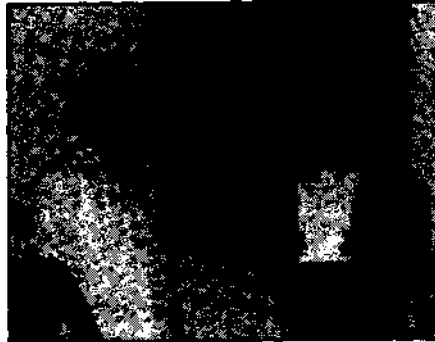


LAW AND JUSTICE ADMINISTRATION*

Hon 'ble Chief Justice Anil Dev Singh

My esteemed brother Judges;
Prof. N.L.Mitra, Vice
Chancellor, National Law
University, Jodhpur,
Distinguished members of
the Faculty & Dear Students of
National Law University,
Jodhpur, and Ladies and
Gentlemen, I feel deeply
privileged to have been
invited to release the first issue
of SCHOLASTICUS -Journal
of National Law University.



*Hon'ble Chief Justice Anil Dev Singh,
releasing first issue of SCHOLASTICUS and
Vice-Chancellor Prof. (Dr.) N.L. Mitra,
looking on.*

Excellence is hallmark of this
young institution. One wonders, how a University, which started its
academic program in July 2001 could acquire such eminence in a
short span of time. Since I have been associated with the Institution
from December 2002, I know it is the result of dedication, hard
work and vision of the worthy Vice Chancellor Prof. N.L. Mitra
and his enlightened members of the faculty and Registrar of the
University, Mr. Ratan Lahoti.

Speech delivered while releasing the first issue of SCHOLASTICUS on
November 3, 2003 at the National Law University, Jodhpur. *" Hon'ble Chief
Justice, Rajasthan High Court and Chancellor, National Law University,
Jodhpur.

LAW & JUSTICE ADMINISTRATION -CULTURAL PROCESS

The University treats law and justice administration as a cultural process, which springs and evolves from the whole mass of knowledge. The University in order to widen the horizons of students has adopted a multi-disciplinary approach. It has performed a unique feat of solemnizing marriage of law with twelve other disciplines. This union is well thought of and is not likely to break since it is being handled by experts and not novices who cannot even cope up with one marriage, what to talk of 12 marriages at the same time. The union of law with other disciplines, which are being taught in the University, is essential, as lawyers are required to deal with cases emanating from all fields. Unless a lawyer is familiar with fields other than law, he will not be able to do justice with the briefs of his clients. At present two buildings for the School of Constitutional Governance and the School of Science have come up. Buildings for remaining ten schools will be constructed in course of time.

**LAWYERS REQUIRED TO COPE UP WITH
MULTIDIMENSIONAL PROBLEMS**

Law students have to equip themselves with all-round knowledge so as to be able to deliver the goods when they become lawyers. The lawyers in this country have to grapple with multidimensional problems.

This country is undoubtedly progressing but still much is required to be done. There are thousands of people who cannot afford two square meals a day, who do not have shelter, who do not have clothes to cover their bodies, who do not have right to draw water from village wells or use footwear because of their so called low caste. There are people who are untouched by progress. Their children cannot go to schools. Women are still being subjected to atrocities and rapes. Gang rapes are committed for taking revenge and for executing the directions of *Panchayats*. Riots are the order of the day. Children are made to work in hazardous trades. They are made cripple and left on the road to beg. Trafficking in women and children is rampant. The irony is that all this prevails in spite

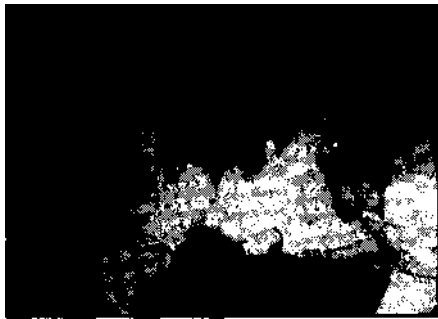
of the fundamental rights guaranteed by Part-III of the Indian Constitution.

Wonderful judgments have been delivered by the courts expounding Article 21 of the Constitution. But it needs a massive effort by the enlightened, including the lawyers, to secure to the people fundamental and human rights.

CHOICE

I am focusing on this aspect of the matter only to bring to your notice that you may have to choose between becoming a corporate lawyer; and a lawyer of, and for the people. Whether you would like to sit in a cushy chair of corporate office or you would like to work for bringing succor and relief to the people by representing their cases in the courts.

People are being burnt alive. Fifty-nine, mostly *karsewaks*, on February 27, 2002 were burnt to death by mob of about one



A section of the audience at the function

thousand persons at Godhra railway station. In retaliation, a large number of people were killed in equally inhuman way in various parts of Gujarat. In spite of Article 21 in the Constitution, the ghastly drama was enacted and there was massive failure of law and order.

Those who live by law have to act collectively and generate a wave to sweep away the satanic propensities of the people who indulge in violation of human rights.

AFTERMATH OF ASSASINATION OF MRS. INDIRA GANDHI

After the assassination of Smt. Indira Gandhi on November 1, **1984**, several thousand Sikhs were killed. They were pulled out **from** houses, vehicles, trains etc. Votaries of violence went about extinguishing life for several hours without hindrance. The persons

who were butchered would have preferred beast to human being for company and must have yearned for a place where fear would not have entered-something Gurudev Ravindra Nath Tagore cherished for. I quote:

"If I were the soil
If I were the water
If I were the grass or
Fruit of flower
If I were to roam about earth near beast and birds
there would be nothing to fear in never ending ties.
Wherever I go, It will be the limitless me."

Communal violence keeps on erupting at alarming frequency. There has to be band of committed and dedicated lawyers to fight for the people's rights. It is not very remunerative, but there is lot of satisfaction in it. You will have to exact compliance of rule of law from the officials and functionaries of the State and even private persons. How a person wants to worship his God should not be a matter of hate and contempt for him, jeopardizing and threatening his liberty. In Sikh Riot's case- Bhajan Kaur versus Delhi Administration- where a Sikh widow has claimed compensation, the State took the stand before the High Court of Delhi that the life and liberty of the victims was violated by private individuals and not by the State and therefore, the State was not responsible for paying compensation to the victim's family. Rejecting the stand, it was held by the High Court that it is the responsibility of the State to maintain law and order. It was also held that the State was responsible under Article 21 of the constitution to pay compensation to the relatives of the victims who lost life during mob violence. Article 21 is a pillar of human rights and it should serve the purpose of securing human dignity, human survival and human development. You (students) have to strive to give a new vision for peaceful future of the people so that they can cooperate, coordinate and coexist with each other. If you do that, Article 21 will never be reduced to a mere platitude or dead letter, dormant, decomposed and dissipated.

Custodial deaths are still taking place in the country. I am just giving an illustration of one of the case to bring home the point. A young man of 25 years was taken into custody for investigation of a petty theft. After two hours, his dead body was handed over to the family. The body bore tell; tale signs of brutality, which was inflicted on him by the police. You have to gear up to fight injustice by all the knowledge and strength at your command.

When parents of small children are incarcerated for the crimes, which they may have committed, the hapless children are ignored and left to fend for themselves. There may not be any one to wipe their tears, respond to their smiles or prevent them from wayward life. These children cannot be forgotten and abandoned. What will happen to children who see heartless world around them in which they are not wanted and they do not receive any thing from the society except deprivation. It should be the concern of the State and the society to see that their basic necessities of life including food, education and shelter are provided to them. It becomes the duty of a social lawyer to secure these rights for the children.

You have to fight legal battles for the people to ameliorate their conditions. You have to acquire excellence in the field of law. You have to acquire sensivity and burning desire to serve the society.

They say nothing great is ever achieved without enthusiasm. If you want to be successful, you should be enthusiastic. Success is directly proportional to the enthusiasm you have. This is a general rule. If you are the team leader and you want that you must succeed in the task before you, you have to enthuse your team members. You have to enthuse the society to eradicate ills. You can do that only when you believe in yourself and believe in your cause and believe in the success thereof. There are a few persons with something extra in them. That something may be only one degree extra in them than others. Water turns into steam when it is one degree more than the temperature at which it boils. Steam as you know can move even the biggest engine in the world. This one degree is *your enthusiasm and passion for work*. Hard work, sincerity, love for work get rewarded. Do your work and do not worry for the result.

FOLLOW THE TRIPLE PRINCIPLE

In our culture there is a triple principle, which should be followed *Yajna*, sacrifice and renunciation. *Dharma*, righteousness, equity, ethicalness, goodness, honesty, integrity, Justice, probity, *Yoga*, harmony, peace. Follow the triple principle and make others to follow as well. Only then the country will reach the dizzy heights, which it deserves.