organized the II Edition Ramaiah Inter-varsity Debate Tournament, 2017 from 27<sup>th</sup> to 29<sup>th</sup> October, 2017. The Tournament witnessed intense debate where in around 36 teams hailing from the colleges across the country and spanning all courses; from engineering to law. The tournament followed the British Parliamentary format of debating.

The Core adjudicators for the tournament included Mr. Vinodhan Kuppusamy, distinguished debater from the University of Malaya, Finalist of ESL, the Worlds Universities Debating Championship 2017 which was held in the Netherlands, Mr. Trishal Kumar, a graduate of PESIT, has gained a vast experience in debate during his student life and known for establishing PESIT debating society, Mr. Manav Garg, an alumnus of Indian Institute of Technology, Kharagpur, has tremendous experience as a core adjudicator at a plethora of tournaments, Ms. Manasa Aluru, Winner of India’s largest Debating tournament, the NLSD 2017, Ms. Shreya Menon, 3<sup>rd</sup> year student of the Sri Ram College of Commerce, Delhi has excellent debating

skills, Mr. Souradip Sen, one of India's most celebrated debaters, with breaks in the prestigious WUDC as a Speaker as well as an Adjudicator is more appreciated for his contribution in setting up deep and thought provoking motions though in his absence in the tournament. The motions debated in the tournament ranged from Queer Coding, International relations, sports to Banking, LGBT rights and Due process.

The Winners of the Ramaiah IV, 2017 were the team from Jindal Global Law School, consisting of Mr. Sudarshan Srikanth and Mr. Abhishek Navatia. The Winners and other finalist teams received a cash prize of Rs. 20,000/- and Rs. 4,000/- each, respectively. Mr. Harshavardan R. and Mr. Goutham Bhaskar Surapinni, Jindal Global Law School were the Novice Winners. Mr. Dhanush Dinesh, NLSIU and Mr. Abhishek Navatia, Jindal Global Law School was declared as Best Adjudicator and Best Speaker, respectively. The Novice Winners and the other awardees received a cash prize of Rs. 4,000/- each.



### **Inter Collegiate Basket Ball Tournament, 2017**

The College in association with KSLU organized KSLU Inter Collegiate Basketball Tournament and Selection Trails 2017-18 on 14<sup>th</sup> & 15<sup>th</sup> September, 2017. Thirteen colleges participated in the Tournament.

The Tournament was inaugurated by Sri. G. Ramachandra, Chief of Finance, GEF, Sri. Krishnegowda, President, Basketball Association, Dr. Manjusree Mishra, Principal, RCL, Sri. Siddappa N.C., Physical Education Instructor, RCL, were present during the occasion. The Tournament saw JSS Law College, Mysuru clinching the Winners Trophy. Sheshadripuram Law College, Bengaluru were First Runner Up and K. L. E. Law College, Bengaluru were Second Runner Up.



## Guest Lectures

- Mr. S.P. Shankar, Designated Senior Counsel, delivered a talk on “Pardoning Power of President and Governor” on 23<sup>rd</sup> September, 2017.
- Mr. S.P. Shankar, Designated Senior Counsel, inaugurated the “Procedural Law Lecture Series” and addressed the students on ‘Significance of Procedural Laws in India’ on 14<sup>th</sup> October, 2017.
- Hon’ble Mr. Justice. A.V. Chandrashekhara, Former Judge, High Court of Karnataka inaugurated the “Alternative Dispute Resolution Society” on 11<sup>th</sup> November, 2017 and delivered a lecture on “The Importance of various ADR Mechanisms and Techniques”.
- Dr. Guru Prasad, Chief Executive, GEF (Medical), delivered a lecture on “Death Penalty in India” on 27<sup>th</sup> November, 2017 as a part of Law Day Celebration.
- Mr. S. P. Shankar, Designated Senior Counsel, addressed the students on “Sec. 3 of Indian Evidence Act, 1972” on 21<sup>st</sup> February, 2018.
- Ms. Meena Waghray, Advocate, High Court of Karnataka, delivered a lecture on “Mediation” on 16<sup>th</sup> March, 2018.
- Ms. Shobha Kalro delivered a lecture on “Implications of Child Sexual Abuse” on 17<sup>th</sup> April, 2018.
- On 17<sup>th</sup> April, 2018, Mr. Prasad Subbanna delivered a lecture on “ADR & Mediation” for the students.
- Mr. Kunal Ambasta, Assistant Professor (Ad Hoc), NLSIU, Bangalore delivered a lecture on “Criminal Procedure in Cr.P.C for the students on 20<sup>th</sup> April, 2018.

## Initiatives

### **Consultation to the National Education Policy-2018**

RCL has extended research consultation to the Committee to draft the National Education Policy 2017-18, constituted by the Ministry of Human Resource Development, Government of India. The College had deputed a faculty member for the period of six months to engage in the process of research consultancy. In addition to overall consultation, the RCL has engaged in specialist consultations on reforms in legal education. This is the only law college in the country extending contribution to the cause of education and the nation.

### **International Collaboration**

RCL has been identified as one of the five educational institutions to partner with the European Commission project on Developing Faculty Skills (DeFASK). Three faculty members from the College have been nominated to pursue the training programme from 2018-2023. As part of the project, faculty members in addition to the training on interdisciplinary pedagogy and research, institutional partners will develop an online (MOOCs) course on the learning outcomes of the project. Both knowledge creation and dissemination will be coordinated via online programmes at the RCL.

### **MoU with the Akshaya Patra Foundation**

RCL signed a MoU with The Akshaya Patra Foundation on 3<sup>rd</sup> August, 2017. In furtherance to the MoU, RCL has undertaken two projects with the organization on issues relating to Right to Food and Mid-day Meal Scheme.

### **Certificate Course on Human Rights Law**

RCL under the affiliation of Karnataka State Law University, Hubballi has introduced a six months 'Certificate Course on Human Rights Law' which intends to sensitize and develop a basic understanding of human rights and its enforcement. It is also to create an awareness to promote tolerance, gender equality and harmonious co-existence among social, cultural, ethnic, religious and linguistic groups.

### **Post Graduate Diploma Course on Cyber Law and Information Technology Law**

RCL under the affiliation of Karnataka State Law University, Hubballi has introduced Post Graduate Diploma in Cyber Law and IT Law. This

course has been introduced by the College acknowledging the increasing importance of Cyber Law in the present day.

### **Research, Consultancy and Extension Centre**

On 30<sup>th</sup> November, 2017, RCL inaugurated 'Research, Consultancy and Extension Centre' to promote College as a 'Centre of Excellence' through interdisciplinary research, making it an integral part of the Institution's academic function and outcome; and dedicated to advancing, applying and facilitating high standards of innovative and collaborative research. To mark the inauguration of the Center, Poster-Making Competition was organized on 13<sup>th</sup> November, 2017 on various contemporary issues.

### **Go Green Club**

The club has worked towards a green campus by setting up the IQAC room with the essentials that were made out of waste products. The waste baskets, pen stands, table cloth, posters, trays, files etc. were all made out of waste materials such as newspaper, used plastic bottles etc.

### **ADR Society**

The college has established the ADR society with the following objectives: Bring about a General awareness of Alternative Dispute Resolution System in its content, context, meaning and purpose; Promote Alternative Dispute Resolution Methods; Conduct regular Alternative Dispute Resolution training sessions in a robust combination of theoretical application and practical experience for student members to inculcate in them ADR habits etc.

### **Inauguration of the Electoral Literacy Club**

The college inaugurated Electoral Literacy Club (ELC) on 9<sup>th</sup> February, 2018 with the object to spread awareness regarding the importance of voting in elections. Mr. Sanjiv Kumar, I.A.S., Chief Electoral Officer and Ex-Officio Additional Chief Secretary, Government of Karnataka was the Chief Guest, Dr. Manjusree Mishra, Principal and the Faculties of RCL were present on the occasion.

The club members distributed pamphlets to spread awareness on 'Right to Vote'. Poster making competition was also organized. As a part of the ELC activities, film screening of the movie "Newton" was organized on 17<sup>th</sup> February, 2018.

### **Celebration of IP Week**

On the occasion of International IP Day, RCL celebrated IP Week from 23<sup>rd</sup> to 26<sup>th</sup> April, 2018. To create awareness and provide specialized training to the students, competitions on IP, workshops and training programs were conducted.

IP Club was launched on 26<sup>th</sup> April, 2018. Ms. Anubha Shukla and Ms. Divya Srinivasan from Cell for IP Promotion & Management (CIPAM), Department of Industrial Policy & Promotion conducted sessions on 'Promotion of Geographical Indications and Recent Initiatives by the Government in the Area of IP'.

Workshop and competition was also conducted in association with IIT, Kharagpur on 24<sup>th</sup> & 25<sup>th</sup> April, 2018 'Copyright in Cyberspace'. Adv. Muhammed Rafeeqe addressed the students and shortlisted 5 students for the National rounds to be held in IIT Kharagpur Campus. Mr. Nikhil E, I Year B.A.,LL.B. Ms. Apoorva B.N & Ms. Varsha S. Jain II B.A.,LL.B. Mr. Mohit Jain & Mr. Subramanya V. Mysore, IV Year B.A.,LL.B. will represent RCL in the National rounds.

### **Introduction of BBA., LL.B. & B.Com., LL.B.**

The college has sought the approval from KSLU and BCI for introducing BB.A.,LL.B. & B.Com.,LL.B. Course from the academic year 2018-19.

### **Language Lab**

The college has set up an English Language Lab to assist students who have language barrier. The lab is also customized with legal terms which are essential for the law students.

## Class Representatives 2017-18

Name of the Students	Semester
Mr. Debayan Chakarborthy Ms. Akshita Shrivastava	I Year 'A'
Mr. Pratik R. Dawda Ms. Nidhe Sushrutha	I Year 'B'
Mr. Nachiket Joshi Ms. Aishwarya V. Ravidranath	II Year 'A'
Mr. Shubham N.M. Ms. Shubhangi Kriti Nair	II Year 'B'
Mr. Manoj Kumar J.Y. Ms. Gowri Sanjay Savkoor	III Year 'A'
Mr. Niropo Sukirthy V. Ms. Sanjana A.	III Year 'B'
Mr. Ayush Mishra Ms. Anusha Nagavarupu	IV Year 'A'
Mr. Vinith Mathew Ms. Maya Roy	IV Year 'B'
Mr. Akhil Yajaman Ms. Debalina Deb	V Year 'A'
Mr. Tanmay Thomas Ms. P. Varsha	V Year 'B'

## **Committee Reports**

## Placement & Outreach Cell

Ramaiah College of Law has set up the trend of not only imparting quality education but also facilitates the students in building their career through its active placement cell. Our students have proved their mettle year after year by getting placed in some of the most reputed organizations in the country and abroad. More than 25 organizations visited our college this year viz., multinational companies, law firms, NGOs, reputed advocates and start-ups. Our outgoing batch of 2018 has made us proud with placement percentage of 75 % and with the good pay package received by the students this year.

Companies/Law firms and LPO's recruited the students are as follows:

Thomson Reuters	Mumbai
Thomson Reuters	Noida
Exide Life Insurance	Bangalore
Pramata Legal	Bangalore
Wipro India Pvt Ltd.	Bangalore
Lexport	Bangalore
Uday Shankar Associates	Bangalore

## Moot Court Committee

RCL has industrious Mooters society formed with an intent to inculcate the art of mooting and advocacy skills amongst the students. In that respect, moot court committee hones the skills of the students by providing them with the apt training and platform by way of organizing Intra & Inter- Moot Court Competition. The training involves legal orientation to the students to make them understand about the factual analysis, research, memorial drafting, oral presentation and moot manners. For the academic year 2017-18, the students have participated and won the accolades in various National & International Moot Court Competitions. The list of the achievement of the students for this academic year as follows:

Moot Court Competition	Date	Participants	Position
<b>1<sup>st</sup> Moot Court Competition for Women</b> Host: Government Law College, Puducherry	6 <sup>th</sup> - 8 <sup>th</sup> October, 2017	Ms. Shakthi Swetha & Ms. Aishwarya. S Hanchate	Best Memorial Award & II Runner up
<b>Surana and Surana</b> Stetson National round Government Law College, Puducherry	26 <sup>th</sup> - 28 <sup>th</sup> November, 2017	Ms. Shakthi Swetha & Ms. Aishwarya. S Hanchate	Best Memorial Award & II Runner up
<b>3<sup>rd</sup> AI- Ameen National Level Moot Court Competition</b> Host: AI- Ameen College of Law, Bengaluru	9 <sup>th</sup> -11 <sup>th</sup> March 2018	Ms. Vaishnavi Naik, Mr. Nikhil Erinjingat & Ms. Sirisha S	Runner-up
<b>13<sup>th</sup> All India Moot Court Competition 2018</b> GLC Trivandrum Host: GLC, Trivandrum	11 <sup>th</sup> -13 <sup>th</sup> March, 2018	Ms. Keerthana Naveen, Mr. Pratik Dawda & Mr. Manoj K V	II Runner-up & Best Researcher Award
<b>Adv. Shivaji Shetty Memorial 3<sup>rd</sup> National Moot Court Competition 2018</b> Host: Vaikunta Baliga College of Law, Udupi	6 <sup>th</sup> - 8 <sup>th</sup> April, 2018	Ms. Amitha Prasad, Mr. Pratik Dawda & Ms. Shricha Kumari	Winners

Moot 1 <sup>st</sup> National Moot Court	Date	Participants	Position
<b>Competition, 2018</b> Host: PES University, Bengaluru.	19 <sup>th</sup> - 21 <sup>st</sup> April, 2018	Ms. Aishwarya M R, Ms. Sanjeevini Navadgi & Mr. Yash Thakur	Runner Up, Best Memorial & Best Advocate Award

## Debate Society

The Debate society is a student activity based committee aimed at promoting and providing the platform for debating activities. The mission is to create, develop & hone the speechmaking and argumentative skills and confidence of the students. Therefore, the students for this academic year successfully participated in the following competitions:

Competition Name	Date	Achievements
RV Debating Tournament	2 <sup>nd</sup> -3 <sup>rd</sup> September, 2017	Mr. Varun Nair & Ms. Anagha Nadig- Novice Finals
MRSMPD	9 <sup>th</sup> - 11 <sup>th</sup> September, 2017	Mr. Sathvik Amarnath & Ms. Sakshi Singhal - Open Quarter Finalists
IIT Bombay Parliamentary Debate	22 <sup>nd</sup> - 24 <sup>th</sup> September, 2017	Mr. Vaishak Datta - Semi Finals Adjudicator & Ms. Aishwarya M.R. - Quarter Finals Adjudicator
Elocution, KSLU Zonal Youth Festival	16 <sup>th</sup> - 17 <sup>th</sup> February, 2018	Second Prize
The NUALS Parliamentary Debate 2018	23 <sup>rd</sup> - 25 <sup>th</sup> February, 2018	Mr. Sathvik Amarnath & Ms. Sakshi Singhal - Winners Ms. Sakshi Singhal - Best Speaker Mr. Vaishakh G Datta - Semi-finalist
Visvevarapura College of Law State Level Inter- College English/Kannada Debate Competition	23 <sup>rd</sup> March, 2018	Mr. Sathvik Amarnath - Second Best Speaker

Competition Name	Date	Achievements
Double Back, Literaria, 2018	11 <sup>th</sup> - 12 <sup>th</sup> April, 2018	Mr. Sathvik Amarnath - Second Prize and Ms. Keertana S. Consolation Prize
Spiel, Literaria 2018	11 <sup>th</sup> - 12 <sup>th</sup> April, 2018	Third Prize
Brouhaha, Literaria 2018	11 <sup>th</sup> -12 <sup>th</sup> April, 2018	First Prize

## Cultural Committee

RCL believes in cultural diversity and organises various extra-curricular activities so as to provide a platform for students to showcase their various talents. Taking this objective forward, the cultural committee of college organises & encourages the young talent to participate in inter and intra collegiate cultural activities. Apart from celebrating National festivals, the college conducts various activities like fresher's day, Aurus.

The intra collegiate cultural fest "AURUS" was organised on 10<sup>th</sup> & 11<sup>th</sup> April, 2018. It becomes a platform for the students to showcase their talents which involves fun and frolic. Various Competitions such as rangoli, singing, dance, cooking without fire, dumb charades were conducted and prizes were distributed to the winners.

Competitions	Date	Participants	Position
Inter Zonal Youth Festival, KSLU	6 <sup>th</sup> & 7 <sup>th</sup> April, 2018.	Ms. Bharathi T.V	First prize in Classical Vocal Solo
KSLU Zonal Fest Host: Sheshadripuram Law College, Bengaluru	16 <sup>th</sup> & 17 <sup>th</sup> February, 2018	Ms. Aishwarya.S.H	First prize in Rangoli
KSLU Zonal Fest Host: Sheshadripuram Law College, Bengaluru	16 <sup>th</sup> & 17 <sup>th</sup> February, 2018	Ms. Bharathi. T.V	First prize in Classical Vocal Solo

Competitions	Date	Participants	Position
KSLU Zonal Fest Host: Sheshadripuram Law College, Bengaluru	16 <sup>th</sup> & 17 <sup>th</sup> February, 2018	Ms. Madhuri Paul	First prize in Cartooning
KSLU Zonal Fest Host: Sheshadripuram Law College, Bengaluru	16 <sup>th</sup> & 17 <sup>th</sup> February, 2018	Ms. Shakthi Shwetha	Second Prize in Classical Solo Dance
KSLU Zonal Fest Host: Sheshadripuram Law College, Bengaluru	16 <sup>th</sup> & 17 <sup>th</sup> February, 2018	Mr. Sathvik Amarnath	Second Prize in Elocution
KSLU Zonal Fest Host: Sheshadripuram Law College, Bengaluru	16 <sup>th</sup> & 17 <sup>th</sup> February, 2018	Ms. Anisha Pavan	Second Prize in Spot Painting
KSLU Zonal Fest Host: Sheshadripuram Law College, Bengaluru	06 <sup>th</sup> - 07 <sup>th</sup> April, 2018	Ms. Bharathi.T.V	First Prize in Classical Vocal Solo
Taraana Fest Host: BILS, Bengaluru	3 <sup>rd</sup> April, 2018	Ms. Ayushi Chopra Ms. Akansha Jain Ms. Manogna Kottur Mr. Harsh Chandra Mr. Veeresh Uppin Ms. Priyanshi Mendiratta Ms. Ankita Pannika	First Prize in Group Dance (Freestyle)

### Legal Aid Committee

The college has active legal aid cell which conducts various legal aid and awareness programmes with the object of providing legal aid and awareness to the poor and needy and; also to extend the legal services to the staff of GEF.

Activities	Date
Conducted a Legal Awareness to orient the students on Cybercrimes and its legal consequences at Nirmala Rani High School, Malleswaram, Bengaluru	11.11.17

Activities	Date
<p>Inauguration of the Alternative Dispute Resolution Society by Hon'ble Mr.Justice A.V.Chandrashekar with the following objectives :</p> <ul style="list-style-type: none"> <li>(a) Bring about a General awareness of Alternative Dispute Resolution System in its content, context, meaning and purpose.</li> <li>(b) Promote Alternative Dispute Resolution Methods</li> <li>(C) Conduct regular Alternative Dispute Resolution training sessions in a robust combination of theoretical application and practical experience for student members to inculcate in them ADR habits</li> <li>(d) Encourage regular participation in ADR competitions organized by other colleges</li> <li>(e) Organize guest lectures on ADR processes</li> <li>(f) Strive to organize and host ADR competitions at various levels.</li> <li>(g) Conduct screening for student members to participate in ADR competitions</li> <li>(h) Conduct Legal Aid and legal awareness programs</li> </ul>	11.11.2017
<p>Legal Awareness camp to create awareness about availing free legal services from the appropriate authority and a pre-survey to assess the pending legal cases was conducted by the students of RCL at Gangawara village, Devanahalli Taluk.</p>	6.05.2018
<p>Legal aid camp was conducted in association with District Legal Services Authority and the Taluk Legal Services Committee wherein the panel advocates rendered free legal advice and also rendered awareness on Child Rights and Protection.</p>	07.05.2018
<p>In order to strengthen the Legal Aid activities, the students and the alumni have been involved in extending free legal services to the staff of RCL. Every third Saturday of the month has been designated to avail the free services at the Legal aid clinic of RCL.</p>	3 <sup>rd</sup> Saturday of Every Month

### **NSS Committee**

Ramaiah College of Law, since its inception of the NSS Unit in 2009 has been actively conducting the Regular and Special Residential Camp activities. The main objectives of the NSS Unit are Service to the Community, Promotion of National Integration, Legal Awareness, Development of the personality, exposure to the ground realities.

Activity/Camp	Date	Place	Activities
Regular Activity	31 <sup>st</sup> October, 2017	Murarji Desai Residential School, Adakimaranahalli, Bengaluru North	Afforestation, Environmental Awareness, Health & Sanitation awareness programme, Legal awareness programme
Special Camp	16 <sup>th</sup> to 22 <sup>nd</sup> April, 2018	Kaiwara, Chintamani Taluk	Swachh Bharath Abhiyan, Afforestation, a visit to Public Health Care Centre, Health Checkup Camp, Primary school & Ecological Park, and Trekking, celebrated Dr. B. R. Ambedkar Birth Anniversary, a door to door survey to find out the problems of the villagers, Legal Awareness Programme, a Skit spreading the message of social awareness to the public.

## Sports Committee

Ramaiah College of Law has an active sports wing which focuses on cultivating the sportsman spirit amongst the students. Various sports competitions are conducted to recognize and encourage the young sporting talents of our college. To achieve this end, University level, Inter & Intra collegiate competitions are organized. The college has secured 4<sup>th</sup> rank and cash prize of INR.75000/- for the year 2017 in the KSLU Inter Collegiate Tournaments.

Tournaments	Date	Participants	Position
KSLU Badminton Tournament and Selection Trials 2017-18 Host: KSLU, Hubballi & JSS Law College, Mysore	7 <sup>th</sup> & 9 <sup>th</sup> September, 2017	Ms. J. Banu Priya Ms. Chitra S Ms. Bhargavi M. Ms. Harshita G. G.	Bronze Medal

Tournaments	Date	Participants	Position
KSLU Badminton Tournament and Selection Trials 2017-18 Host: KSLU, Hubballi & JSS Law College, Mysore	7 <sup>th</sup> & 9 <sup>th</sup> September, 2017	Ms. J. Banu Priya	I Rank in Selection Trials
KSLU Badminton Tournament and Selection Trials 2017-18 Host: KSLU, Hubballi & JSS Law College, Mysore	7 <sup>th</sup> & 9 <sup>th</sup> September, 2017	Mr. Gary Standley	IV Rank in Selection Trials
KSLU Badminton Tournament and Selection Trials 2017-18 Host: KSLU, Hubballi & JSS Law College, Mysore	7 <sup>th</sup> & 9 <sup>th</sup> September, 2017	Mr. Tharoon	X Rank in Selection Trials
SLCU Sports events as part of SLCU Decennial Sports Event Host: Christ (Deemed to be University), Bangalore	14 <sup>th</sup> & 16 <sup>th</sup> September, 2017	Mr. Nagal Zahid Ahmed & Team	Runner up
KSLU Inter collegiate Table Tennis Selection Trails Host: KSLU, Hubballi	17 <sup>th</sup> & 19 <sup>th</sup> September, 2017	Ms. Sanjana S Ms. Abhisikta Mahanta	University Blue Selected to participate in South Zone Table Tennis
KSLU Inter collegiate Football Tournament Host: KSLU, Hubballi & Bangalore Institute of Legal Studies	9 <sup>th</sup> & 10 <sup>th</sup> November, 2017	Mr. Nagal Zahid Ahmed & Team	Runner up

Tournaments	Date	Participants	Position
KSLU Inter collegiate Football Tournament and Selection Trails 2017-18 Host: KSLU, Hubballi & RCL	14 <sup>th</sup> & 15 <sup>th</sup> September, 2017		
Inter University Badminton Tournament, 2017-18 (women) Host: Andhra University, Visakhapatnam	12 <sup>th</sup> & 15 <sup>th</sup> November, 2017	Ms. Banu Priya	Got selected to participate in the South Zone.
Inter University Badminton Tournament, 2017-18 (women) Host: Andhra University, Guntur	12 <sup>th</sup> & 15 <sup>th</sup> November, 2018	Mr. Gary Standley	Got selected to participate in the South Zone.
Inter GEF Institutions Athletic Meet, 2017-18	7 <sup>th</sup> March, 2018	Mr. Sidharth Sethunathan, Mr. N. Zahid Ahmed, Mr. Anirudh Chamunda, Mr. Edilbert K Kharmalki	II place in 4 X 100 Relay
Inter University Badminton Tournament (Men) 2017-18 Host: Andhra University, Guntur	7 <sup>th</sup> March, 2018	Mr. Varun Bhutani	II place in Shot-put
Inter University Badminton Tournament (Men) 2017-18 Host: Andhra University, Guntur	7 <sup>th</sup> March, 2018	Mr. Subramanya V Mysore	III place in 1500 mtrs
Inter GEF Institutions Athletic Meet, 2017-18	7 <sup>th</sup> March, 2018	SE First place in March Fast Competition	
Annual Sports Meet 2017-18	4 <sup>th</sup> & 5 <sup>th</sup> April, 2018		

## ADR Society

Competitions	Date	Participants
3 <sup>rd</sup> National ADR Competition, 2018 Host: School of Law, Christ (Deemed to be University)	8 <sup>th</sup> & 10 <sup>th</sup> February, 2018	Ms. Ridhima Sinha, Mr. Hitesh Mundra, Mr. Abhinay S, Mr. Abhilash, Mr. Akhil Yajaman

Overall Champion & cash prize of INR. 23, 000. Mr. Abhinay S. & Overall Champion & cash prize of INR.23, 000. Mr. Abhinay S. & Mr. Abhilash were the Winners. Ms. Ridhima Sinha was declared as the “Best Mediator”.Mr. Akhil Yajaman & Mr. Hitesh Mundra were the Runner up in the Client Attorney segment of the Mediation Competition.

## Training & Orientation Programmes

### Inaugural Function for I year B.A.LL.B.

On 1<sup>st</sup> August, 2017 the College organized the Orientation Programme for First Year B.A.,LL.B. students. Hon’ble Mr. Justice A.N. Venugopala Gowda, Former Judge, High Court of Karnataka was the Chief Guest and Dr. O.V. Nandimath, Professor of Law & Registrar, NLSIU, Bengaluru was the Guest of Honour. Sri. S.M. Acharya, Chief Executive, Gokula Education Foundation (GEF), Sri. G. Ramachandra, Chief of Finance, GEF and Dr. Manjusree Mishra, Principal, RCL were also present during the occasion.

### Faculty Development Programme

- Two day ‘Faculty Development Programme’ was organized by Ramaiah College of Law in association with NLSIU, Bengaluru on 28<sup>th</sup> and 29<sup>th</sup> July, 2017. Prof. Dr. T. Ramakrishna & Prof. Dr. M.K. Ramesh, Professors of Law, NLSIU, Bengaluru shared their classroom experiences and techniques of teaching throwing light on different teaching methodologies that could be adopted by the faculty members.
- In association with Ramaiah Centre for Public Policy, RCL organized One day ‘Faculty Development Programme’ on 31<sup>st</sup> January, 2018. The Chief Guest for the occasion was Prof. (Dr.) Arkalgud Ramaprasad, Director, Ramaiah Public Policy Center, Prof. Emeritus, University of Illinois, Chicago. The topic for this session was “Strengthening Research & Research Methodology – An Ontological Approach”, where Prof. (Dr.) Ramaprasad shared his rich experience on various kinds of Ontological Research Taxonomies that can be adopted by the researchers and faculty members.

### **Personality Development Programme**

RCL organized 'Personality Development Programme' for the First Year B.A.,LL.B. students from 2<sup>nd</sup> to 7<sup>th</sup> August, 2017. Mrs. Bharathi Singh & Mr. Janardhan from Sa-Mudra Foundation oriented the students on self-assessment, art of public speaking, SWOT analysis, positive thinking to improvise overall personality development of an individual.

### **Legal Orientation Programme**

The College conducted 'Legal Orientation Programme' for the First Year B.A.,LL.B. students from 8<sup>th</sup> to 12<sup>th</sup> August, 2017. The main objective of this orientation programme was to enhance legal research, mooting & debating skills and to incept inter-disciplinary approach towards learning. As a part of this programme, students actively participated in various activities viz., poster making, elocution, news reporting and debate on various socio-legal issues were the main highlights.

### **Training by Manupatra to use Research Database**

On 7<sup>th</sup> August, 2017, the team of Manupatra Legal Research Database conducted a Training Programme on 'How to use Manupatra' for First Year B.A.,LL.B. students.

### **Westlaw Orientation Programme**

RCL organized 'Westlaw Orientation Programme' on 19<sup>th</sup> & 20<sup>th</sup> February, 2018 for B.A.,LL.B. students. This orientation aimed at making the students familiar with the usage of online legal database, which could facilitate them in doing their further research.

## **Parents Teachers Meeting**

The college conducted Parents Teachers meet on 24<sup>th</sup> February, 2018 to interact with parents and to update about their wards academic performance, co-curricular, extra-curricular activities. The meeting also included the deliberations on Discipline, attendance, participation in various events and activities of the college.

## **Faculty Achievements**

### **Mr. Basavarajaiah, Assistant Professor**

- Attended a 'One Day Faculty Development Program' at Vivekananda College of Law, Bengaluru on 13<sup>th</sup> December, 2017.

### **Ms. Brinda Balaji, Assistant Professor**

- Attended a 'One Day Faculty Development Program' at Vivekananda College of Law, Bengaluru on 13<sup>th</sup> December, 2017.

**Mr. Chetan B Singai, Assistant Professor**

- Published an article, 'Recognition of Prior Learning, Skill Development and Migration: The Construction Sector in India', Indian Journal of Adult Education, Vol. 78, No. 04. October-December 2017, New Delhi: India.
- Co-authored an article 'Redefining University Education in India: Pedagogy and Student Voices' in Hornsby, D & Osman, R. (Eds.) in Palgrave Critical University Studies Series: UK, 2017.
- Appointed as Chief Consultant to the Committee to Draft the National Education Policy 2017 constituted by the Ministry of Human Resource Development (MHRD), Government of India, August 2017.
- Member, Academic Board of Studies, Department of Political Science, Lingaraj College, Rani Channamma University, Belgaum, Karnataka, (March 2017-2019).
- Member of International Political Science Association (IPSA), United States of America.
- Chief Consultant, Committee to Draft the National Education Policy-2017 constituted by the Ministry of Human Resource Department (MHRD), Government of India from July 2017 to April 2018.
- Appointed as Member, Academic Board of Studies, Department of Political Science, St. Joseph's College (Autonomous), Bengaluru from January 2014 to June 2018.

**Dr. A. Mumtaj, Research Officer**

- Did a Poster Presentation on the topic "Structured Health Card for School Children's Development" on 20<sup>th</sup> January, 2018 during the inaugural of the Ramaiah Public Policy Center.
- Attended a Three Day Training Programme on SPSS Package held for Researchers at NLSIU, Bengaluru on 26<sup>th</sup>, 27<sup>th</sup> & 28<sup>th</sup> January, 2018.
- Attended a CESS Talk on the topic "Post - Colonial Indian Cultural Criticism" by Dr. Rajaram on 17<sup>th</sup> February, 2018.
- Participated in the Session - I on the Theme: Quality in Teaching and Learning as a Discussant in the One Day National Seminar on "Quality Assurance in Higher Education" organized by Sivananda Sarma

Memorial RV College, Bengaluru and CESS held on 9<sup>th</sup> March, 2018 and spoke on Criterion 2: Teaching Learning and Evaluation Process.

- Attended a CESS Talk on “Current Crisis in Mass Media” by Dr. Padmaraj Dandavati on 17<sup>th</sup> March, 2018.
- Attended a CESS Talk on the topic “Alternate Sources of Financing Higher Education” by Dr. M. Jayadev on 19<sup>th</sup> May, 2018.
- Given two days Consultancy Services through the Research, Consultancy and Extension- one day on the documentation process and one day training program for their faculty members on the “Orientation on the Process of NAAC: Assessment and Accreditation Process” to The Central Law College, Salem on 13<sup>th</sup> & 14<sup>th</sup> May, 2018.
- Attended a Four Day Workshop on “Ontological Meta-Analysis and Synthesis” organized and conducted by Prof. Arkalgud Ramaprasad, Director, Ramaiah Public Policy Centre on 23<sup>rd</sup>, 24<sup>th</sup>, 28<sup>th</sup> May, 2018 and 11<sup>th</sup> June, 2018.

**Ms. Th. Nanaomacha, Assistant Professor**

- Presented a paper on 'Helping the Helpless – Shades of Exploitation in a Child's Life (with reference to Manipur)' in a National Conference on 'Violence Against Children in North-Eastern States and Sikkim' at National Law University and Judicial Academy, Assam on 22<sup>nd</sup> & 23<sup>rd</sup> August, 2017.
- Attended a Conference on 'Yuva Exploring the Brilliance of India Conference' organized by Sakshi Trust, Bengaluru on 28<sup>th</sup> August, 2017.
- Presented the paper titled 'Media: A Spectrum to Good Governance' in a Two Day National Conference on 'Media-Hopes & Despairs' organized by KLE Society's Law College, Bengaluru on 28<sup>th</sup> & 29<sup>th</sup> October, 2017.
- Presented a paper on “Critical Analysis of Air Space Laws in India” at the Two Day National Symposium on the 'Emergence of the Philosophy of International Law- A Bird's Eye view on Jurisprudence' organized by Department of Studies in Law, University of Mysore on 27<sup>th</sup> & 28<sup>th</sup> March, 2018.

**Ms. Nidhi Sinha, Assistant Professor**

- Attended a 'Workshop on Teaching and Learning' at St. Joseph's College of Law, Bengaluru from 11<sup>th</sup> to 15<sup>th</sup> December, 2017.

**Ms. Nikhila S. Tigadi, Assistant Professor**

- Attended a 'Three Day Faculty Orientation Program' organized by Central Law College, Salem in association with NLSIU, Bengaluru from 7<sup>th</sup> to 10<sup>th</sup> December, 2017.
- Published an article titled 'E-commerce in India: A Move towards Digital India', in Indian Socio-Legal Journal, Vol. 14, Jan- Dec, 2018.

**Mr. Omprakash, Assistant Professor**

- Published an article titled 'Anti- Defection, Law in India - A Critical Analysis' in Ramaiah Journal of Law, July, 2017.
- Delivered a talk on "Consumer Protection Act & its Awareness" to the staff and the students of Ramaiah High School on 11<sup>th</sup> August, 2017.
- Invited as a Resource Person and Co- Chair in the National Seminar on Sustainable Energy organized by NLSIU, Bengaluru on 18<sup>th</sup> & 19<sup>th</sup> September, 2017.
- Appointed as the Member of Board of Examiner for P.G - LL.M courses by Sri Vijayanagara Krishnadevaraya University, Bellary.
- Attended the "Dissemination Conference on Clinical Legal Education in India" organized by NLSIU, Bengaluru on 24<sup>th</sup> November, 2017.

**Ms. Rajashree K, Assistant Professor**

- Attended the workshop on 'Media and Human Rights' conducted at NLSIU in collaboration with NHRC on 22<sup>nd</sup> June, 2017.
- Attended 'The Dissemination Conference on Clinical Legal Education in India' at NLSIU, Bengaluru on 24<sup>th</sup> November, 2017.
- Invited as a Resource person to train the Managers, Superintendents and Social Security officers from the ESIC Corporation on "Consumer Protection Act-An overview" on 15<sup>th</sup> December, 2017.
- Completed the Course on "An introduction to the concept of Negotiation and Mediation" conducted by the ADR Board of V.M. Salgaocar College of Law, Goa from 10<sup>th</sup> -13<sup>th</sup> January, 2018.

- Attended a 4 day workshop on Ontological Meta-Analysis and Synthesis Workshop at RPPC on 23<sup>rd</sup>, 24<sup>th</sup>, 28<sup>th</sup> May & 11<sup>th</sup> June, 2018.

**Ms. Ramya, Assistant Professor**

- Attended a 'One Day Faculty Development Program' at Vivekananda College of Law, Bengaluru on 13<sup>th</sup> December, 2017.

**Ms. Rhea Roy Mammen, Assistant Professor**

- Presented a paper on 'Kerala Sustainable Model as an Example for Energy Conservation' in the Two Day Seminar on Energy Law at NLSIU, Bengaluru on 18<sup>th</sup> & 19<sup>th</sup> September, 2017 and was awarded the 'Best Paper'.
- Invited as a Resource Person to train the Managers, Superintendents and Social Security officers from the ESIC Corporation on 'Right to Information Act' on 15<sup>th</sup> December, 2017.
- Delivered lecture for the trainers of UNDP- GEF- ABS workshop in the five day inception workshop of the 'Training of the Trainers' at National Law School of India University from 11<sup>th</sup> February- 16<sup>th</sup> February, 2018.
- Part Time Consultant on the UNDP- GEF- ABS Global Project with National Law School of India University.
- Delivered Lecture for Certificate Course on 'Energy Law' at National Law School of India University from 14<sup>th</sup> to 16<sup>th</sup> February, 2018.
- Presented Paper on "Individual Complaint Mechanism: A Tool for implementation of International Human rights Law" at Two national symposium on Emergence of International Law - A Bird's Eye View on Jurisprudence" on 27<sup>th</sup> & 28<sup>th</sup> March, 2018.
- Participated in the One day Certificate course on "Blockchain" in National Law school of India University held on 5<sup>th</sup> May, 2018.
- Presented Paper on "Implementation of Child Rights Convention in India" in Prof. B.T Parthasarathy Memorial National Conference on Protection of Rights of the Child in India held at Visveswarapura College of Law and Karnataka State commission for the Protection of Child Rights, on 18<sup>th</sup> May, 2018.

- One day Faculty orientation programme organized by School of Law, CMR University, on 2<sup>nd</sup> June, 2018.
- Presented Paper on "Combating Climate Change through integrated management" for the one day national seminar in National Law School of India University on 15<sup>th</sup> June, 2018 and was presented the "Best Paper Presenter" award.

**Ms. Roshni Sharma, Assistant Professor**

- Attended a 'Workshop on Teaching and Learning' at St. Joseph's College of Law, Bengaluru from 11<sup>th</sup> to 15<sup>th</sup> December, 2017.
- Attended a Talk on 'Post-Colonial Indian Cultural Criticism' by Dr. Rajaram, organized by Center for Educational and Social Sciences on 17<sup>th</sup> February, 2018.
- Participated in One Day Certificate Course in Public Policy Analysis organized by Institute of Public Policy, NLSIU, Bengaluru on 1<sup>st</sup> April, 2018.

**Ms. Sangeetha Murali S., Assistant Professor**

- Attended 4<sup>th</sup> Annual Refresher Course on IPR for Law Teachers on Developmental Perspective of Intellectual property Rights by Inter-University Centre for IPR Studies (IUCIPRS), CUSAT from 22<sup>nd</sup> to 29<sup>th</sup> June, 2018.
- Participated in One Day Training Programme on Filing of Pre-Grant Opposition to Pharmaceutical Patent jointly organized by Inter-University Centre for IPR Studies (IUCIPRS), CUSAT and Third World Network (TWN) on 30<sup>th</sup> June, 2018.

**Ms. Shibu Sweta, Assistant Professor**

- Attended One Day Management Development Programme on 'GST: Issues and Challenges Post Implementation' on 3<sup>rd</sup> November 2017, at MDP Hall, Ramaiah Institute of Management, Bangalore.
- Attended a 'Workshop on Teaching and Learning' at St. Joseph's College of Law, Bengaluru from 11<sup>th</sup> to 15<sup>th</sup> December, 2017.
- Presented a paper on "The Red Badge of Courage- No More Silencing the Shark's Week" at National Seminar organized by NUALS Kochi on 17<sup>th</sup> -19<sup>th</sup> January 2018.

- Attended a convention on “Rule of Law” organized by Bar Council of India, New Delhi on 9<sup>th</sup>-11<sup>th</sup> February 2018.

**Mr. Siddappa N.C, Physical Education Director**

- Appointed to the 4th Sports Advisory Committee constituted by KSLU for 2017-19 consisting of Hon’ble Vice Chancellor, KSLU, Registrar and the Principals of various law colleges affiliated to KSLU, Hubballi.
- Appointed as a Selection Committee Member to constitute KSLU Individual Events University Blue Selection for the Academic Year 2017-18 held on 18<sup>th</sup> September, 2017 at R.N. Shetty Stadium, Dharwad.

**Ms. Tulikashree, Assistant Professor**

- Attended four days course on Negotiation and Mediation from 10<sup>th</sup> – 13<sup>th</sup> January, 2018 organized by V.M. Salgaocar College of Law, Goa.

**Ms. P. Vaishnavi Narayeni, Assistant Professor**

- Attended a ‘Three Day Faculty Orientation Program’ organized by Central Law College, Salem in association with NLSIU, Bengaluru from 7<sup>th</sup> to 10<sup>th</sup> December, 2017.
- Attended 4<sup>th</sup> Annual Refresher Course on IPR for Law Teachers on Developmental Perspective of Intellectual property Rights by Inter-University Centre for IPR Studies (IUCIPRS), CUSAT from 22<sup>nd</sup> to 29<sup>th</sup> June, 2018.
- Participated in One Day Training Programme on Filing of Pre-Grant Opposition to Pharmaceutical Patent jointly organized by Inter-University Centre for IPR Studies (IUCIPRS), CUSAT and Third World Network (TWN) on 30<sup>th</sup> June, 2018.

**Mr. Vivek Shukla, Assistant Professor**

- Participated in the ‘VI Annual IP Teaching / Research Workshop-2017’ organized by the Centre for Innovation, IP and Competition, NLU Delhi & Centre for IPR Research & Advocacy, NLSIU, Bengaluru on 2<sup>nd</sup> & 3<sup>rd</sup> July, 2017.
- Participated in Two Day National Seminar on ‘Sustainable Energy Future in India: Law, Policy and Management’ organized by CEERA, NLSIU on 18<sup>th</sup> & 19<sup>th</sup> September, 2017.

- Participated in 8 Edition of 'MIPCON 2017: Conference & Exposition' organized by Andhra Pradesh Technology Development & Promotion Centre- CII with Knowledge partner NLSIU on 22<sup>nd</sup> & 23<sup>rd</sup> September, 2017.
- Participated in 'The Dissemination Conference on Clinical Legal Education in India' organized by NLSIU on 24<sup>th</sup> November, 2017.

## Celebrations

### Independence Day

On 15<sup>th</sup> August, 2017 the Gokula Education Foundation celebrated the 70<sup>th</sup> Independence Day with great patriotic spirit. Our students participated in the celebrations with fervor.

### Fresher's Day

As a tradition of welcoming the First year B.A.,LL.B. of 2017-18 batches the college organized the Fresher's Day on the theme "Gold & Glamorous" on 23<sup>rd</sup> August, 2017. Various cultural activities were organized as a part of this event. Ms. Amitha Prasad and Mr. Tushar Malik were adjudged as Ms. and Mr. Fresher. Ms. Ankita Shrivastava and Mr. Varun Nair Vivek were selected as Ms. and Mr. Fashionable respectively.

### Onam Celebration

On 22<sup>nd</sup> September, 2017 the College celebrated Onam, the Harvest Festival of Kerala. The Celebrations began with welcoming of the King Mahabali by playing Panchavadyam, a set of five musical instruments, followed by Thiruvadiralakali, a traditional dance form of Kerala and concluded by Onasadya, traditional feast of Kerala.

### Kannada Rajyostava

On 25<sup>th</sup> November, 2017, the college celebrated Kannada Rajyostava with pomp and splendor. The main attraction of the event was Hulivesha and Palegara. In addition to this the student's collected old and unused clothes from faculties and fellow students to donate to Goonj, a non-governmental organization which highlights clothing as a basic need and undertakes disaster relief, humanitarian aid and community development across India.

### **GEF CulMeet (Faculty)**

On 20<sup>th</sup> November, 2017 Gokula Educational Foundation organized a first ever CulMeet for the Faculties of the GEF. A team of RCL faculties performed a Semi- Classical Dance on the occasion.

### **National Voters' Day celebrations**

As part of celebration of National voters day and to create electoral awareness, the college organized a poster making competition wherein Ms. Deepika, II Year, B.A.,LL.B. Ms. Abhipsa, I Year, B.A.,LL.B. & Ms. Shreya Verma, V Year, B.A.,LL.B. were declared as the Winner, 1st Runner Up and Second Runner Up respectively. The consolation prizes were awarded to Ms. Aditya Jose, II Year, B.A.,LL.B. & Ms. Greeshma Viji, I Year, B.A.,LL.B.

### **Dr. B. R. Ambedkar Jayanthi**

As part of celebrating the 127<sup>th</sup> Birth Anniversary of Dr. B. R. Ambedkar, the college organized an Article Writing Competition. Mr. Nikhil. E and Ms. Ridima Sinha, I year & V year B.A.,LL.B. were declared as Winner and Runners-Up and received the cash prize of INR 1000 & INR 750, respectively.

### **Prize Distribution**

The college conducted the Annual prize distribution ceremony on 22<sup>nd</sup> May, 2018 to acknowledge the winners of Curricular, Co-Curricular and Extra- Curricular activities.

### **Farewell**

The students of 4<sup>th</sup> year bid a heavy hearted farewell to the outgoing batch of Final Year students (2013-2018) on 31<sup>st</sup> May, 2018.

### **NAAC**

- RCL has successfully completed the online submission of the Self Study Report (SSR) during the special window period for the purpose of accreditation by National Assessment and Accreditation Council (NAAC) between August to October, 2017.
- The NAAC Peer Team visited the college on 20<sup>th</sup> & 21<sup>st</sup> April, 2018. Prof. R. G. B. Bhagavat Kumar, Chairperson, Prof. (Dr). D. Gopal, Member Coordinator and Dr. Dinkarrao Nago Sandanshiv, Member reviewed the SSR report and the documents which was submitted to NAAC. The team also provided their feedbacks and recommendations.

### **Alumni Meet**

- On 12<sup>th</sup> August and 9<sup>th</sup> September, 2017 the College organized the Alumni Meet which witnessed an participation of the core members of Alumni Committee wherein various issues pertaining to the conducting of the National Moot Court Competition, involvement of the alumni for organizing various events of the college, internships, placements and general activities of the college were discussed.
- The college organized the alumni meet on 12<sup>th</sup> April, 2018. The meeting involved deliberations on conducting the Surana & Surana National Tort Law Moot Court Competition & Judgment Writing Competition, 2018. The alumni also agreed to extend free legal services through Ramaiah Legal Aid Clinic to the staff of GEF.

## **Student Contributions**

## Kesavananda Bharti Case: A Political Fight Masquading in Legal Garb

Nikhil Erinjingat,  
1<sup>st</sup> Year, B.A.,LL.B.

Judicial activism is the new buzz word which is all over the media and internet nowadays. Even though the term has been getting popularity in the last couple of years, it existed for eons. Judiciary in India is independent and free from direct influence of legislature or executive pillar of democracy. But the fact is, even though judiciary from outside seems utopian; it is not free from internal conflicts and clashes among judges. Recently, four senior-most judges of the Apex Court held a press conference which was unprecedented. But the matter of fact is, several clashes among the judges have taken place even earlier, but none of the judges have come out in public to express the same. *Kesavananda Bharati* case is the epitome of such fights. Whenever the topic of amending power of Constitution comes up, *Kesavananda Bharati* case is relied upon. Legal aspects and the implications of *Kesavananda Bharati* case is well known and is a commonplace. This article focusses more upon the '*politics of the case rather than the legal aspect*'.

*Kesavananda Bharti case*<sup>1</sup>, popularly known as, 'the case that saved democracy', is regularly discussed and debated among legal scholars, advocates and law students in law schools. Oft-times, the debate is over the legal standpoint of the case. The thirteen-judge bench case was much more than a legal skirmish and this article will reflect the politics that went on, inside and outside the court during hearing the case.

It all began with *Golak Nath v. State of Punjab*<sup>2</sup>, an eleven-judge bench decision, declared that Parliament cannot amend the fundamental rights enshrined in Part-III of the Constitution. This landmark judgment was later, in 1973, overruled by *Keshavananda Bharti* case. But during the period between *Golak Nath* judgment and *Keshavananda Bharti* judgment, judiciary and Parliament were in a constant scrimmage and struggle for supremacy. *Golak Nath* case by limiting the power of the Parliament to amend the Constitution, overruled the decisions of

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<sup>1</sup> *Kesavananda Bharati v. State of Kerala*, (1973) 4 SCC 225.

<sup>2</sup> (1967) 2 SCR 762.

*Shankari Prasad v. Union of India*<sup>3</sup> and *Sajjan Singh v. Union of India*,<sup>4</sup> which upheld the Parliament's power to amend the fundamental rights by 1<sup>st</sup>, 4<sup>th</sup>, and 17<sup>th</sup> Constitutional Amendments. The *Golak Nath case*, by 6:5 ratio held that fundamental rights are '*primordial rights necessary for the development of the human personality*' and were given '*transcendental position*' in the Constitution. Alongside, Nath Pai, an eminent socialist MP, moved a Bill in the Parliament to amend the Constitution to nullify the *Golak Nath case*. This case polarised the judiciary into, those who supported '*unlimited power of the Parliament to amend the Constitution*' and those who believed that the Article 368 posed an inherent and implied limitation to the amending power of the Parliament. Since the legislators were the stakeholders, they advocated for the former side.

His Holiness Kesavananda Bharati Sripadagalvaru, was a religious priest in Kerala. He challenged the constitutional validity of 29<sup>th</sup> Constitution (Amendment) Act, 1971 by which Kerala Land Reforms Act, 1969 and Kerala Land Reforms (Amendment) Act, 1971 were put in the IX Schedule of the Constitution. Even though the case is widely known as Kesavananda Bharati case, most of what he did was, lend his name. Once, he told his lawyers that he was getting needless attention in newspapers<sup>5</sup>. With the case in the Apex Court, not only Kesavananda Bharati's case was for the decision but the fate of several previous decisions was on the table, including *Madhav Rao Scindia v. Union of India*<sup>6</sup> and the 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup> and 29<sup>th</sup> Constitutional Amendment Acts. The 24<sup>th</sup> Constitutional Amendment Act conferred the Parliament complete power to amend the fundamental rights and thus provided the Parliament unlimited power over the Constitution. In 25<sup>th</sup> Constitutional Amendment Act, the government under the chair of Prime Minister Indira Gandhi replaced the word 'compensation' to 'amount' to evade any judicial review over the amount of compensation paid.

As the elections were nearing the Congress Party felt that the restrictions on them by the judiciary will dwindle their supremacy in the eyes of the citizens. Further, the restriction on Parliament's power to amend the Constitution will pose hinderance in executing the principle

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<sup>3</sup> 1952 SCR 89.

<sup>4</sup> (1965) 1 SCR 933.

<sup>5</sup> T R Andhyarujina, Kesavananda Bharati Case: The untold Story of Struggle for Supremacy by Supreme Court and Parliament (Universal Publications (Reprint 2016)).

<sup>6</sup> (1971) AIR 530.

agenda of the Congress, 'Garbi Hatao'. Irrespective of that, Congress won the elections with 352 seats out of 518.

Congress had thus regained their power at the center. Prior to *Golak Nath* case, the appointments of judges to Supreme Court were made by the Central government on the recommendation of the Chief Justice. But after the *Golak Nath* case, the government reduced the CJI to mere rubber stamp who now had just a consultation role and the government became the ultimate decision maker. The Government formed the Gokhale Committee, headed by then Law Minister H. R. Gokhale, a lawyer, political leaders and jurists, to appoint judges to the Supreme Court<sup>7</sup>.

Justice P. Jaganmohan Reddy, who himself was part of the *Kesavananda Bharati* case bench in his autobiography wrote regarding the committee formed, *“these three ministers set out to advice the Prime Minister to introduce Constitutional amendments so as to vest the executive with full powers by overruling Golak Nath's case and to appoint judges who were committed to a policy as highlighted in Parliament during the debate on this aspect.”*<sup>8</sup>

The government appointed Justice D. G. Palekar, whom Gokhale knew very well. Justice H.R. Khanna was also appointed by the government. Justice Mathew and Justice Beg were appointed by the government on the direction of Prime Minister Indira Gandhi<sup>9</sup>. Justice Dwivedi and Justice Bahuguna were relatives of a minister of Indira Gandhi government. Justice Dwivedi openly said that he was going to the Supreme Court to overrule *Golak Nath* case<sup>10</sup>. It was conspicuous that the appointments to Supreme Court were after foreseeing the possibility to overrule *Golak Nath* case and provide the Parliament with unlimited power to amend the Constitution. Prior to the elections, Justices Sikhari, Shelat, Hegde, and Grover had pronounced judgments which were anti-government in *Bank Nationalization case*<sup>11</sup>, *Madhav Rao Scindia v. Union of India*<sup>12</sup> and of course the *Golak Nath* case. But, since these four were the senior-most judges of the Supreme Court, the government could not do much about them. Thus, *Kesavananda Bharati* bench was composed of 13 judges, namely, CJI S. M. Sikri, Justices J. M.

<sup>7</sup>Supra note 6.

<sup>8</sup>P Jaganmohan Reddy, *The Judiciary I Served*, p.218, 226, 227.

<sup>9</sup>Supra note 6.

<sup>10</sup>Ibid.

<sup>11</sup>AIR 1970 SC 564.

<sup>12</sup>(1971) 1 SCC 85: AIR 1971 SC 530.

Shelat, K. S. Hegde, A. N. Grover, A. N. Ray, P. Jaganmohan Reddy, D. G. Palekar, H. R. Khanna, K. K. Mathew, H. M. Beg, S. N. Dwivedi, A. K. Mukherjea and Y. V. Chandrachud.

This bench was thus polarised into 'pro-government' and 'anti-government'.

The case went on for 66 days and on 25<sup>th</sup> April 1973, CJI Sikri retired. And, all said and done, *Kesavananda Bharati* case put a limitation on the Parliament's power to amend the Constitution. The basic structure of the Constitution could not be amended by the Parliament, whatsoever. This historic judgment was given on 24<sup>th</sup> April 1973. Granville Austin in his book wrote that the *Kesavananda Bharati* judgment "was a masterpiece of unintentional timing, for it gave Mrs. Gandhi a cause and an enemy in her quest for renewed power"<sup>13</sup>.

Government appointed Justice A.N. Ray as the next CJI, superseding the seniority of Justices Shelat, Hegde and Grover. By this, the true colour and intention of the government were evident. Prime Minister Indira Gandhi did not tolerate anyone who acted in contrast to her beliefs. This move was unprecedented and what was more unprecedented but natural was, all the three senior-most judges resigned on 26<sup>th</sup> April 1973, the day Justice Ray was sworn-in as the Chief Justice of India. Generally, the government announces the new CJI well before the retirement of the present CJI<sup>14</sup>. But this time government purposefully delayed the announcement to wait for the judgment to be pronounced. The three senior-most judges applied for 10 days' leave to the President after they came to know about Justice Ray's appointment as CJI. The government justified the supersession by quoting Law Commission Report of 1959 which stated, "It was necessary to appoint a Chief Justice of ability and experience but also a competent administrator. It is, therefore, necessary to have a healthy convention that appointment to the office of the Chief Justice rests on special considerations does not as a matter, of course, go to the senior-most puisne judge"<sup>15</sup>. This became a precedent when seniority of Justice Khanna was also superseded.

Fakhruddin Ali Ahmed, then President of India, declared National Emergency in 1975, on the recommendation of PM Indira Gandhi. PM tried to overrule the *Kesavananda Bharati* case by constituting another thirteen judge-bench. But this attempt failed miserably.

<sup>13</sup> Granville Austin, *Working a Democratic Constitution: The Indian Experience*, p.198 (Oxford Univ. Press, 1999).

<sup>14</sup> *Supra* note 6, at p.82.

<sup>15</sup> *Supra* note 6, at p.85.

On 10<sup>th</sup> and 11<sup>th</sup> November 1975, a 13 judge-bench was constituted to review the Kesavananda Bharati judgment and overrule it. But on the third day, the bench dissolved perplexingly<sup>16</sup>. There exists no official record about the constitution of the bench to overrule Kesavananda Bharati case. Indira Gandhi had put restrictions on Freedom of Press by declaring emergency. Therefore, Press was also restricted from publishing anything about Court judgments.

On 12<sup>th</sup> June 1975, Justice Sinha of Allahabad High Court held Indira Gandhi guilty of corrupt election practices under Section 123(7) of Representation of People Act, 1951. The Court disqualified her for 6 years<sup>17</sup>. Further, in *Indira Gandhi v. Raj Narain*<sup>18</sup>, Justice Krishna Iyer let Indira Gandhi to attend the Parliament as a member and as a Prime Minister without any vote pending the final decision in the election appeal. The next action of the PM was to proclaim National Emergency and enact Constitution 39<sup>th</sup> (Amendment) Act, 1975 which inserted Article 329A to the Constitution. By the virtue of the Amendment Act, Ms. Indira Gandhi was free to stand for elections. Ms. Indira Gandhi won the appeal she had filed in Supreme Court.

CJI Ray, ordered the constitution of thirteen-judge bench to hear arguments on two matters, namely, on Basic Structural Doctrine and on the correctness of Bank Nationalization case<sup>19</sup>. The hearing began on 10th November 1975<sup>20</sup>. But on the third day, within the first few minutes of the hearing, CJI Ray declared, “the bench is dissolved”. This surprised many and people have different conception regarding the dissolution.

The 42<sup>nd</sup> Constitutional Amendment Act, 1976, section 55 amended Article 368, to give the parliament unlimited and unfettered power to amend any part of the Constitution, including Part III. Also, section 4 of the Amendment Act, which made substitutions in Article 31C on the Constitution, thereby giving any law in pursuance of any Directive Principle in Part IV of the Constitution from being challenged for being violative under Article 14, 19 and 31 of the Constitution. After the Emergency, during the power of Janata Party, the Amendment was challenged. The bench in *Minerva Mills v. Union of India*<sup>21</sup> invalidated

<sup>16</sup> *Supra* note 6, at p.88.

<sup>17</sup> Prashant Bhushan, 'The case that shook India', ISBN: 9780143442646.

<sup>18</sup> *Indira Gandhi v. Raj Narain*, (1975) 2 SCC 159.

<sup>19</sup> *Supra* note 12.

<sup>20</sup> *Supra* note 16, at p.256-267.

<sup>21</sup> (1980) SCC 625: AIR 1980 SC 1789.

section 55 of the Amendment Act. Prior to that, CJI Ray retired and Indira Gandhi appointed Justice Beg as the new CJI, superseding the seniority of Justice H. R. Khanna.

Finally, in *Waman Rao v. Union of India*<sup>22</sup> the Supreme Court made it clear that any Act or Regulation in the Ninth Schedule prior to April 24, 1973, will have immunity from being challenged for abrogating provisions of Part III. But the Acts or Regulations after 24<sup>th</sup> April 1973 will be subjected to judicial review based on the judgment of *Kesavananda Bharati case*.

The idea of basic structure was in depth discussed in several cases after the *Kesavananda Bharati case*. There is always a political fight involved in most of the significant Constitutional cases, whether it was the Triple Talaq case or the Right to Privacy case. The government has its own interest which may not be in consensus with the view of the judiciary. The framers of our Constitution wanted both the pillars of democracy to work for the welfare of the public. The judiciary protects the fundamental rights of every individual and legislature makes laws for the welfare of the individuals. *Kesavananda Bharati case* is not only significant for overruling decisions and repealing provisions of law but also it puts light on how parliament can influence the judiciary. At the same time, this case also reflects that even if powerful people like the Prime Minister and Law Minister are directly influencing the judiciary, principled judges of the judiciary can uphold Rule of Law and deliver justice, no matter what.

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<sup>22</sup> AIR 1981 SC 271; (1981) 2 SCC 362.

## Environmental Challenges and Geo - politics - How can We save our Environment?

Nikhil Erinjingat,  
1<sup>st</sup> Year, B.A.,LL.B.

*The natural resources of the earth, including air, water, lands, flora and fauna and especially representative samples of the natural ecosystem, must be safeguarded for the benefit of present and future generations through careful planning or management, as appropriate.*

Principle 2, the Stockholm Declaration, 1972

Around 14 billion years ago our universe came into existence as per accepted scientific observations and theories. It further took 10 billion years for our blue planet, earth to form. The first life form is believed to have appeared 3.7 billion years ago. Human beings in the modern form came into existence only a few million years ago. Millions of species of animals and plants have been existing on earth long before anything like Homo Sapiens even evolved.

*“For the greatest environmentalist, humans are of lesser importance than the abundant and diverse flora and fauna of the planet. Humans are defined as a recent addition to the livestock and are considered to have been a wholly disruptive influence on a world which was a paradise before arrival”<sup>23</sup>.*

*Mankind has been trying to manipulate nature to suit his interests even if it means the destruction of nature. Man has many a time failed to conceive that protection of nature means protection of mankind. Human is thriving to develop economy and technology but has compromised the quality of environment he/she lives in. This has been iterated in T.N. Godavarman Thirumalpad v. Union of India, where the court held, “By destroying nature, environment, man is committing matricide, having in a way killed Mother Earth. Technological excellence, the growths of industries, economic gains have led to depletion of natural resource irreversibly. Indifference to the grave consequences lacks of concern and foresights have contributed in large measures to the alarming position.”<sup>24</sup>*

<sup>23</sup> Rosalind Malcom, A Guidebook to Environmental Law, I.

<sup>24</sup> (2002) 10 SCC 606, 613.

Major pollution types are air, water, soil, and sound pollution. With the increasing number of debris in space, it is also often considered as the fifth type of pollution. Pollution, population, and poverty are the three major reasons for environmental degradation<sup>25</sup>. Thus, organizations like United Nations have come up with various international conventions, declarations, and protocols to prevent deterioration of the environment. The Stockholm Declaration, 1972; Nairobi Declaration, 1982; World Charter for Nature, 1980; Earth Summit (Rio Conference), 1992; Johannesburg Declaration on Sustainable Development, 2002 and many more, including the recent Paris Climate Change Agreement. Recently, the world has witnessed serious discussions regarding environmental protection and climate change. Even though these are not legally binding, the States across the globe are trying to control global warming and reduce exploitation of natural resources. The water table is lowering, crude oil production is not keeping up with human consumption and sea level is rising in many parts of the world. India, who is a party to several international declarations/Conventions, has also taken various steps towards achieving this objective set by United Nations for preserving the environment. Simultaneously, the judiciary is also playing a pro-active role of a public-educator<sup>26</sup>. The gist of legislation, pollution control boards, bureaucracies and local agencies along with citizens and courts, which are implementation mechanisms, are working together for sustainable development and minimum exploitation of the environment. Three to four decades ago, in the 1970s when India started legislating environmental laws, the laws were environment versus development. But with the development of science and technology, the government realized that sustainable development is the most viable option for both economic development and environmental protection. Thus, the contemporary environmental laws are 'environment and development'. Thus, it is always a war between economic growth and environmental protection.

Different countries have different ways of improving their economy. There are broadly three sectors of the economy, namely, primary, secondary and tertiary sectors. Primary sector involves activities such as agriculture, fisheries, and other activities of production of raw material. Secondary sector is industries. They transform the raw material into goods with added value. The tertiary sector is the service sector. In India, more than 60% of Indians are dependent on agriculture

<sup>25</sup> Prof. Satish C. Shastri, Environmental Law, Fourth Edition, p. XLV

<sup>26</sup> M C Mehta v. Union of India, AIR 1992 SC 382 (court directed to include environmental education in schools and colleges, and to telecast ecology programmes in electronic media)

for their livelihood. The second most dependent sector is the industrial sector. For any developing country, the industrial sector is the key to improve its GDP and thus the economy. Economic power plays a very important role in the international arena. Economically strong countries de facto have power and influence over major and minor decisions affecting all the nations worldwide. Therefore, all nations thrive to improve their economy. Improving economy not only provides the country with a better status in the international arena but also enables the respective government to provide a better quality of life to the citizens, including improved education, healthcare, public transport etc., This becomes the rationale for every country to give precedence to the economy over environment.

Most of the developing countries are dependent of primary or secondary sector of economy. These countries have abundant natural resources but lack the technology to exploit them. On the other hand, developed countries are more focused on the tertiary sector of the economy. They have exhausted their resources but have state of the art technology for efficient exploitation of natural resources. Thus, for developing countries, exploiting the available natural resources and increasing production is the most effective way to boost their economic growth. In this process, they end up polluting the environment. Due to lack of financial sufficiency and technological advancements, these countries pay less attention to treating the waste disposed of by the industries. These countries impose fewer restrictions on the industries, to provide ease for the industries to carry on production. This also attracts industrialist to set up their factories in the countries and make more investments, thus eventually leading to the economic development of the country.



As per NASA data<sup>27</sup>,

<sup>27</sup> <https://climate.nasa.gov/evidence/> (Last accessed on 20<sup>th</sup> April 2018)

## Global Warming And Climate Change

Carbon Dioxide is one of the most dangerous gases for human beings. Carbon Dioxide is responsible for the rise in global temperature and inhalation of CO<sub>2</sub> will cause fatal lungs diseases including cancer and asthma. It is evident from the graph that CO<sub>2</sub> emission has exponentially increased in the last 100 years. This increase began during industrialization and continues.

Developed countries also contribute to environmental pollution. Developed countries have strict regulations on industries over waste management, treatment of expelled material and methods to control other kinds of pollution as well. But what most reports leave out is 'per capita' data. The United State of America consumes much more resources compared to most of the nations, both developed and developing. The United States, with less than 5 % of the global population, uses about a quarter of the world's fossil fuel resources—burning up nearly 25 % of the coal, 26 % of the oil, and 27 % of the world's natural gas<sup>28</sup>. Further, in a survey conducted by National Geographic, Americans ranked last in the countries in regard to sustainable behaviour, out of seventeen countries that were surveyed. Also, the study brought to light that US consumers are the least likely to feel guilty about the impact they have on the environment<sup>29</sup>. This not the case only with the USA but with most of the developed countries. The denizens of developed countries consume more resources and end up polluting more per capita. Most of the data show only total pollution emission and not per capita pollution emission.

Indiscriminate exploitation of natural resources and pollution is the major cause of environmental degradation. The impacts are conspicuous and evident. Climate change is the epitome of the adverse impact on the environment. Water vapor, Carbon Dioxide, methane, CFCs, and nitrous oxide are creating a blanket around the atmosphere. This blanket lets sun's rays pass inside but does not let the heat to go out. Most the greenhouse gases, as these are called, absorb the heat and emit it all around, increasing the global temperature. This will inimically harm Earth, as some regions will heat up and some will cool down. Precipitation will increase in some areas as the increased heat will in turn increase evaporation.

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<sup>28</sup> <http://www.worldwatch.org/node/810> (Last accessed on 22<sup>nd</sup> April 2018).

<sup>29</sup> National Geographic Greendex Survey. Cited in <https://www.scientificamerican.com/article/american-consumption-habits/> (Last accessed on 23<sup>rd</sup> April 2018).

This extreme difference in temperature around the globe will create a drastic change in atmospheric pressure and thus dire climate. Ocean temperature will rise, killing thousands of aquatic species and their habitat. Plants and crops will die due to heat and high carbon concentration in air. Thus, these changes in the environment due to global warming will lead to climate change in the long run.

### **Climate change and nations' approach**

Issues like climate change are not of much concern to developing countries as they take cover behind 'developing country' tag and developed countries put the blame on developing countries for pollution. According to Sir John Houghton, a senior scientist from the United Kingdom, '*Global warming is now a weapon of mass destruction*' (Houghton, 2003)<sup>30</sup>. As discussed earlier, all countries want economic development before environmental protection. This ideology was visible in the Davos World Economic Forum. Except for the mention of Paris Climate Change Agreement by Chinese President Xi Jinping, the topic of climate change was side-lined, and the main stage was completely occupied with discussions on economic and political issues. South Africa has recently hit 'day-zero', that is, no running water in taps. This crisis is soon going to hit most of the densely populated countries in the coming decades. Around 20% of the world labor force is employed in agriculture and displacement rate of people due to environmental factors has been 26 million people per year.<sup>31</sup> Thus, the case for climate change to be on top priority in economic discussions does have a strong argument. But countries are trying to evade a discussion on climate change.

### **Trump pulls out of Paris Climate Change Agreement**

The United Nations Framework Convention on Climate Changes passed the Paris Agreement in December 2015 in its COP21. Through the agreement, the member countries pledged and showed their collective aspiration towards bringing down carbon emission which is the predominant greenhouse gas. The Paris Agreement came into effect in November 2016. President of the United States Donald Trump did not have much concern about climate change and believed that climate change was a mechanism to weaken the industrial giant USA by developing countries like China and India.

<sup>30</sup> [www.guardian.co.uk/politics/2003/jul/28/environment.greenpolitics](http://www.guardian.co.uk/politics/2003/jul/28/environment.greenpolitics) (Last accessed 15 July 2009).

<sup>31</sup> <http://www.unhcr.org/en-us/protection/environment/4901e81a4/unhcr-policy-paper-climate-change-natural-disasters-human-displacement.html>, Climate change, natural disasters and human displacement: a UNHCR perspective

On June 1, 2017, President pulled out of the Paris Agreement and stated that Paris Agreement gave developing countries unfair advantages. It is indeed in a narrow sense true. Developed countries have to literally pay for the development of developing countries. President Trump further stated that US will be ready to negotiate only when the agreement will be “fair” for the US. President Trump does not want to sacrifice economy of US to protect the climate in long run. It is true that developing countries are given special privileges under the Agreement for being ‘developing’ countries. But what President Trump missed out is America, when in developing stage also polluted with no international pressure. A country like the United States of America withdrawing from the Climate Agreement has set a bad precedent. It will abate the faith of other smaller countries in United Nations. At the same time, developing countries like China and India are taking unfair advantage of the privileges and not taking quick measure to curb the emission of greenhouse gases. Therefore, it is conspicuous how President Trump puts economic growth before environmental protection.

### **Brexit And Environment**

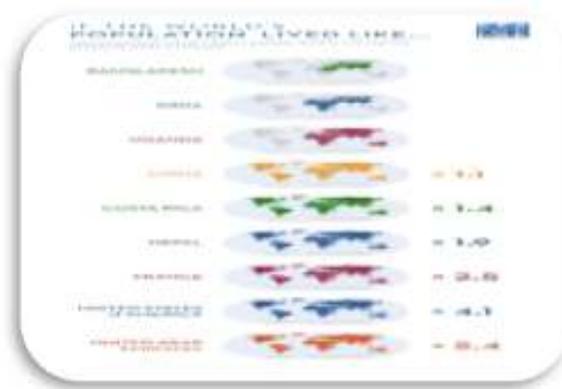
With the exit of the United Kingdom from European Union, the environmental laws in Britain have faced a setback. Most of the environmental laws of UK have been derived from European Union environmental laws. With the exist, now UK is no more complied to adhere to the laws of EU. Further, the EU withdrawal Bill of the Government has given wide powers to the ministers to amend or repeal EU derived environmental laws without public consultation. UK is a party to the Aarhus Convention which mandates UK to consult public before legislating any new law relating to the environment. As per a non-profit organization, UK has failed to have a public consultation. But the Government confirms that UK will retain its obligations under EU laws. But EU has alone entered into various treaties and agreements. UK will have to ratify these laws in order to be bound by them. One of the most important reasons for Brexit was economy and while exiting EU, UK did not discuss much on environmental laws<sup>32</sup>.

Pope Francis also in June 2015 stated that climate change is real, and it is the moral responsibility of every individual, especially the 1.2 billion Catholics across the world<sup>33</sup>.

<sup>32</sup> Brexit Briefing: The Implications for UK; Environmental LawAdvocates for International Development 2017.

<sup>33</sup> <https://unfccc.int/news/pope-francis-releases-encyclical-on-climate-and-environment> (last accessed on 24<sup>th</sup> April 2018)

## IF EVERYONE LIVED LIKE.....



This explicitly shows that if all people live like Americans or French or UAE citizens, our blue planet will not be enough.

### Marine Pollution

It is often assumed that since oceans are so vast any amount of dumping waste will not affect the ocean. But it is now seen that plastic waste in oceans is killing marine life and their habitat. Not only plastic but harmful chemicals and other substances dumped into the oceans settle down on the floor of the ocean destroy life there, including coral reefs. Destruction of corals has led to an exponential decline in marine tourism as well. The discarded fishing nets ensnare fishes and mammals and overfishing has led to the extinction of many aquatic animals.

Canada is the country with the longest coastline in the world. Canadian Government has allotted 1.5 billion Canadian Dollars for protection of oceans, cleaner shipping, and marine safety<sup>34</sup>.

Chile is a Latin American country with 6000 kilometers of coastal line. Chile is showing leadership in showing its commitments towards protecting oceans and coasts from pollution. Chile has announced the creation of a new Ocean Policy Council to promote and resolve challenges in marine sustainability. Chile is also committed to sustainable development and uses wave energy to generate electricity.<sup>35</sup>

<sup>34</sup>Privy Council Office (CA) (2016) The Prime Minister of Canada announces the National Oceans Protection Plan. Prime Minister of Canada, <http://pm.gc.ca/eng/news/2016/11/07/prime-minister-canadaannounces-national-oceans-protection-plan>

<sup>35</sup>Ministry of Foreign Affairs Chile (2017) Foreign Minister Muñoz in UN Ocean Conference: "Chile will protect one million km2 of sea" <http://www.minrel.gov.cl/foreign-minister-munoz-in-un-oceanconference-chile-will-protect-one/minrel/2017-06-08/171223.html>

There are many other environmental challenges such as air pollution, water pollution, waste management, and so many others, but marine pollution and climate change are the two major environmental issue that the world is facing. Most of the other issues can be restricted to each nation. India is suffering from water shortage. With a booming population, water scarcity will further increase. But most of the water scarcity issue in India is not because of unavailability of water but rather because of poor water management. Israel, a small Jewish country is literally is in the desert. A few decades back Israel did not have enough water for its citizens. But today with the use of modern technology and diligent use of water, and recycling of wastewater, they have excess water for use. Thus, most of the other environmental issues are due to poor management and requires only domestic attention.

### **What Is The Way Ahead?**

It is not much of a debate that even though many international organizations including the United Nations are trying to bring environmental issues into the limelight, economic development always puts it in the shadow. This trend has been seen in recent years in which all the countries are running the race for economic superiority. There were days when the power of a country was determined by its military power, but nowadays it is the economic power which determines a country's status at world forums. Even organizations like United Nations are not free from the dominance of the economically powerful country. It is a fact that every organization requires money to run. The United States is always the largest donator for United Nations programs. This makes them primus inter pares among the other member States. Therefore, United Nations has limitations in acting against the United States. For that reason, UN's power to persuade President Trump to negotiate Paris Agreement remains uncertain.

Most of the environmental damages are due to negligence and ignorance of governments and people or precedence to the economy over the environment. Scientists have written dozens of articles, books, and published papers in international journals regarding the solution to environmental issues. Most of the solutions are,

- Awareness among people about environmental issues.
- Banning of plastic as far as possible.
- Reduction of carbon emission.
- Use of renewable and clean energy.

- Water and waste management.
- Recycling water, etc.,

These solutions are valid and oft-times effective in regions where people are ignorant about the damage they are doing to the environment by their actions. This happens mostly when science is not developed enough to predict or explain the extent to which the action damages the environment. But most of these solutions are known to most of the educated population of the world. Bureaucrats advising the politicians are well educated and know the consequences of climate change, pollution, marine life damage, etc., Thus, solutions to curb and control damage is not required. Methods or ways to make countries adopt these solutions are required. The question that needs to ask is “Why?” and not “How?”. Why would any country spend millions of dollars on environment instead of on industries and employment of citizens? Both developed and developing countries are behind economic growth, thus even environmental protection need to be linked to economic growth. There is a requirement to find solutions which, with protecting environment also produces economic growth. An example of this was seen in Chile, where the government had adopted various policies to protect their ocean and coast from environmental degradation. In Chile, marine tourism is one of the most important sectors which contribute to its GDP. Therefore, deterioration of marine tourism due to environmental reasons will directly affect their GDP and thus, economic growth.

Similarly, in India, we have abundant resources. We do not recognize the potential of these resources. Our economy is agriculture dependent and climate change will directly affect the harvest season and yield of agri-product, hitting the GDP adversely. The most saddening fact is that in order to explain the ill effects of any action, connecting it with economic growth and GDP is required. Otherwise, very few people listen.

With science and technology development rate rising at a high pace, environmental laws also need to keep up. Laws are always said to be a generation behind. When the question is about saving the planet, laws need to be a generation ahead.

As Carl Sagen said in his famous episode of the series, 'Cosmos:  
A pale blue dot',

***“Earth is the only home we have ever known”.***

## Water Disputes between States in Federal India

*Vaishnavi Naik*  
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### Abstract

Most rivers of India are plagued with interstate disputes. Almost all the major rivers of the country are interstate rivers and their waters are shared by two or more than two states. After independence, demand for water had been increasing at an accelerated rate due to rapid growth of population, agricultural development, urbanization, industrialization et. These developments have led to several inter-state disputes about sharing of water of these rivers<sup>36</sup>. There is a growing recognition that water conflicts extend beyond issues of water scarcity. There is thus a need for a more inclusive method of understanding water conflicts and the institutions needed to address them. This paper uses an inclusive method to identify the conflict- easing and conflict-enhancing aspects of the dispute. In the process, the limitations of the existing institutions in addressing the conflict become evident.

KEYWORDS – Rivers, Inter-state, Conflict, India, Institutions.

### Introduction

Water is one of the most important renewable natural resources for supporting life. With the increase in population, there has been a rapid increase in its utilization. Rivers have always played an important role in human's life. Many of the great civilizations flourished around the rivers, for example, Egyptian Civilization started around Nile River, Mesopotamian Civilization near Tigris River and Indus civilization around Indus River. Civilizations tended to grow up in river valleys as they provide irrigation, potable water, cheap transportation, electricity, as well as provide livelihoods. In India, the rivers play the primary role to provide better irrigation facilities, drinking water, and electricity, easy and cheap transportation and along with innumerable uses and benefits. Rivers reflect purity and sanctity. There are fourteen major river basins in the country each with drainage area of above 20000 km<sup>2</sup>, 44 medium basins of 20000 to 2000 km<sup>2</sup>. The total water in all river systems of India has been estimated roughly at 16,45,000 million m<sup>3</sup>. The Ganga and the Brahmaputra carry 61% of total water of the country's rivers. The world's largest delta, Sunder bans, is formed by the Ganga and the Brahmaputra in West Bengal<sup>37</sup>.

<sup>36</sup> [www.yourarticlelibrary.com](http://www.yourarticlelibrary.com)

<sup>37</sup> [www.india-wris.nsrc.gov.in/wrpinfo](http://www.india-wris.nsrc.gov.in/wrpinfo)

The Indus River originates from Mount Kailas in Tibet and its several tributaries include Sutlej, Beas, Ravi, Chenab and Jhelum. The holy Ganges originates from the Gangotri Glacier in the Himalayas and its tributaries include Yamuna, Gomti, Ghaghara, Gandaki, Ram Ganga, Chambal, Betwa and Ken. The river Brahmaputra originates from the Manasa sarovar Lake in Western Tibet. It empties into the Bay of Bengal. The source of Godavari, Krishna and Cauvery is the Western Ghats. Krishna basin is the third largest in India. The source of Mahanadi and Damodar rivers is the Northern most extremity of the Deccan Plateau. Saraswathi, Netravathi, Bharthapuzha, Periyar and Pamba originate from Western Ghats<sup>38</sup>.

On an average India receives annual precipitation of 4000km<sup>3</sup>. Inter-State River Water Disputes are one of the most contiguous issues in the Indian federalism today. In the extreme cases, it may hamper the relationship between the different states. The recent cases of the Cauvery Water Dispute and the Sutlej Yamuna Link Canal case are examples. India has 2.4% of the World's land, 18% of world population but only 4% of the renewable water resource. If sufficient steps are not taken, the uneven water distribution will increase the possibility of water conflicts.

Inter-state river water disputes hinder the cooperative federalism of our nation and provide parochial mindset making regional issues superior to national issues. One should realize that our nation is a family in which all states are its members. Rivers are one the most important natural resources and political interference and class conflict should not effect this serene treasure of our beautiful Nation.

So disputes must be resolved by dialogue and talks and the political opportunism must be avoided. The issue can be resolved by discussing the dispute in Inter-State Council which can be beneficial in providing a platform for the talks. Such disputes must be resolved as early as possible to ensure greater cooperation between the states.

The Interstate River Water Disputes Act, 1956 (IRWD Act) is an Act of the Parliament of India enacted under Article 262 of Constitution of India on the eve of reorganization of states on linguistic basis to resolve the water disputes that would arise in the use, control and distribution of an interstate river or river valley.

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<sup>38</sup>www.hindu.com Article by K. Deepalakshmi, updated on 21 February 2018 11:58 IST.

Article 262 of the Indian Constitution provides a role for the Central government in adjudicating conflicts surrounding inter-state rivers that arise among the state/regional governments<sup>39</sup>. This Act further has undergone amendments subsequently and its most recent amendment took place in the year 2002.

### **The Cauvery Basin**

The dominant political division at the time when the Cauvery dispute first arose was between the princely state of old Mysore and the British - ruled Madras Presidency. In 1799, the British defeated Tipu Sultan and handed Mysore back to the Wadiyar dynasty to put in place a system of indirect rule. Dissatisfied with the functioning of the local rulers, the British imposed direct rule on Mysore in 1831. A variety of factors, including the costs of direct rule, led the British to return to a system of indirect rule in 1881.<sup>3</sup> This time round the government in the princely state of Mysore was more sensitive to the need to develop the region. In 1890, the Dewan of Mysore pointed out that "All rivers flowing from Mysore into Madras pour an unused surplus into the sea. Mysore may intercept and take measures to utilize such surplus" (cited in CWDT, 2007, Vol II). Mysore thus recognised the prescriptive rights of Madras to continue using the water it had been using for centuries and laid claim only to the surplus. The problem was in deciding what exactly was the surplus, and when the interests of Madras would be hurt. Given the dominant political relationship enjoyed by the British - controlled Madras Presidency, the agreement reached in 1892 made it the prerogative of the Madras Presidency to decide when its interests were hurt (Richards and Singh, 1996). The agreement took the form of "Rules defining the limits within which no new irrigation works are to be constructed by the Mysore State without previous reference to the Madras government"<sup>40</sup>.

Cauvery, which is locally known as Kaveri, is a large river that flows through the southern states of Karnataka and Tamil Nadu. The river has its origin at Talakaveri, Kodagu in Karnataka and empties itself into the Bay of Bengal through Poompuhar in Tamilnadu. The river has enjoyed social, economic, political religious and even cultural importance in the life of people from both the states that are currently fighting over its water.

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<sup>39</sup> The Indian Constitution.

<sup>40</sup> <https://dlc.dlib.indiana.edu> an Article written by Narendra Pani.

As far as water resources are concerned, around 53% of Cauvery water resources fall within the geographic boundaries of Karnataka, whereas only 30% of water resources fall within the geographical borders of Tamil Nadu. The inter State water dispute between these states caused irreplaceable damage to several families. Aggressive protests were conducted where several domestic transportations were burnt, schools and colleges had to call for an immediate off, several people indulged in ravaging outbursts and there was massive loss caused to the citizens. Several interlocutory applications were filed before the Supreme Court regarding this issue and a three Judge bench which included Justice Dipak Mishra, Justice Amitaya Roy and Justice AM Khanwillkaa constituted the bench. Judgment was passed and the case was solved.

We are in a democratic country and if we do not unite now then it will be impossible to achieve the same in the future in the coming future. Several issues of National importance should be given preference over this and we should broaden our horizon and work towards achieving sustainability, integrity, Peace and Unity in our Nation. Not only South India but North of India too is facing the same crisis. Inter State water dispute has swept its way throughout the country, and is threatening the innocent citizens. Water is one of the most essential amenities which each and every individual require. The State should make sure that no citizen is deprived of this basic amenity. Rivers falls under State List of Schedule 7 of our Indian Constitution.

### **Institutional Requirements**

The appropriate institutions to address water conflicts would need to meet at least two requirements: First, they would have to offer the scope for effective negotiations among stakeholders. They would have to ensure the mechanisms exist to ensure that the various stakeholders can be heard without recourse to violence on the streets. And second, they would have to emphasize the conflict - easing dimensions of the issues, including developing less water - intensive options and bringing the debate on fairness upfront. The institutions that took on the task of addressing the Cauvery dispute failed on both counts. The negotiations were primarily between state governments. Even when a Cauvery River Authority was created its members were only the chief ministers of the states and the prime minister of the country. Many important stakeholders in the dispute, including farmers, had no direct role in the negotiations.

There were efforts from outside the government to correct this weakness. The multistakeholder discussions brought together farmers from Tamil Nadu and Karnataka to address the issue. But their role in influencing the negotiations was, at best, indirect. And in this indirect role too they were often less influential than the elements that were not averse to street violence. There is also little evidence of these institutions developing the conflict-easing, less water-intensive, non-agrarian options consistently across the basin. Addressing the Cauvery conflict is not just a matter of state governments deciding how much water each state should get, but one of institutions that can address, in addition to water issues, the much wider process of social change articulated through a water dispute.<sup>41</sup>

### **Solutions**

1. New Zealand's Whanganui River was the first in the world to be granted legal personhood. Northern India has given the Ganges and Yamuna rivers the status of "living human entities." Recently the River Amazon got a living status. By assigning this status we enable the rivers to have legal guardians and rights. The importance of this natural resource can be realized by its citizens.
2. The Ganga - Cauvery river link scheme is dream project and this will enable the link of major rivers and its tributaries. Sutlej - Yamuna link canal is also one of the most ambitious projects. More schemes like this should be encouraged and support should be provided.
3. Political dominance should not overpower the natural resources. People should have a rational approach and should unite our country together. We are a Nation and we should enable all our citizens to come together for the betterment of our society. All internal matters should be solved peacefully and tranquility should be promoted. Let us all be proud of our beautiful Rivers, Let us all establish Unity and render service to our society for the betterment of one and all.

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<sup>41</sup> <https://dlc.dlib.indiana.edu> an Article written by Narendra Pani.

## **Criminal Victimization and Justice Administration in India - A Human Rights Perspective.**

*Aishwarya S. Hanchate*  
*2<sup>nd</sup> Year, B.A.,LL.B.*

Human beings are what every individual shall have by virtue of his birth as a human being. They are inherent and inalienable. However in the course of the development of society the individual had to sacrifice some of the rights in order to keep the human society intact and capable of protecting all individuals. Later new tasks came to be added and society has been saddled with many duties, the discharging of which entailed interference and with sometimes even violation of human rights of the individual. In course of time the volume of states' activities involving violation of human rights reached a stage where the state was nicknamed the greatest violator of the human rights.

The criminal justice system in India has become the bane of human rights. A great is wrong with the criminal justice system in India. This includes the various stages beginning with the reporting of crime, investigation of case, arrest of the accused, his interrogation, interminable delays in the criminal trial, languishing in jails of under trials, and finally the incarceration of the convict in jail. Equally important are the aspects pertaining to spread of terrorism, particularly in the post-Babri Masjid demolition phase, the propagation of the ideology that power flows from the barrel of the gun by Naxalite Peoples' War Groups in Andhra Pradesh, Bihar, Madhya Pradesh, Maharashtra and some other States.

India is a signatory to a number of international conventions on human rights. And, for India is the worlds' largest democracy. India's moral voice against oppression, apartheid, segregation, discrimination and human bondage is heard on the world stage with respect. Unfortunately, over the years, the shine has diminished. In several ways, India has lost its moral right to preach to the world community what it itself has failed to practise. Amnesty International is one such example, has made a series of recommendations on dealing with cases of disappearances. These include an honest effort to end and prevent further "disappearances"; establish the whereabouts of those currently "disappeared"; bring the perpetrators to justice; and compensate the families of the victims.<sup>42</sup>

There are only 10-12 judges for every million people in the country, while advanced countries have 50 judges per million. In those countries, hardly 7 to 10 per cent of cases go for trial. The rest are settled out of court.

<sup>42</sup> Amnesty International, India: "If They Are Dead, Tell Us! : Disappearances in Jammu and Kashmir", ASA 20/02/99, pg. 53-56

One of the ways to protect the rights is to overhaul the law. But law reform cannot be possible without movements for that purpose. In spite of the calls made by courts, many of our laws remain in our statute.

One of the areas of the Indian Criminal Justice system, which remains still unexplored, is the role assigned to the public prosecutor in the criminal prosecution. The victim of the crime or the accused does not have any role in appointing him.<sup>43</sup> If the victim appoints one to safeguard his interests he is supposed to function under the direction of the public prosecutor appointed by the state.<sup>44</sup> And the state makes the appointment of the public prosecutors on the basis of the political learning of the candidates.<sup>45</sup> Unfortunately, the independence and impartiality of the office of the public prosecutor is not at all appreciated by anyone. Public prosecutors are usually discriminatory in their functioning. The facts presented in *Sunil Kumar Pal v. Phota Sheikh*<sup>46</sup> wherein the prosecutor after appearing for the prosecution later changed sides and appeared for the accused is an instance where the public prosecutor abdicated his position to satisfy his political superiors who was ruling the state. The bizarre fact evoked a strong comment of the apex court thus-

*“ It is difficult to understand how consistent with the ethics of the legal profession and fair play in the administration of the justice the public prosecutor of the Nadia could appear on behalf of the respondents 1 to 9”*

Often the functionaries of the state machinery do not take an active interest prosecuting the offender diligently for several reasons. This situation results in the violation of the rights of the victims.<sup>47</sup> In the case where the prosecution miserably failed to prove a rape charge, the Madras High Court was constrained to comment;

*“Because of the wanton inaction of the inspector of police who investigated this case and because of the lack of proper guidance to be given by the superintendent of Police concerned and because of the absence of proper legal advice by the A.P.P. to the Inspector of police to arrange for the identification parade, a very serious and flagrant miscarriage of justice has been caused in this case”.*

*In this scenario one may be justified to conclude that the public does seem to have a lot of expectation from the judiciary and the occasional shocks administered by the judges to the police and prosecutors have at least*

<sup>43</sup>R. Balakrishna Pilai v. State, 1999 CRI LJ 1286 (KER)

<sup>44</sup>Shiv Kumar v. Hukam Chand, (1999) 7 SCC 467

<sup>45</sup>Srilekha Vidyarihi v. State of UP, (1991) 1 SCC 212

<sup>46</sup>Sunil Kumar Pal v. Phota Sheikh, (1984) 4 SCC 533

<sup>47</sup>Ramachandran v. S.H.O., Annamalai Nagar, 1999 CRI LJ 1180 (Mad)

*rekindled the spirit and cemented the faith of the people in the system. And the courts, particularly the Apex Court, have been straining its every nerve to keep pace with the developments in various segments of the system.<sup>48</sup> It has drawn heavily from the international instruments to breathe new life into various provisions which lie dormant in our statute books.*

The main remedy evolved by the courts for human rights violations in the criminal justice system in awarding compensation to the victim either by the government or by the individual officer who is responsible for the violation of the rights. Ordering the government to pay compensation for the violation of rights by the functionaries in the government may involve violations of rights of law-abiding citizens in as much as it is from their pocket that the state may compensate the victims of recalcitrant offenders.

The laws which grant compensation to the victims give effect to fundamental obligation of the State to ensure the welfare of its citizens.<sup>49</sup> With the legislation dealing with the compensation, the Indian legal system can now be considered to be well equipped with numerous laws which have provisions for interim relief and compensation to victims in case of disability or death.

S.357, Cr.P.C. is a minimally used but it is an effective provision which can reduce the adverse impact of crime on victim. S.357 (1)(b) & (c), Cr.P.C. enable to courts to order compensation to the victim of crime from fine imposed on the convicted person. S.357 (3), Cr.P.C. allows courts to order the compensation even when the fine does not form part of the sentence. The victim can now also apply for compensation to legal services authority even if the offender is not traced or identified and where no trial has been initiated. The legal services authority have to process the application of the victim and decide the quantum of compensation after due enquiry as per the recommendation of the court. The legal services authority can also order for free medical treatment or any other interim relief to the victim as per the recommendation of police station in charge or a magistrate. S. 357A (1),Cr.P.C. makes it mandatory for state government to frame a scheme in coordination with central government for providing funds for compensation to victims or his dependants.

The Supreme Court in *Hari Singh v. Sukhbir Singh*<sup>50</sup> urged all courts to exercise their power under s.357, Cr.P.C. liberally to safeguard the interest of victim.

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<sup>48</sup> Vishaka v. State of Rajasthan, (1997) 6 SCC 241

<sup>49</sup> Directive principle contained in Art. 38(1) of the Constitution of India makes it obligatory for the state to promote welfare of people by ensuring a just social order.

<sup>50</sup> Hari Singh v. Sukhbir Singh (1988) 4 SCC 551

In this case the victim and his relatives were attacked by seven persons in the field and the victim received severe head injuries which impaired his speech permanently. The accused were convicted by the trial and sentenced to imprisonment for three to four years. On appeal to high court acquitted to accused and quashed the conviction of other five accused under s. 307/149, IPC but maintained their conviction under s. 325/149, IPC. Accused persons were granted probation and each was ordered to pay compensation of rupees 2500 to victim. On appeal the Supreme Court did not disturb the decision of the high court regarding conviction and the sentence but ordered the accused persons to jointly a total compensation of rupees 50,000 to the victim under s. 357(3), Cr.P.C.. The Supreme Court stressed the importance of s. 357(3), Cr.P.C and recorded thus:

*It is an important provision but the courts have seldom invoked it. Perhaps due to ignorance of the object of it. It empowers the court to award compensation to victims while passing judgement of conviction. In addition to conviction, the court may order the accused to pay some amount by way of compensation to victim who has suffered by the action of accused. It may be noted that this power of courts to award compensation is not ancillary to order sentences but it is in addition there to. This power was intended to do something to reassure the victim that he or she is not forgotten in the criminal justice system. It is measure of responding appropriately to crime as well of reconciling the victim with the offender. It is, to some extent a constructive approach to crimes. It is indeed a step forward in our criminal justice system. We, therefore, recommend to all courts to exercise this power liberally so as to meet the ends of justice in a better way.*

In *K.A. Abbas H.S.A. v. Sabu Joseph*<sup>51</sup> dealing with the conviction and order of compensation by the High Court of Kerala for offence under s.138 of the Negotiable Instruments Act, the Apex Court delved into the objective behind the compensation to victim under s. 357 (3), Cr.P.C. and the issue that whether a default sentence can be imposed on default of payment of compensation. The court said thus:

*The whole purpose of the provision is to accommodate the interests of the victims in the criminal justice system. Sometimes the situation become such that no purpose is served by keeping the person behind bars. Instead directing the accused to pay an amount of compensation to the victim or affected party can ensure delivery of the total justice. Therefore, this grant of compensation is sometimes in lieu of sending a person behind bars or in addition to a very light sentence of imprisonment. Hence on default of payment of this compensation, there must be a just recourse. Not imposing*

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<sup>51</sup> K.A. Abbas H.S.A. v. Sabu Joseph (2010) 6 SCC 230

*a sentence of imprisonment would mean allowing the accused to get away without paying the compensation and imposing a fine upon another fine and therefore would not ensure proper enforcement of the order of compensation. While passing an order under s. 357(3), it is imperative for the courts to look at the ability and the capacity of the accused to pay the same amount as has been laid down by the cases above, otherwise the very purpose of granting an order of compensation would stand defeated.*

The above cases clearly highlight the role of courts under sec. 357, Cr.P.C. in reducing the suffering of victims of crime and describe the stage of the criminal justice system. It also makes clear that the Supreme Court recommends an increasing and regular use of this provision by the courts.

The Indian legislature should pass an Act to safeguard the interests of the victims in a comprehensive manner. The Malimath Committee recommended the enactment of the bill for victim compensation prepared by the Indian society of Victimology in 1995. The government must review and pass this bill without any delay.

The canvas of human rights is as large as life itself. There are very many connotations of human rights. These fall in the category of social, political, economic, cultural, regional, linguistic, and religious and so on. Upholding human rights in all these spheres is a challenge which each civilized society has to accept. It will be necessary to ensure that there is a continuous movement forward, howsoever small it may be. This will call for eternal vigilance. In all such endeavours, the world is a small village. There is a great deal to learn from each other in upholding the human rights. Each world citizen has a right to know the story of the successes and failures of others. For, this is the story of mankind through the ages.

## Indian Democracy, Media and Public Opinion – Does Public Opinion Matter in Policy Making?

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Indian democracy is often characterized as being loud, noisy, schizophrenic and boisterous. The question then is – how do we make sense of the seemingly senseless? How do we organize the hopelessly unorganized? How do we separate the rational from the noise? The answers to these questions contain the answer to the question – does public opinion matter in policy making?

The pessimist sees a half-filled glass as a half-empty one, the optimist sees a half-empty glass as a half-filled one, the realist sees if he is thirsty. We must don the cap of a realist to analyze the effectiveness of public opinion in influencing policy making in India. This is so because public opinion, like everything else, has its pros and cons. We must also see how public opinion influences and is influenced by Indian democracy and media in order to complete our analysis.

Public opinion consists of the desires, wants, and thinking of the majority of the people; it is the collective opinion of the people of a society or state on an issue or problem. Public opinion is the very backbone of a democracy since democracy is based on the tenets of liberty, equality, and fraternity.

When it comes to Indian democracy, our first experiment after independence i.e. drafting the constitution did not involve the element of public opinion. This is because the members of the Constituent Assembly of India were elected indirectly by members of the Provincial Assemblies. This is not a criticism of the Constituent Assembly but merely an observation as to how the entire concept of public opinion in India has roots in the farsightedness of the minority of learned members of the Constituent Assembly, who from the inception of a fragile democracy granted suffrage to all Indians, irrespective of caste, creed, sex, religion. Subsequent to the drafting of the Indian Constitution, every election in India has been a celebration of public opinion. At periodic intervals, Indians have made their voice be heard by casting votes to elect representatives to deliberate in the temple of policy-making namely, the Parliament.

However, elections are few and far between, providing no continuity to engage with the public after elections. Further, public opinion on pressing issues of corruption, economic development, sectarian violence, crumbling infrastructure are often junked when people vote based on narrow considerations of caste, religion, fear, freebies etc. Until and unless people do not vote based on an informed choice, elections cannot be used as an effective tool for expressing public opinion.

Elections are not the sole way of expressing the public opinion in India. When the need has arisen, Indians have not shied away from taking to the streets to express their angst and voice against status quo. While the brutalities of the 'Nirbhaya' rape still horrify us, the solidarity shown by us as citizens serves as a beacon of hope. The revolution headed by Anna Hazare which culminated in the passage of the Lokpal Bill is also a triumph of public opinion in influencing policy. More recently, the Government of the day promulgated the Criminal Law (Amendment) Ordinance, 2018 as a response to the outrage caused to the collective consciousness of the society due to the rape of a minor girl in Jammu. While these instances show the public opinion does influence policymaking in India, one must also examine the quality of policy which is the outcome of the articulation of public opinion. It is here that we must lament that the resultant policy is often cosmetic, half-baked, lacking application of mind and bereft of all reason. The main cause of this deficiency is that the policy created by the policymakers is often a knee-jerk reaction to a sudden, almost violent outburst of public opinion. This is why 'Nirbhaya Funds' remain unutilized as there is no proper policy as to how to utilize these funds. The Lokpal Act was brought in to force, but no Lokpal appointed. The death penalty is now introduced as punishment for those raping children aged below 12, blissfully ignorant of the implementation and delay in judicial proceedings. As stated earlier, these are merely cosmetic changes.

Another flaw in Indians articulating public opinion is that they are not united and do not make use of institutionalized means of expressing views on matters of policy. Take the example of the hotly debated proposal to construct a Steel flyover in Bengaluru to ease congestion and traffic. It was common knowledge that the majority of Bangaloreans opposed the project, but when the PWD invited suggestions and objections, it received only 20 responses. This is a major encumbrance in expressing a public opinion to bring about change in policies. Apart from protests and demonstrations, public opinion is also expressed through

organized apolitical bodies such as Think Tanks, Pressure groups, and Lobbies. While these are not strictly representative of views of the entire public, they do represent views of a large section of public and are exceptionally instrumental in bringing about policy changes in a meaningful and fruitful manner.

The Judiciary as an institution must also be commended for opening its doors to be a platform for expressing public opinion. Spirited lawyers, working pro bono publico have often through their intelligent arguments reflected public sentiments and brought about policy changes. It was through the judicial process that public opinion against sexual harassment at workplace found expression wherein the Supreme Court of India issued guidelines for prevention of sexual harassment at workplace. On environmental issues, the legal doyen M C Mehta has done yeoman service in articulating public opinion. Public Interest Litigation (PIL) has emerged as a potent and effective tool in raising issues of public importance which have guided policymakers.

While the foregoing passages have dealt with some detail on the aspect of Indian democracy and public opinion, it is now apposite to examine how the media plays its part in the process that is public opinion.

The media, often referred to the fourth pillar of democracy is a platform for debate, discussion, and deliberation. It not only articulates public opinion but also influences it. While traditional media like print, television, and radio face the threat of redundancy, social media has emerged as the new platform for expressing one's opinion. Policy makers have also recognized the potential of social media and have thus become active participants themselves. Through social media, the tyranny of distance is considerably reduced, and the fort of elitism is crumbled. Policymakers actively utilize polling tools available on social media to gauge public mood on policy matters. Tweets on floods in distant areas like Assam, drought and water scarcity in Latur which were never covered by traditional media, now draw the attention of everybody when it trends on social media. However, there is also a downside to the same. Social media is now plagued with fake news. Use of analytical tools, as done recently by Cambridge Analytica raises serious questions of data privacy and use of social media to further benefit personal and political agendas. Instead of being a platform of intelligent discussion, it has been reduced to a place of hate-mongering, rumour-mongering and trolling.

The essence of the debate regarding the efficacy of public opinion is never-ending. While we must recognize the progress that has been made when it comes to recognizing the public as a stakeholder in the process of policy formulation, we must also acknowledge the fact that there is a long way to go. Technology can be a friend on this journey. With the emergence of blockchain technology and high level of internet penetration, it is possible in the near future to obtain the opinion of the entire population instantaneously. The possibility of e-voting and also e-referendum present exciting avenues. One thing is for certain that there can only be growth in public participation.

This brings me to my conclusion. In the beginning, I had stated that Indian democracy is often characterized as being loud, noisy, schizophrenic and boisterous. This is wholly true. In a land of unregulated traffic, poor network coverage, and Arnab Goswami, one has to be loud to be heard. Where the lawmakers live in an ivory tower called the Parliament, noise is essential to draw attention. Where franchise is taken for granted by political parties, schizophrenia is needed to keep politicians on their toes. Finally, a country with the largest population of youth is bound to be boisterous.

With regard to the fullness/emptiness of the glass, don't trust me - ask the public about it!

*"Vox populi, vox dei"*

## **Does Public Opinion matter in Policy Making: The Chasm between People's Voice and the God's Voice!<sup>52</sup>**

*J.Banu Priya  
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It is believed that the proverb "Vox populi, vox dei" had gained currency during the middle Ages. It is the Latin phrase which means "the voice of the people is the voice of God."

### **History**

In his book, the "Discourses on Livy," Machiavelli, too, compared the voice of the people to the voice of God. Jean Jacques Rousseau was perhaps first to use it on the eve of French Revolution. In its present meaning as the agency for the conditioning of public policy, the phrase "public opinion" was introduced later into the vocabulary of the European politics through France. Today, the literature of democracy symbolizes in fact the rationalization of political behavior in terms of public opinion.

However, very few people know about the genesis of the proverb vox populi, vox dei. The earliest known reference to equating it with the voice of God ("Vox populi, vox Dei)—in a disapproving way—is attributed to Saxon scholar and teacher Alcuin of York (735-804), then Master of the Palace School at Aachen. In a letter to the Emperor Charlemagne in 800, he wrote, **"And those people should not be listened to who keep saying the voice of the people is the voice of God, since the riotousness of the crowd is always close to insanity."**

### **Introduction**

The summation of individual attitudes, sentiments or views held by the adults constitutes public opinion. A fundamental principle of democratic government is that policy will be a function of opinion.<sup>53</sup> This theory is built upon the factors that, the public is interested in the government, it has the knowledge of its demands, and it can voice its opinion for the same. By assessing the opinions at the personal level and combining them, the percentage of the population with particular views and preferences can be established. Public opinions affect policy both positively and negatively depending on the overall general public view

<sup>52</sup> Article submitted by Ridima Sinha, 5th year B.A. LLB, Ramaiah College of Law, Bengaluru for Article Writing Competition hosted by RCL.

<sup>53</sup> See, e.g., Pitkin, 1967; Dahl, 1971.

on the policy. Governments have in many occasions devised the use of public opinions for guiding their public information and helping in the making of government policies. The fundamental representation of democracy is the provision of a method through which public opinion and public policy interact with one another.

The Spanish writer, Jose'Ortega Y Gasset, in his work, "Revolt of the Masses" has mentioned that never has anyone ruled by basing his rule essentially on any other thing than public opinion.

### **What constitutes public opinion?**

In broad terms, public opinion refers to organized and considered opinion of a section or many sections of the people, on any issue or problem of public concern. It may or may not be the opinion of all the people or the majority.

According to Arthur Bentley "Public opinion is expression of, by or for group of people. It is primarily an expression of the group interest, by the group itself...."

According to Finer, most definitions of public opinion are intended to mean one of the three things<sup>54</sup>:

1. A Record Of Facts: As a record of fact, opinion means such a simple statement as 'Kulbhusan Yadav's case was lost by India in the ICJ'
2. A Belief: As a belief, opinion implies not only a record of facts but also their valuation. It also involves a prophecy about the future course of events. The sentence, 'There shall be a time when Indo-China borders will be one of the issues of the third world war', illustrates the point.
3. A Will. As a will, opinion is not is not merely a record and valuation of facts; it also asserts a course of action. For example, when we inquire, 'India should criminalize the triple-talaq concept of Islamic law-yes or no?' we mean that it is worthwhile to pursue a course of action. In the field of political dynamics, public opinion is intended to produce a concrete governmental policy.

<sup>54</sup> Reference taken from Public Opinion and Democracy, available at <http://www.legalservicesindia.com/articles/demo.htm>, last visited on 30th April, 2018.

Lieber defined public opinion as "the sense and sentiments of the community, necessarily irresistible showing its power everywhere," which "gives sense to the letter and life of law; without the written law is a mere husk."

Thus conceived, public opinion assumes in the background the existence of the solidity unified, homogenous public. Such was Rousseau's idea; he assumed a society of men, generally enlightened on honest, active in their own political interests and free from fractional associations.<sup>55</sup>

The various agencies of public opinion are: The Press, The Cinema and the Radio, The Political Parties, The Pressure Groups, The Educational Institutions, The Associations voicing people's cause, the various other platforms through which the society finds a way to represent their ideas of the societal norm's pathway.

#### **Role of Public Opinion Influencing Governmental Policies:**

Views on the use and role of public opinion in forming policy can often be as diverse as the opinions themselves. They may play a positive role and they may affect the policy to be modified in a manner that is regressive for the society in the long run. It also depends on the government which may accept or reject the public opinion while formulating the policies. The indirect representation by the Members of Parliament/State Assemblies is the second theory of public opinion being counted in for the public policy building, the first one being direct representation of the public opinion by the public themselves. Of course, this excludes lobbying, but definitely includes voicing of the people's concern.

The role of public opinion in a democracy is of particular significance on two grounds. In the first place, when free play of opinion is assured, the whole process acts as a check on the overgrowth of power. A government, whatever be its structure, is, after all, an organization of power. Democracy is distinguished from other forms of government by the fact that it is built on the assumption of diffusion of power rather than its concentration in one center. The public demand for better guidelines on checking sexual harassment of women at workplace gave us the law, although late, enacted as the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act of 2013 post the Supreme Court judgment in Vishakha v. State of Rajasthan.<sup>56</sup>

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<sup>55</sup> Ibidem

<sup>56</sup> Vishakha v. State of Rajasthan, (1997) 7 SCC 323

This brings us to the second important function discharged by public opinion in a democracy. When law becomes a reflection of public opinion, it offers an easy solution to the problem of political obligation. The citizens obey the law, as it rests on their will to obey. The whole process of lawmaking serves to obliterate the distinction between the law-giver and the law-receiver. To quote Macler, "when opinion is free to determine government, policy is not of the acquiescence that submits to force, but of active consent."

The finest example of this function is the recent Policy of RBI<sup>57</sup> for storing sensitive data of the customers using online UPI payment gateways, such as PayTM, PaySe, etc in a server located in India itself, in line with the public demand for legal regulation of their data privacy.

Thus, we can sum up the role of public opinion in the following points:-

a) Guide to the Government:

Public opinion acts as the guide to the government in respect of policy formation. Government functions in general on the basis of mandate received in elections and tries to win over the masses to fulfill the promises made during elections.

(b) Helping in Law Making:

Government is always under pressure of public opinion and takes note of the same in formulating laws for the common good. Governmental policies are invariably affected by people's opinion on various issues. Public opinion helps the government to enact laws in the given situation.

(c) Acts as a Watchdog:

Public opinion acts as a watchdog. It controls and checks the government from becoming irresponsible. While criticizing the wrong policies of the government, public opinion always keeps the government alert. Government is always conscious of the fact that people would not vote for it or bring it back to power again if it goes against the wishes of the people.

(d) Protects the Rights & Liberties:

Public opinion acts as the protector of rights and liberties of citizens. In a democratic country, people have the right to criticize or support the government in their own way. More effective and positive use of this

<sup>57</sup>Available at <https://www.rbi.org.in/scripts/NotificationUser.aspx?Id=11244&Mode=0>

right not only encourages or motivates the government but also keeps the government alive towards the rights and liberties of the people.

(e) Acts as a Powerful Force in International Sphere: -

Public opinion has acquired worldwide importance. In fact, international relations are influenced by public opinion. In the age of globalization, the issues like promotion and protection of human rights, environment and discrimination based on race, religion or sex, prevention of child labour, terrorism etc. hold international community answerable to public opinion. Therefore, the governments remain conscious of such international public opinion also. In fact, no democratic government can afford to ignore public opinion.

### **How does public opinion affect the law making procedure?**

Institutionalizing the pre legislative scrutiny process: Public scrutiny of draft Bills.

The government's pre legislative consultation policy has not been implemented in a uniform manner. For example, the Delhi Special Police Establishment (Amendment) Bill, 2014 that was passed in the winter session was not placed in the public domain at the draft stage. A draft of the Assisted Reproductive Technology (Regulation) Bill, 2014 was not available available for the public scrutiny for the current session when it was produced in the winter session. The pre legislative consultation policy also provides for a 30 day window for stakeholder comments.

However, recently, the Health Ministry provided 10 days for submitting comments on the draft amendments to the Medical Termination of Pregnancy Act, 1971.

If practices around public consultations on draft Bills are implemented in a uniform manner it would aid in effective implementation of the policy. In the UK, every draft Bill and its Explanatory Notes are made publicly available for pre legislative scrutiny

### **Critical Analysis of some of the Policy changes introduced by the Indian Government on Public Demand**

While Winston Churchill took the view that there was "no such thing as public opinion. There is only published opinion," Abraham Lincoln's take was simple. He said, "Public opinion in this country (USA) is everything."

Indian Government being a democratic government postulates free organization of opposing opinions, the struggle of ideas and the conflict of opinions unravel important spheres of disagreement, agreement and ignorance. These are of the utmost important in a democracy under which government is constantly to adjust itself, for the sake of stability, to the shifting "parallelogram of forces." Following are certain policy changes that the government introduced only after being influenced by the public opinion:-

1. The Criminal Law Amendment Act, 2013.

Post the Nirbhaya issue, there were amendments made to the IPC, the Evidence Act, inserting provision for safety of women and changing the definition of rape, stalking, etc.

It was a move by the government taken after mass protests for enforcement of stringent laws for the perpetrators on women and children.

2. The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act of 2013.

After 16 long years passed, post the guidelines issued by the Supreme Court, until which they remained like a toothless tiger, this piece of legislation was enforced after strong demands from the public sent messages to the Government to make laws for the safety of women in their work spheres.

3. Juvenile Justice Act, 2015.

Although a very regressive legislative piece, this Act was passed to pacify the public which demanded treatment of juveniles as adults in case of them committing heinous offences. The act contemplates different of juveniles between the age 16 to 18 and below. This blanket treatment does neither satisfies the rationale of 18 years blanket age nor does it pass the test of constitutional validity of classification test under Article 14. It also violates the MACR requirement mandated by the CRC, to which India is a signatory. Yet, it is in force-thanks to the public demand!

4. The Muslim Women (Protection of Rights on Marriage) Bill, 2017

From Shah Bano to Shayara Bano's case,<sup>58</sup> somehow some failure was displayed by the government where in the attitude towards the rigidity of the Islamic laws was not done away with in order to please the Islamic

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<sup>58</sup> Shayara Bano v Union of India, (2017) 9 SCC 1

diktats for their votes in the former case. However, in light of the latter judgment pronounced by the SC, The Muslim Women (Protection of Rights on Marriage) Bill, 2017 was passed keeping in mind the public demand for safeguarding the rights of Muslim women.

#### 5. The Criminal Law (Amendment) Ordinance, 2018.

This ordinance enhances punishment for the perpetrators of rape upon children under 12 years of age and 16 years of age by amending Protection of Children from Sexual Offences Act (POCSO), 2012; IPC, Code of Criminal Procedure (Cr.P.C), 1973 and introduced the concept of time bound investigation. This was in response to the public outrage against the attitude of the state towards the gang rape and murder of an 8 year old Muslim child. However, this will have its own implications of reduced number of complaints, if the offender is a relative of the child, given the punishment has been enhanced. There is no data to prove the same, however the country's top notch centers of child helpline believe that this is another futile attempt like the amendment made to the JJA, 2015 which shall not lower the number of crimes but shall lower the number of FIRs.

#### **Conclusion:**

It can be safely concluded that the legislative, political, judicial- all policies are definitely affected by the public opinion. It has even been claimed that public opinion has the ability to change the course of history and that seems true. Law-making opinion is merely one part of the whole body of ideas and beliefs which prevail at a given time. We therefore naturally expect, first, that alterations in the opinion which governs the province of legislation will reappear in other spheres of thought and action and be traceable in the lives of individuals, and, next, that the changes of legislative opinion will turn out to be the result of the general tendencies of Indian and International Community's thoughts during a particular age. Clearly, people's voice is the voice of the government, but considering the fact that God's voice would be just and fair, not always the implications of the people's voice results in justice and fairness.

## ಸಂಘಜೀವಿಯೇ ನಾವು

Sameera.M  
1<sup>st</sup> Year, B.A.,LL.B.

ಗುಂಪುಗಾರಿಕೆ ಮಾಡಿದರು ಅವಶ್ಯಕತೆ ಇದ್ದಾಗ ಬಳಸಿದರು.  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

ಅಸ್ಥಿತ್ವವನ್ನು ಉಳಿಸಿಕೊಳ್ಳಲು ದುಡಿದೇನು ನನ್ನ ನಗುವಿನ ಹಿಂದೆಯೂ ಒಂದು ಅಳುವಿದೆ  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

ಕೋಟ್ಯಾಂತರ ಮಮತೆಯ ಕಣ್ಣುಗಳು, ಕಟ್ಟಿ ಹಾಕಿರುವ ಸಹಾಯಕ್ಕೆ ಬಾರದ ಕೈಗಳು  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

ಬಣ್ಣ ಬದಲಾಯಿಸಿದರು ಊಸರವಳ್ಳಿಗಿಂತ ವೇಗವಾಗಿ  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

ಸಾವಿರಾರು ಸ್ನೇಹಿತರಿರುವರು ಸಾಮಾಜಿಕ ಜಾಲತಾಣದಲ್ಲಿ ಆದರೆ ಮನ ಬಿಚ್ಚಿ  
ಮಾತನಾಡಲು ನಾಲ್ಕು ಮಂದಿ ಮಾತ್ರ ಇಲ್ಲ  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

ಕಪ್ಪು ಕಲ್ಲಿನ ಮುಂದಿರುವ ಹುಂಡಿಗೆ ಲಕ್ಷ ಕೋಟಿ ಸುರಿದರು ಆದರೆ ಕರಗುವ ಮನಸ್ಸಿಗೆ  
ಅಭಯಹಸ್ತವೇ ಇಲ್ಲ  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

ಸಂಬಳ ಕೊಡುವವನಿಗೆ ನಾಲ್ಕು ಗಂಟೆ ಹೆಚ್ಚು ದುಡಿದೆವು ಆದರೆ ಸಂಬಂಧಕ್ಕೆ ದಾರಿ  
ಮಾಡಿಕೊಟ್ಟ ತಂದೆ-ತಾಯಿಯನ್ನು ಮರೆತೆವು  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

ಪ್ರೀತಿ ಕರುಣೆ , ಅನುಕಂಪದ ಜೊತೆಗೆ ಕೋಪ ಅಸೂಯೆ ಜಗಳ ಎಲ್ಲವೂ ಇವೆ  
ಆದರೂ ನಾವು ಸಂಘಜೀವಿಯೇ.

"ಜನರ ಸೇವೆಯೇ ಜನಾರ್ಥನನ ಸೇವೆ" ಎಂಬುದನ್ನು ಮರೆಯಬೇಡ ಓ ಮನುಜ  
ಏಕೆಂದರೆ ನಾವು ಸಂಘಜೀವಿಗಳು.

## ಶನಿ ಚರಿತೆ

Vishwaksen R Badagandi  
2<sup>nd</sup> Year, B.A.,LL.B.

ಸೂರ್ಯದೇವ ಸನ್ಯಾದೇವಿ, ಯಮನು ಯಮಿಯು ಮಕ್ಕಳಿಬ್ಬರು ||  
ಸೂರ್ಯ ತಾಪ ತಡೆಯಲಾಗದೆ, ಸನ್ಯಾ ತೆರೆದಳು ತಪಸ್ಸಿಗೆ || ೧ ||

ತಪಸ್ಸಿಗೆ ತೆರಳುವ ಮುನ್ನ, ಸೃಷ್ಟಿಸಿದಳು ತನ್ನ ಛಾಯೆ ||  
ಸೂರ್ಯತಾಪ ತಡೆದಳೆಂದು, ಛಾಯೆಗೆ ಜನಿಸಿದನು ಶನಿದೇವನು || ೨ ||

ಪರಮೇಶ್ವರನ ಒಲಿಸಲೆಂದು, ಘೋರ ತಪಸ್ಸು ಪ್ರಾರಭಿಸಿದಳು ||  
ಸೂರ್ಯ ತಾಪ ತಡೆಯುವಂತಹ, ವರವನ್ನು ತಾ ಪಡೆದಳು || ೩ ||

ಘೋರ ತಪಸ್ಸನ್ನು ಮುಗಿಸಿ, ಸೂರ್ಯಲೋಕಕ್ಕೆ ಮರಳಿದಳು ಸನ್ಯಾದೇವಿ ||  
ಶನಿಯ ಜನ್ಮ ವಾರ್ತೆ ಕೇಳಿ, ಛಾಯೆಯನ್ನು ಕಂಡು ಕುಪಿತಳಾದಳು || ೪ ||

ಶನಿಗೆ ಸತ್ಯ ತಿಳಿಯಿತೆಂದು, ತೆರಳಿದನು ಸೃಷ್ಟಿಯ ನಾಶಕೆ ||  
ತಡೆಯಲಾಯಿತು ಕುಪಿತ ಶನಿಯನ್ನು, ಸ್ವತಃ ಪರಮೇಶ್ವರನಿಂದ || ೫ ||

ಜನ್ಮ ರಹಸ್ಯ ತಿಳಿದುಕೊಂಡು, ಶನಿಯು ಶಾಂತನಾಗಿ ಶರಣಾದ ||  
ಪರಮೇಶ್ವರಿಗೆ ವಚನ ನೀಡಿ, ಕರ್ಮಫಲದಾತನಾದನು || ೬ ||

ಕರ್ಮಗಳ ಫಲದಾತನಾಗಿ, ವಕ್ರ ದೃಷ್ಟಿಯ ವರವ ಪಡೆದು ||  
ಸಾಕ್ಷಾತ್ ಪರಮೇಶ್ವರನ ಮೇಲೆ, ವಕ್ರ ದೃಷ್ಟಿಯ ಬೀರಿದ || ೭ ||

ಪರೀಕ್ಷೆಯ ಪ್ರಥಮ ವಾದ ಹಾದಿ , ಇದ್ದರು ಶನಿಯು ಈಶ್ವರರು ||  
ಶಿವನ ಕಂಡು ಧರಣಿಯಲ್ಲಿ, ಶನಿಯು ದೃಷ್ಟಿಯ ನಿಲ್ಲಿಸಿದ || ೮ ||

ಶನಿಯ ದೃಷ್ಟಿ ತಡೆಯಲೆಂದು, ಶಿವನು ತೆರಳಿದ ಭೋಮಿಗೆ ||  
ಛಾಯಾಪುತ್ರ ಶನಿಯು ಇಂದು, ಕರ್ಮಗಳ ಫಲ ನೀಡಿದ || ೯ ||

ಧರಣಿಯಲ್ಲಿ ಪ್ರಥಮವಾಗಿ, ವಕ್ರ ದೃಷ್ಟಿಯನ್ನು ಬೀರಲು ||  
ಹರಿಸ್ವಂದ್ರನ ಬಳಿಗೆ ಹೋಗಿ, ಸಲಹೆಗಾರನಾದನು || ೧೦ ||

ತನ್ನ ಕೃತ್ಯ ಕರ್ಮಗಳಿಗೆ, ಹರಿಸ್ವಂದ್ರನು ಪಾಠ ಕಲಿತು ||  
ಕುಪಿತನಾಗಿ ಶನಿಯ ಶಪಿಸಿ, ಪಸ್ವಾತ್ತಾಪವ ಪಡೆದುಕೊಂಡ || ೧೧ ||

ಶನಿಯು ಪರಮೇಶ್ವರನ ಸೃಷ್ಟಿ, ಕರ್ಮಗಳ ಫಲ ನೀಡುವಾಗಿ ||  
ನೀನು ಮಾಡುವ ಪಾಪಪುಣ್ಯ, ಅಳಿವನು ಶನಿದೇವನು || ೧೨ ||

ಪಾಪ ಕರ್ಮ ಪುಣ್ಯ ಕರ್ಮ, ಎರಡು ವಿಷಯವನ್ನು ತಿಳಿದು ||  
ಶನಿಯು ನಿನ್ನ ಕರ್ಮಗಳಿಗೆ, ಫಲಗಳನ್ನು ನೀಡುವನು || ೧೩ ||

ಹರಿಸ್ವಂದ್ರನ ಶಾಪದಿಂದ, ಶನಿಯು ಧರಣಿಯಲ್ಲಿ ಇಂದು ||  
ಮನುಜನ ಯೋಚನೆಗಳಲ್ಲಿ, ಕೆಟ್ಟವನಾಗಿ ಉಳಿದುಕೊಂಡ || ೧೪ ||

ಇದರ ಸತ್ಯ ತಿಳಿದು ನೀನು, ಶನಿಯನ್ನು ದ್ವೇಷಿಸದಿರು ||  
ಶನಿಯ ಫಲಗಳ ಕಾರಣ ತಿಳಿದು, ನಮಿಸಿ ಅವನಿಗೆ ಶರಣಿಸು || ೧೫ ||

ಇಂತಿ ನಾನು ಕುಮಾರ ವಿಷ್ವಕ್ಸೇನ ಬಾಡಗಂಡಿ ಶನಿಯ ವಿಚಾರವಾಗಿ ಜನರಲ್ಲಿ ಇರುವ  
ಅವಿಷ್ವಾಸನೀಯ ಅಭಿಪ್ರಾಯವನ್ನು ಬದಲಿಸಲು ಪ್ರಯತ್ನವೊಂದನ್ನು ಮಾಡಿರುವೆ.  
ದಯಮಾಡಿ ಇದನ್ನು ಓದುವವರು ಗಮನಿವಿಟ್ಟು ಓದಿ ಇನ್ನುಮುಂದೆ ಶನಿಯ ವಿಚಾರದಲ್ಲಿ  
ಕಾಟ ಕೊಡುತ್ತನೆ ಎಂದು ಯೋಚಿಸದೆ ಅವನನ್ನು ನಂಬಿ, ನಿಮ್ಮ ಜೀವನದಲ್ಲಿ ಒಳ್ಳೆಯ  
ಕರ್ಮಗಳನ್ನು ಮಾಡಿ ಅದಕ್ಕೆ ತಕ್ಕಂತೆ ಒಳ್ಳೆಯ ಫಲಗಳನ್ನು ಪಡೆದುಕೊಳ್ಳಿ.



## Photo Gallery

## Faculty Members



## Visiting Faculty Members



## Non-Teaching Staff



## Library Committee



## Literary Committee



## Moot Court Committee



## Placement Committee



## Sports Committee



## Cultural Committee



## NSS Committee



## Legal Aid Committee



## Debate Society



## NAAC Committee



## ADR Society



**I Year B.A.,LL.B. A Section**



**I Year B.A.,LL.B. B Section**



**II Year B.A.,LL.B. A Section**



**II Year B.A.,LL.B. B Section**



**III Year B.A.,LL.B. A Section**



**III Year B.A.,LL.B. B Section**



**IV Year B.A.,LL.B. A Section**



**IV Year B.A.,LL.B. B Section**



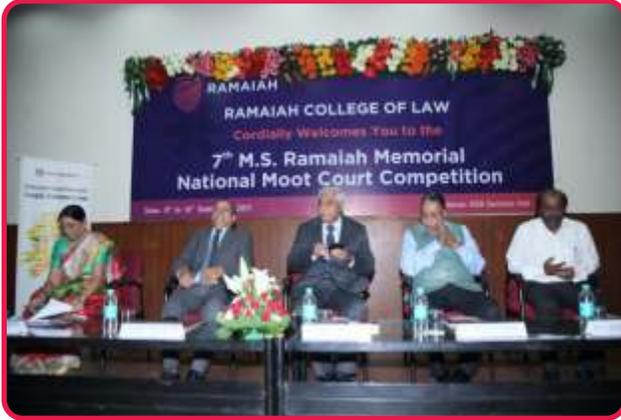
**V Year B.A.,LL.B. A Section**



**V Year B.A.,LL.B. B Section**



# 7<sup>th</sup> M.S. Ramaiah Memorial National Moot Court Competition, 2017



## Surana & Surana National Tort Law Moot Court Competition and Judgment Writing Competition 2018



## Surana & Surana International Essay Competition on Media & Communication Laws, 2017



## Inter Collegiate Basket Ball Tournament, 2017



## Electoral Literacy Club



## Guest Lectures



## Faculty Development Programme



## IP Week



## Legal Aid



## National Service Scheme



## Cultural Activities



## Personality Development Programme



## Parents Teachers Meeting



## Sports



## Farewell



## Student Achievements





## EDUCATIONAL INSTITUTIONS UNDER GOKULA EDUCATION FOUNDATION (GEF)

Ramaiah College of Law  
Ramaiah Institute of Technology  
Ramaiah Medical College  
Ramaiah Medical Teaching Hospital  
Ramaiah Institute of Nursing Education & Research  
Ramaiah Dental College  
Ramaiah College of Pharmacy  
Ramaiah College of Hotel Management  
Ramaiah Composite junior College  
Ramaiah College of Arts, Science, & Commerce  
Ramaiah Vidyanikethan  
Ramaiah Institute of Management Studies  
Ramaiah Institute of Physical Medicine & Rehabilitation  
Ramaiah Polytechnic

Ramaiah College of Advance Studies  
Ramaiah Indology Centre  
Ramaiah Memorial Hospital  
Ramaiah Narayana Hrudayalaya Heart Centre  
Gokula Ayush Arogyadhama  
Kutpm-Gef International Medical School  
Gokula Curie Cancer Centre  
Ramaiah Composite Pre-University College  
Ramaiah High School  
Ramaiah Drugs & Allied Products Testing Laboratories  
Ramaiah College of Education  
Ramaiah Advance Learning Centre  
Ramaiah Institute of Neuro Sciences  
Ramaiah Centre for Rehabilitation



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