

Volume 16

March 2005

Part 12

HC gets new judges

On 7-3-05 Mr. B Anand, Govt. Advocate, was sworn in as a judge of the Karnataka High Court. On the same day Mr. Ashok B Hinchigeri, Advocate, Mr. V Jaganathan and Mr. C R Kumaraswamy, District Judges, were sworn in as additional Judges of the High Court. With these appointments the strenght of the High Court gone upto 35

Fact File

□ Mr. Justice B Anand was born on May 1, 1955 at Kolar. Son of former Advocate General R N Byrareddy. Obtained Law Degree from SJR Law College, Bangalore. Enrolled as an Advocate in March 1983. In 2002 he was appointed as Govt. Advocate.

□ Mr. Justice Ashok B Hinchigeri born on August 24, 1955. Obtained Law Degree from Bangalore University. Putting 17 years of Practise.

□ Mr. Justice V Jagannathan. Born on Sept 9, 1950. A Law graduate from Bangalore University. A gold medalist in Labour Law. Enrolled as an Advocate in 1982 and appointed as a District Judge in 1993.

□ Mr. Justice C R Kumara swamy Born on August 21, 1953. Law graduate from SJR Law College, Bangalore. Enrolled as an Advocate in March 1983 and appointed as a District Judge in 1993.

Literary Union

Under the joint auspices of Kannada Development Authority, Department of Kannada & Culture, Bangalore Urban District and Bangalore Advocates Literary Union, a seminar on use of Kannada in courts was inaugurated on 3-3-2005 by Mr. justice Huluvadi G Ramesh, Judge, High Court of Karnataka. Renowned litterateur Prof Haramitra, Sri T S Dakshinamurthy Asst. Director Department of Kannada and Culture, Bangalore Urban District, Sri D L Jagadish President AAB and Sri C H Hanumantharaya, former President of Literary Union spoke on the occassion, Sri G Chandrashekaraiah, President. BALU, presided.

Court must be last Option

Justice N Santhosh Hegde
Litigants should approach the court only after the exhaust of all other means of settlement. Litigants should first attempt conciliation. If that fails, arbitration should be resorted to When arbitration also fails the litigants must approach Lok Adalats. However, approaching the courts should be the last resort. These Observations were made by Justice N Santhosh Hegde, Judge, Supreme Court of India after inaugurating the Bruhat Lok Adalat held in the Karnataka High Court premises on March 12, 2005.

Justice Santhosh Hegde suggested that the authorities could give legal awareness training to atleast one person in each taluk and pointed out that four crore cases are pending in different courts in India. In Karnataka alone 12 lakhs cases are pending. Commending on the Lok Adalats, he said they play a vital role in expediting justice. The Legal Services Authority should not confine itself to conducting Lok Adalats but should be involved in other aspects of the justice system.

Ms Justice Ruma Pal, Judge, Supreme Court of India was also present in the occassion. Lok Adalats are gaining importance as the number of cases pending in courts are increasing. 1.94 Lakh Lok Adalats have been held all over the country and 1.59 crore cases settled by them. Besides, Rs 4,473.45 crores has been awarded as compensation in motor vehicle accident cases she said.

Lok Adalats should be encouraged as they are less expensive than courts it should also hold in-camera sittings as this would encourage litigants to speak frankly and freely. The Lok Adalats should not be held in courtrooms and advocates and judges participating in them must not wear their black robes his would encourage informality in the proceedings, Justice RumaPal said.

Mr. Justice N K Sodhi, Chief Justice, High court of Karnataka, said the Lok Adalat is a place where commonman can get justice expeditiously. Here no party is a winner or loser as cases are settled through negotiations.

Mr. Justice Shirpurkar, Chief Justice, Uttaranchal High Court, Mr. Justice K L Manjunath, Mr. Justice P Vishwanth Shetty, Judges High Court of Karnataka, Sri B T Parthasarathy, Advocate General, Sri D L Jagadeesh, President, AAB were present.

Moot Court Competition



From Left: Mr. PGC Chengappa, Director, Lahari Law Academy, Mr Justice M Rammohan Raddy, Judge, High Court of Karnataka and Mr Ashok Haranahalli, Trustee, Lahari Law Academy at the Valedictory Function of the 9th Lahari Moot Court competition.

The 9th Moot Court competition organised by Lahari Law Academy was held at the City Civil Court Complex, Bangalore on 27th March 2005. 20 students from eight Law colleges of Bangalore and one Advocate

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Around the Courts

Labour Law

□ Dismissal of workmen for hitting and injuring his superior in the office justified :

In a judgment delivered on 6-3-2005 a division bench of the S C comprising Mr. Justice N Santhosh Hegde, Mr. Justice Tarun Chatterjee and Mr. Justice P K Balasubramanyan, upheld the dismissal of an employee of the Madhya Pradesh Electricity Board holding that discipline at workplace was indispensable for efficient Working of an organisation. While dismissing the appeal filed by the employee challenging the judgment of MP High Court the the Court held that an employer had the right to dismiss the employee for hitting and injuring the superior in office. Jagdish Chandra Sharma, a muster roll employee had hit a Sub-Engineer with a tension screw on his back and nose on Jan 19, 1984 resulting in fracture of nose and severe bleeding. He was dismissed from service on Sept. 15, 1984 after domestic enquiry. The labour court set aside the dismissal and restored the punishment of a minor nature. The HC reversed the Industrial Tribunal's order while allowing the writ petition filed by the Board. While writing the judgment it was said that discipline at the workplace in an organisation was sine qua non for efficient working of the organisation. "Obedience to authority in a work place is not slavery" the judgement said. Referring to maintenance of discipline at all costs the S C said "When an employee breahes such discipline and employer terminates his services, it is not open to a labour court or industrial Tribunal to take a view that the punishment awarded is shockingly disproportionate to the charge proved."

Public Interest Litigation

□ Death of a person consequent upon sterilisation results in awarding of compensation.

In a major decision on the issue of male / female sterilisation the Supreme Court has said that no

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Reformation of Political System in India

R B Guttal, Senior Advocate

A Political Society is created through organisation. An organized society can represent the political will of the society. Thus the will of the society is for the welfare of all the people in the society. In India the political society was formed before independence solely with the intention of over throwing the British empire under the leadership of Mahatma Gandhi. At the time there was unity and integrity of the nation. After independence the nation is slowly getting disintegrated due to various factors like linguism, casteism and lack of education and poverty. The government ought to have given much importance to educate the people in rural India. Mere enumeration of fundamental rights in the Constitution may give a good impression of the Government to outsiders. But what is happening in the country is not conducive for the welfare of the people. In fact there is no democracy and rule of law in India. No doubt elections take place from time to time and people get elected to various legislative bodies and local authorities. Even these elections are conducted not systematically on the basis of sound principles of democracy. Thus the representatives elected do not exhibit the real will of the people at large and they are interested only in their own caste people and sometimes their sub-sects. Thus people are deprived of the benefits of democracy and rule of law.

The basic concepts like rule of law and democracy and justice are considered to be essential in every civilized nation. India having 1/6th population of the world has wedded to parliamentary form of government as practiced in England. But, in practice as Parliamentary form of democracy, India is still in rudimentary stage. People in India are yet to learn the true implications of Democracy. Abraham Lincoln gave a short definition of democracy in the middle of 19th century. He said that "Democracy means, Government of the people, for the people, by the people." So, the basic principle of Democracy is that the Government must be people oriented. The laws passed by such Governments must be based upon the principle of "Salus populi Supreme Lex". The second definition of democracy is that all men should be given equal opportunity and equal treatment for all the people i.e., equality is most important in maintaining law and order in the society. There is very little scope for hierarchical system in democracy.

In order to elect the representative of the people the Government has passed the Representation of People Act, 1950 and thereafter Act of 1951. Similarly, the Election Commission was constituted under Article 324 of the Constitution of India. The most relevant provision in Representation of People Act, 1951 is Section 29(A) of the Act. The aim of Section 29(A) is to give recognition to the political parties registered as per the provisions of the Representation of People Act. One of the provisions of Section 29(A) reads as follows:

"The application under sub-section (1) shall be accompanied by a copy of the Memorandum of Rules and Regulations of the Association of body by whatever name called and such Memorandum of Rules of Regulations shall contain a specific provision that this association or body shall bear the faith of allegiance to the Constitution of India, as by law established and to the principal of socialism, secularism and Democracy and would uphold the security, unity and integrity of India."

The condition imposed in Clause 5 of Section 29(A) is so important that the Election Commission has to carefully scrutinize the applications before giving recognition to political parties. The Election Commission has issued a Notification under Article 324 of the Constitution of India. The Election Commission has published the name of the National parties in Table-I, State parties in Table-II and unrecognized registered political parties in Table-III. The National parties are about 11 in number. State parties are about 50 and unrecognized political parties are about 259 as on 1989. Therefore, number of other parties have come into existence. This shows that the people of India have no patriotic sense and they lack in the knowledge of National concept and there is total misuse of democracy. Some of the rich persons in our country having made it a business to form the party and they want to make profit out of such business.

Making a Party is as good as opening a shop, they can easily get sufficient number of persons to sign Memorandum of Association and get it registered as a party. Under such situation, the law makers and members of the Election Commission ought to be careful in avoiding such antidemocratic political parties.

It is clearly stated that unity and integrity of the Nation is the basic principles to be incorporated in the Memorandum of Association of parties

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The Constitutional Perspectives

Judicial Reform

Contd. from last issue

In Mediwell Hospital and health care Pvt. Ltd. Vs Union of India 1997(1) S.C.C.759 the bench held, "Thus a diagnostic center run by a private individual purely on commercial basis may not be entitled to the exemption under the notification issued by the Central Government."

Nevertheless, it granted relief on the ground the several other individual diagnostic centers not attached to any hospital had been granted the exemption. In Faridabad Ct Scan Centre Vs D G Health Services AIR 1997 S.C. 1801 the Supreme Court noticed that in an earlier ruling the same bench had held in Union of India (Railway Board) and others Vs J.V.Sarabhai 1996(2) S.C.C. 258 that the principle of equality enshrined under Art. 14 does not apply when the order relied upon was unsustainable in law and was illegal.

Thus the bench had refused to follow itself!

Lack of Judicial Discipline

In the case of Sub-divisional Inspector, Vaikam Vs T. Joseph AIR 1996 S.C. 1271 the question was whether the post of the Sub-divisional Inspector of post was an industry. The 2 judges bench said that it was aware of the decision of the seven judge bench in B.W.S.S.B. Vs. Rajappa AIR 1978 S.C.548

Still, it held that if the doctrine in B.W.S.S.B. case was strictly applied, the consequence would be catastrophic. It would give a carte blanche power with *laissez faire* legitimacy. It had been buried deep under the lethal blow of Article 14. Another bench had to say in the case of General Manager Telecom Vs S. Srinivasa Rao AIR 1998 S.C. 656 that judicial discipline required the court to follow the B.W.S.S.B. case.

Is not this judicial anarchy for a smaller bench to revolt against a binding precedent of a larger bench?

"Lack of Appreciation" and "Lack of Understanding"

These are too serious criticisms to be made against any judgment of any court of law. Why are they courts if grievances are made, and accepted? There can be a total loss of confidence in the administration of justice if a judgment exhibits either of these characteristics. It can lead to desperation in the consumers of justice. A3 judge bench in the case of Union of India Vs Madhav AIR 1997 S.C. 3074 said of an earlier 2 judge bench: "with due respect, we hold that the learned judges

C B Srinivasan, Advocate have not correctly appreciated the ratio laid down by this court". A5 judge bench said of the same 3 judge bench, in the case of P.G. Institute of Medical Education Vs Faculty Association AIR 1998 S.C. 1767 "..... such erroneous assumption in Madhava's case has been on account of misreading of the ratio in.....case."

If this is what the Supreme Court says of its own earlier judgments, where do ordinary mortals, of ordinary intelligence go to seek justice?

From these judgments it is possible to establish that the Division Benches have frequently adopted a cavalier approach to a question. It will be disheartening if apart from conflicts of opinions between various benches of the Supreme Court, the same individual judges dole out opinions tending to North Pole one day, an South Pole in another day.

The law and administration of justice can be purposeful, meaningful, and fruitful only when it contributes four fold concerns of 1) certainty; 2) quickness; 3) less cost; and 4) resolution of substantial disputes.

But, judgments of the Supreme Court show that certainty is a casualty;

a) Repeated references to larger benches result in huge cost;

b) There has been prolongation of disputes; and

c) Ultimately many things remain unresolved.

Over Reading of a Section
A2 judge bench had read Section 209 of Cr. P.C. to empower the court of Sessions to take cognizance of the offence and summon another whose complicity is gathered from the material available on record. Krishun Singh Vs State of Bihar (1993)2 S.C.C. 16 But a 3 judge bench said in Ranjit Singh Vs State of Punjab AIR 1998 S.C. 3148 "we are unable to find any other power". can a statutory provision be so overread?

Intellectual Monopoly

It is a clear embarrassment for all the benches of the Supreme Court to claim any such intellectual monopoly In M/s premchand Tilak Chand Vs State of Haryana (Unreported C.A. 3122/91) a 3 judge bench had held that there was an inherent obligation for the Government to provided for all licensed dealers in the new site, some place for their business. Till then, the government could not ask

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Around the Country News Panorama

□ 9-3-2005 witnessed tense situation in Malegaon Town in Maharashtra over a reported sexual incident involving a judicial magistrate and a Muslim woman lawyer in a private guest house. According to the local police the woman lawyer had a number of cases before the judicial magistrate a Hindu, who has called the woman lawyer to the private guest house and they were found in compromising position.

□ On 19-3-2005 one day national seminar on 'Emerging Technologies of forensic Science' was held at 'yuvanika', Bangalore. The Seminar was jointly organised by Dept. of Information Technology, Govt. of India, Directorate of Forensic Science, Ministry of Home Affairs and the Directorate of Forensic Science Laboratories, Govt. of Karnataka. Mr Justice S R Bannurmath, released a manual on 'brain mapping' in the valedictory function held on that day.

□ In a judgment delivered during the 3rd week of March 2005 Justice L Narasimha Reddy of AP High Court, awarded compensation of Rs 3 Lakhs to the widow of one Nagender, who died in judicial custody. The widow had filed a writ petition complaining that the accused died of physical torture by the police. The postmortem report showed that Nagender suffered eight injuries contrary to the version given by the police that he died due to heavy intoxication. While allowing the writ petition the judge pulled up the police for giving a false statement to the court.

□ Mr. Ravindra Upadhyay, an Advocate from Jaipur, was the winner of Samsung Channel V Super Singer contest. Renowned playback singer Adnam Sami handed over the winner's trophy to Mr. Ravindra Upadhyay in Mumbai on March 24, 2005.

Appointment



In addition to conducting cases under the Customs Act, Central Excise Act, Gold Control Act, FEMA and NDPS Act, Central Government Special Public Prosecutor Mr. Urval N Ramanand, appointed as senior panel counsel for conducting Central Government cases (Other than Income-tax and Railway Departments) and cases filed against public officers while in service of the Central Government before the High Court of Karnataka. This appointment is for a period of three years from 29-12-2004.

On March 11, 2005 a man on trial for rape grabbed a deputy's gun and shot dead a judge and two other officials in an Atlanta court room before seizing a car at gunpoint and fleeing. Police and FBI agents using helicopters and patrol cars launched a massive manhunt for Brian Nichols (33), and cordoned off downtown Atlanta after the shooting that also left a deputy critically wounded.

"The suspect was on his way to court room. He overwhelmed a deputy sheriff.... and it appears he took possession of her handgun," said Alan Dreher, deputy chief of Atlanta police. "The suspect made his way into the courtroom and held the persons inside at bay with the handgun. He then shot and killed the judge, shot and killed the court stenographer and made his escape from the court," Mr. Dreher told.

Judge Barnes had been clearing up some minor civil cases and was due to conduct a hearing in Nichol's rape case when the shooting started. Judge Barnes (64), was one of the most senior judges in Atlanta, handling high profile and controversial cases.

The suspect, who had been in jail for the past six months was wearing a suit as he had been allowed to change out of his prison garb for his court appearance. But he was not wearing leg shackles and was only escorted by one deputy, even though officials say he had been found hiding, a hand-made knife in his shoe.

Miscellany

A meeting of Karnataka Pradesh Congress (I) Committee, Legal cell and other like minded Advocates were held on 12-3-2005 at Congress Bhavan. Mr. K H Muniyappa, Special Invitee CWC, Mr. H K Patil, Minister for Law, Mr. Veranna A Mathi Katti KPCC (I) General Secretary, were present. Mr. D B Chandra Gowda, Minister for Law and Parliamentary Affairs presided.

Retired

On 19-3-05 Mr. Justice S B Majage, retired as a judge of the High Court of Karnataka

Lahari Office bearers

In the list of office bearers published during February 2005 the name of Mr. N S Jayasimha, member, managing committee has been left out. This was due to inadvertence and the error is regretted

- Editor

The Constitutional Perspectives Judicial Reform

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them to close their markets at the old site.

Even after this was brought to its notice a 2 judge bench held that the licensees should only be provided with an opportunity to compete with others. 'Stand in the queue, if you can', was the attitude of the bench which presumed to know the law better. This was so in Chint Ram Ramchand Vs State of Punjab AIR 1996 S.C.W. 1015. This monopoly was found fault with by a later 3 judge bench in M/s Labha Ram Vs State of Punjab AIR 1998 S.C. 2086.

Commiseration Vs Law

Can commiseration work where statutory law prohibits? Section 307 IPC offence is non-compoundable. Even after recording this fact, a Division Bench held in Maheschand Vs State of Rajasthan AIR 1988 S.C. 2171 "it may be proper that the trial court shall permit them to compound the offence" A later larger bench said, in Surendranath Mohanty Vs State of Orissa AIR 1999 S.C. 2181 the matter was simple. Look to the chart under Sec. 302 Cr. P.C. Some offences can be compounded with the consent of the victim. Some other offences can be compounded. So simple was that the larger bench of the Supreme Court said "We reiterate that the course adopted in Maheschand was not in accordance with law!"

Dying Declaration

The settled law was that a dying declaration recorded by a judicial magistrate on his satisfaction that the deceased was in a fit state of mind to do so was an acceptable piece of evidence. But a bench of 3 judges held that in the absence of a medical certification that the injured was in a fit state of mind it would be risky to accept the subjective satisfaction of the magistrate who opined so. Paparambika Rosamma Vs State of A.P. AIR 1999 S.C. 3455. A constitution bench had later to say that the said judgment was not correctly decided. It was Laxman Vs State of Maharashtra 2002 AIR SCW 3479 that said that the 3 judge bench had taken a hyper technical view.

Right to Speedy Trial

A constitutional bench of 5 judges considered the right to speedy trial as one emanating from Article 21. But it specifically fixed its attention to the call by the proponents of the right to speedy

trial for enunciating an outer limit and rejected it; Abdul Rehman Antulay and others Vs R.S. Nayak and another AIR 1992 S.C. 1701. A 2 judge bench in the case of common cause Vs Union of India AIR 1996 S.C. 1619 issued a set of directions regarding bail, and quashing of trial making a category of offences and period of delay in trial.

The same bench issued further directions in AIR 1997 S.C. 1539. The closure of prosecution case and the next step in trial was suggested in Raj Deo Sharma Vs State of Bihar AIR 1998 S.C. 3281 while in the following Raj Deo Sharma's case AIR 1999 S.C. 3524 further time was granted to the prosecution. Even corrupt accused were trying to secure discharge/acquittal. Ultimately in P. Ramachandra Rao Vs State of Karnataka 2002 AIR SCW 1841 a 7 judge bench had to hold that the court could not have prescribed periods of limitation beyond which the trial of a criminal case cannot continue. The directions for mandatory discharge, acquittal or closure of the prosecution case were all declared as incorrect.

The dictum in the earliest Constitution Bench judgment was said to still hold the field.

Personal Predilections

The benches in the Supreme Court exhibit a discord which shows that personal predilections outweigh a sense of law. A Division Bench said in Venkatesh Thimmiah Gangalkar Vs S.S. Hawaldar (1997) 8 J.T. (S.C.) 528 that in respect of non-residential premises tenancy is not heritable. A later bench in Gautam H. Baaddi Vs. Meerabai G. Pai AIR 2000 SCW 1564 held that the decision being overruled had not analyzed the provisions of the statute. It had not noticed the Constitution Bench decision. Two earlier 2-judge bench judgments had also not been noticed. The bench said, "We have no hesitation to hold that the latter decision has not been correctly decided".

The reporting journals are replete with more such instances.

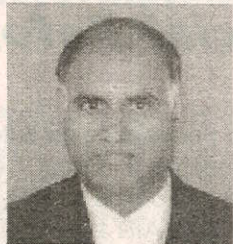
to be continued

Obituary

We report, with regret, that:

On 20-3-05 J N Rajanna (50), Advocate, passed away at Bangalore. He was the office colleague of Mr. M T Nanaiah

Re-elected



Mr. A. M. Suryaprakash, Advocate, has been re-elected as a Director to Chaitanya Credit Co-operative Society Ltd., Bangalore in the election held on 20-3-05 for a period of five years. He has been its founder Director Since 1996.

Kolar Diary

□ In the recently held Grama Panchayath elections of Kolar Taluk, the following Advocates have been elected : Mr. B V Anand Mr. V Prasad and Mr Chandrappa

□ Recently the following Advocates were elected as office bearers of Advocates Association of Mulbagal. Mr P M Sadashivaiah: President; Mr. K T Venkataramanappa :General Secretary; Mr. P Seenappa: Joint Secretary; Mr. P Raju: Vice President; Noor Parveen: Treasurer; Mr. M Venkata ramanappa, Mr. Manujunath, Mr. K R Rajanna, Mr P Ramachandra, Mr B V Rajendra, Mr N Prabhakar, Mr. Eshwar, Mr. Dhasharath and Mr. Venkatesh : Executive Committee Members.

□ In the elution held on 25-1-05 Malur Advocates Association elected the following office bearers. T B Krishnappa President, C Ashwathanarayana - General Secretary, S Vijayakumar vice-president, C Munirayappa joint-secretary, Subramani - Treasurer

Wedding

We are glad to report that :

□ On 7-3-05 Mr. R Hemanth Raj, Advocate, married Ms S N Sheela, Advocate, at Bangalore.

□ On 20-3-05 Mr. G S Ravishankar, Advocate, married Ms. R Vidya at Tirupathi (AP). Mr. G S Srikanteswaran, Advocate, father of G S Ravishankar, hosted reception and dinner at Bangalore on 25-3-05

Moot Court Competition

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participated in the competition. The subject matter of the Moot Court was a Public Interest Litigation concerning environmental law.

Senior Advocate Mr. S P Shankar and Mr. Ashok Haranahalli, Mr. D L N Rao and Mr. Chandrakanth Ariga were the judges of the Moot courts. In the finals Mr Justice Rammohan Reddy, Mr. S P Shankar, Senior Advocate and Mr. Ashok

Haranahalli were the judges.

Ms K Pushpaveni of ULC secured the first prize Ms. Priyanka S Angadi of ULC Secured the second prize while Mr. Pradeep Kumar Bharadwaj of V V Puram Law college secured the third prize. Ms. Darsha P Hebbar of ULC secured a special prize. Ms. R Rashmi of ULC and Ms. Suman Vadavadi of KLE Law college secured consolation prizes.

After distributing the prizes Justice Ram mohan Reddy in his valedictory remarks called upon the participants to have a positive outlook in the challenges before them. He said that fruits would follow. Justice Reddy commended the hard work put forth by the participants while participating in the competition. Mr. Ashok Haranahalli distributed the participation certificates. Mr. S. Vivekananda, Advocate, read the report concerning the moot court. Mr. P.G.C. Chengappa, Director of the Academy, proposed vote of thanks.



Around the Courts

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doctor without five years experience would be allowed to carry out such operations while hearing a PIL filed by one Ramakant Rai. A division bench of the court comprising Ms. Justice Ruma Pal Mr. Justice Arijith Pasayath and Mr. Justice C K Thakkar, in their order of March 6, 2005, laid down the experience criteria for doctors while hearing the case. The court also directed state governments to pay Rs. 1 Lakh in a case of death of the person sterilised

Tax Law

□ Classification of ATMs as electronic device commissioner's Order challenged;

A division bench of the Karnataka High Court comprising Mr Justice H L Dattu and Mr. Justice H N Nagmohan Das, held that an Automated Teller Machine (ATM) is not a computer by itself and its classification as an electronic device for the purpose of levying commercial tax is justified. This judgment is delivered on 17-3-2005 rejecting the petition filed by Diebold Systems a company that manufacturers and supplies ATMs. It was the contention of the Petitioner that the basic tax rate for computer products was 4% while in the case of electronic goods it was 12%. While rejecting the contentions advanced by the petitioner the court observed "an ATM in our view is an electronic device which allows the customer of the bank to transact. It is not a computer by itself. Instead it is connected to a computer electronically."

To Walk Our Streets in Peace

Nine English youths were each sent to prison for four years for starting a race riot in Notting Hill, London. In passing sentence, Mr. Justice Salmon said :

You Stand, convicted on your own confession of a series of extremely grave and brutal crimes. You formed yourself into a gang and set out on a cruel and vicious manhunt. You armed yourselves with iron bars and other weapons.

Your quarry was any man, providing there were not more than two of them together, whose skin happened to be a different color from your own. Your object was to instill stark terror and inflict as much pain and grievous injury as you could.

During that night you savagely attacked five peaceful, law abiding citizens without any shadow of an excuse. None of them had given you the slightest provocation. Indeed you knew nothing about them, except that their skin happened to be of a colour of which you apparently did not approve.

Two of them were lucky enough to escape from you before you were able to inflict other than comparatively minor injuries. The other three of you left bleeding and senseless.

It was you men who started the whole of the violence in Notting Hill. You are a minute and insignificant section of the population who has brought shame upon the district in which you lived, and have filled the whole nation with horror, indignation, and disgust.

Everyone, irrespective of the skin, is entitled to walk through our streets in peace, with their heads erect, and free from fear.

As far as the law is concerned, you are entitled to think what you like, however foul your thoughts.

But once you translate your dark thoughts and brutal feelings into savage acts such as these, the law will be swift to punish you.

I am determined that you and anyone anywhere who may be tempted to follow your example shall clearly understand that crimes such as this will not be tolerated in this country, but will inevitably meet with the punishment which they so justly deserve.

Courtesy : Readers Digest Contributed by N. H. Anantha Narasimha Sastry, Advocate

Reformation of Political System in India

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and principles of socialism, secularism and democracy which would uphold the sovereignty of Nation. The Election Commission and the Union Government have allowed various parties to be formed to the detriment of unity and integrity of India and some of the parties are opposed to secularism and democracy.

By mere reading the names of the various parties they give a clear picture of parochialism, fissiparous tendencies which are not good sing for healthy growth of our democracy. Most of these parties deserve to be derecognized by virtue of clause-5 of Section 29(A) of the Representation of people Act. In the preamble of our Constitution we have incorporated very impressive basic principles like "Equality, Liberty and Fraternity". At the same time, we have conferred privileges on certain so-called minority communities which are violative of principles of equality. Though liberty is given to all people the vested interest reactionaries are capable of exercising arbitrary power which is violative of liberty. The fraternity which is supposed to create affection and goodwill among people has been violated due to egoistic nature of bureaucracy.

The later amendments to our Constitution have included socialism and secularism aspect is totally destroyed by encouraging reservation on the basis of casteism/communalism. Thus, whatever noble principles are enunciated in the preamble of the Constitution are totally dilated and the very concept of Rule of law, democracy and social justice have be come totally meaningless in the basic law of our country.

In the book edited by Mr. Subash Kahsyap on reforming the Constitution almost all Constitution as Pandits including Mr. Nani Palkhiwala and V R Krishna Iyer have stated total reformation is necessary if not reconstitution of Indian polity. Thus, it is unanimous opinion that our Constitution requires reformation along with reformation of people at large.

As a first step to our reformation, it is necessary to derecognize all regional and parties and strengthen national parties. A stern action could be taken by the Election Commission and derecognize various self-centered parties not based upon democratic principles under Clause (5) of Section 29(A) of Representation of People Act. In democracy, Freedom of Association is necessary. But, the freedom does not mean arbitrariness by vested interests and reactionaries. Now we find a fullfledged play of money bags and such other antidemocratic forces in our country. In order to curb such activities the Election Commission itself can initiate certain steps and take firm and stringent action with the co-operation of the Apex Court. It is the only way to bring the utility of our Constitution and make people enjoy the rule of law and democracy in its full swing.

R.B.Guttal)
Senior Advocate

ಗಾಂಧಿ ಬುದ್ಧಿ ತೋರಿದ ನ್ಯಾಯಾಧೀಶ

ಈ ಜನಪ್ರತಿನಿಧಿ ಜಾಗ ವಿವಾದವೊಂದರಲ್ಲಿ ಸಿಲುಕಿದ್ದ. ನ್ಯಾಯಾಲಯಕ್ಕೆ ವ್ಯಾಜ್ಯ ತೆರಳಿತು. ನ್ಯಾಯಾಧೀಶರು ಆತನಿಗೆ ಷರತ್ತಿನ ಜಾಮೀನು ನೀಡಿದರು. ಏನದು ಷರತ್ತು ?

“ನೀನು ಗಾಂಧೀಜಿಯ ಆತ್ಮಚರಿತ್ರೆ ಓದಬೇಕು. ಗಾಂಧೀಜಿಯ ಮ್ಯೂಸಿಯಮ್‌ಗೆ ಸೆಪ್ಟೆಂಬರ್ ೨೨ ರಿಂದ ೨೭ರ ತನಕ ತಪ್ಪದೆ ಭೇಟಿ ನೀಡಿ ಅಲ್ಲಿನ ಸಂದರ್ಶಕರ ಪುಸ್ತಕಕ್ಕೆ ಸಹಿ ಹಾಕಬೇಕು”!

ತಮಿಳುನಾಡು ಸರಕಾರದ ಹಿರಿಯ ವಿರೋಧ ಪಕ್ಷದ ನಾಯಕ ಎ. ರಂಗನಾಥನ್ ಜಾಗದ ವಿಚಾರದಲ್ಲಿ ವ್ಯಕ್ತಿಯೊಬ್ಬರಿಗೆ ಜೀವ ಭಯ ಒಡ್ಡಿದ ಆಪಾದನೆಗೆ ಸಿಲುಕಿದ್ದಾರೆ.

ಮಹಾತ್ಮಾಗಾಂಧಿಯ ತತ್ವಾನುಸಾರ ಜೀವನ ನಡೆಸುವದನ್ನು ಅರಿಯಲು “ಮೈ ಎಕ್ಸ್‌ಪರಿಮೆಂಟ್ ವಿತ್ ಟ್ರೂತ್” ಎಂಬ ಗಾಂಧೀಜಿಯ ಪುಸ್ತಕ ಓದಲು ನ್ಯಾಯಾಧೀಶರು ಆದೇಶಿಸಿದ್ದಾರೆ. “೫೬೦ ಪುಟದ ಮೇಲಿನ ಪುಸ್ತಕದ ೫೬ ಪುಟ ಓದಿ ಮುಗಿದಿದೆ” ಎಂದು ರಂಗನಾಥ್ ನ್ಯಾಯಾಲಯಕ್ಕೆ ತಿಳಿಸಿದ್ದಾರೆ. ಎಲ್ಲ ನ್ಯಾಯಾಧೀಶರೂ ಗಾಂಧೀ ತತ್ವ ಓದಿ ಅರಗಿಸಿಕೊಂಡಿದ್ದರೆ, ರಾಜ ಕಾರಣಿಗಳಿಗೂ ಅದನ್ನು ಖಡ್ಗಾಯ ಮಾಡಿದ್ದರೆ ಭಾರತ ಸುಂದರವಾಗುತ್ತಿತ್ತು.

ಸಂಗ್ರಹ. ಎಸ್. ಎಸ್. ಪಾಟೀಲ್

ಪ್ರೇಮಗಾನ - ಮಧುರಗಾನ

ಎನ್ನವಳು ಎನ್ನ ಬಳಿಯಿದ್ದರೆ

ಆಗುವುದೆನ್ನ ಮನೆ ಮಧುರೆಯ ವೃಂದಾವನ |

ಕೇಳುವುದಲ್ಲಿ ಶ್ರೀ ಕೃಷ್ಣನ ಮುರಳಿಯ ಗಾನ

ಯಮುನೆಯ ಜುಳುಜುಳು ಮಂಜುಳ ಗಾನ ||೧||

ಎನ್ನವಳು ಎನ್ನ ಬಳಿಯಿದ್ದರೆ

ಆಗುವುದೆನ್ನ ಮನೆ ರಾಶಿರಾಶಿ ಹೂಗಳ ಉದ್ಯಾನವನ |

ನಲಿಯುವನಲ್ಲಿ ರಾಧಾ-ರಮಣ

ಕೇಳುವುದಲ್ಲಿ ರುಕ್ಮಿಣೀ ರಮಣರ ಮಧುರ ಪ್ರೇಮಗಾನ ||

ಎನ್ನವಳು ಎನ್ನ ಬಳಿಯಿದ್ದರೆ

ಆಗುವುದೆನ್ನ ಮನೆ ಮಲೆನಾಡಿನ ಕಾನನ |

ನಡೆಯುವುದಲ್ಲಿ ವಸಂತನ ಪ್ರೇಮಸಂಭ್ರಮ

ಕೇಳುವುದಲ್ಲಿ ರತಿ - ಮನ್ಮಥರ ಮಧುರ ಪ್ರೇಮಗಾನ ||

ಎನ್ನವಳು ಎನ್ನ ಬಳಿಯಿದ್ದರೆ

ಆಗುವುದೆನ್ನ ಮನೆಯಲ್ಲಿ ಹೋಳಿ ಹುಣ್ಣಿಮೆಯ ಸಂಭ್ರಮ |

ನಲಿಯುವನಲ್ಲಿ ಪೂರ್ಣಪ್ರೇಮ ಚಂದ್ರಮ

ಕೇಳುವುದಲ್ಲಿ ಅಮರ ಪ್ರೇಮಗಳ ಮಧುರಯುಗಳ ಗಾನ ||

ಕೆ.ವಿ.ರಾಮಸಂಜೀವಯ್ಯ, ವಕೀಲರು

ಖಾದಿಗೇ 'ರಾಮನ್ ಎಫೆಕ್ಟ್'!

ಹೊದೆಯಿರೆಂದ ಬಿಳಿಯಖಾದಿ,

ತುಳಿಯಿರೆಂದ ಸರಳಹಾದಿ.

ಗಾಂಧಿಗೇನು ಗೊತ್ತು ; ಇವರ ಕರಾಮತ್ತು !

ಬಿಳಿಯ ಬಣ್ಣ ಹೊರಗೆ ತೋರಿ

ಏಳು ಬಣ್ಣದೊಳಗೆ ತೂರಿ

ಮಾಡಿಕೊಂಡರೆಲ್ಲವ (ಐಷಾ) ರಾಮ ರಾಜ್ಯವ !

- ಸೂ. ರಾ.

ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಹೆಚ್ಚು ಕನ್ನಡ ಬಳಕೆ

ಆಗಬೇಕು:

ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಹೆಚ್ಚು ಕನ್ನಡ ಬಳಕೆ ಆಗಬೇಕು. ಇದರಿಂದ ಕಕ್ಷಿದಾರರಿಗೆ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಏನು ನಡೆಯುತ್ತಿದೆ ಎಂಬುದು ಗೊತ್ತಾಗುತ್ತದೆ ಎಂದು ಹೈಕೋರ್ಟ್ ನ್ಯಾಯಾಧೀಶ ಹುಲುವಾಡಿ ಜಿ.ರಮೇಶ್ ಅವರು ಹೇಳಿದರು. ನಗರದ ವಕೀಲರ ಭವನದಲ್ಲಿ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಕನ್ನಡ ಬಳಕೆ ವಿಷಯದ ಕುರಿತ ವಿಚಾರಗೋಷ್ಠಿಯನ್ನು ಉದ್ಘಾಟಿಸಿ ಮಾತನಾಡುತ್ತಿದ್ದರು. ಮೊಕದ್ದಮೆಗಳು ಹೈಕೋರ್ಟ್ ಮತ್ತು ಸುಪ್ರೀಂಕೋರ್ಟ್‌ಗೆ ಹೋದಂತೆ ಇಂಗ್ಲೀಷ್ ಬಳಕೆ ಅಗತ್ಯವಾಗುತ್ತದೆ. ಹೆಚ್ಚು ಕನ್ನಡ ಬಳಸುವ ಮೂಲಕ ಕನ್ನಡ ಗೊತ್ತಿಲ್ಲದ ಇತರ ರಾಜ್ಯಗಳ ಗೆಳೆಯರನ್ನು ಇಲ್ಲಿಂದ ಓಡಿಸುತ್ತೇವೆ ಎಂದು ಗ್ರಹಿಸಬಾರದು. ಅವರೂ ಕನ್ನಡ ಕಲಿಯುವ ಬಗ್ಗೆ ಆಸಕ್ತಿ ತೋರಿಸಬೇಕು ಎಂದು ಕಿವಿ ಮಾತು ಹೇಳಿದರು.

ನ್ಯಾಯಾಲಯಗಳು ಜನರಿಗೆ ಹತ್ತಿರ ಇರುವ ಭಾಷೆಯಲ್ಲೇ ವ್ಯವಹರಿಸಬೇಕು. ಇದರಿಂದ ಕಕ್ಷಿದಾರರಿಗೂ ಅನುಕೂಲವಾಗುತ್ತದೆ ಎಂದು ರಮೇಶ್ ಹೇಳಿದರು. ವಕೀಲ ಸಿ.ಎಚ್.ಹನುಮಂತರಾಯ ಅವರು ಮಾತನಾಡಿ, ನ್ಯಾಯಾಲಯಗಳಲ್ಲಿ ಕನ್ನಡ ಬಳಕೆ ಹೆಚ್ಚಿಸುವ ಸಂಬಂಧ ವಕೀಲ ಸಮುದಾಯ ಕನ್ನಡ ಪರವಾಗಿ ಗಟ್ಟಿಯಾಗಿ ನಿಲ್ಲಬೇಕು ಎಂದು ಸಲಹೆ ನೀಡಿದರು.

ಕೆಳ ನ್ಯಾಯಾಲಯಗಳಲ್ಲೂ ಕನ್ನಡ ಕಡಿಮೆ ಆಗುತ್ತಿದೆ. ಇಂತಹ ಪ್ರವೃತ್ತಿಯನ್ನು ತಡೆಗಟ್ಟಲು ಸಾಧ್ಯವಿರುವುದು ಕೇವಲ ವಕೀಲರಿಂದ ಎಂದು ಅವರು ಹೇಳಿದರು.

ಈ ಕಾರ್ಯಕ್ರಮವನ್ನು ಕನ್ನಡ ಸಂಸ್ಕೃತಿ ಇಲಾಖೆ, ಕನ್ನಡ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ, ಲಿಟರರಿ ಯೂನಿಯನ್, ಬೆಂಗಳೂರು ವಕೀಲರ ಸಂಘ ಆಯೋಜಿಸಿದ್ದವು.

ಲೇಖಕ ಅ.ರಾ.ಮಿತ್ರ, ಕನ್ನಡ ಮತ್ತು ಸಂಸ್ಕೃತಿ ಇಲಾಖೆಯ ಉಪ ನಿರ್ದೇಶಕ ದಕ್ಷಿಣಾ ಮೂರ್ತಿ, ವಕೀಲರ ಸಂಘದ ಅಧ್ಯಕ್ಷ ಡಿ.ಎಲ್.ಜಗದೀಶ್ ಅವರೂ ಮಾತನಾಡಿದರು. ಜಿ.ಚಂದ್ರಶೇಖರಯ್ಯ ಅವರು ಅಧ್ಯಕ್ಷತೆ ವಹಿಸಿದ್ದರು.

ಪತ್ರಿಕಾ ವರದಿ

‘ಇಂತಹಾ’ ಬಂಧನಗಳಿಂದ ಬಿಡುಗಡೆ ಹೇಗೆ?

ಸಾರ್ವಜನಿಕ ಹಿತಾಸಕ್ತಿಗಳ ಬಗ್ಗೆ ಸದಾ ತಲೆ ಬಿಸಿಮಾಡಿಕೊಳ್ಳುತ್ತಾ, ಆಗಾಗ ತಲೆದೋರುವ ಧೂಮಕೇತುವಿನಂತೆ ಸಾಮಾಜಿಕ ವಿವಾದಗಳ, ಸಮಸ್ಯೆಗಳ ಬಗ್ಗೆ ವೈಜ್ಞಾನಿಕ ಚಿಂತನೆ ನಡೆಸಿ, ಸಂಬಂಧಿಸಿದ ಕಾನೂನು ಕಟ್ಟೆಗಳನ್ನು ಅಧ್ಯಯನ ಮಾಡಿ ಸಮಸ್ಯೆಗಳಿಗೆ ಪರಿಹಾರೋಪಾಯಗಳನ್ನು ಸೂಚಿಸುವಲ್ಲಿ ವಕೀಲವೃಂದ ವಹಿಸುತ್ತ ಬಂದಿರುವ ಪಾತ್ರಹಿಂದು. ತಾವಾಯಿತು; ತಮ್ಮ ಕೇಸುಗಳಾಯಿತು, ಎಂದು ಸುಮ್ಮನಿರುವ ‘ಜೀವಿ’ಯಲ್ಲ ವಕೀಲ. ಎಷ್ಟಾಗಲೀ ಮಹಾತ್ಮ ತೋರಿದ ದಾರಿ. ತನ್ನ ಕೇಸು ಮುಗಿದ ಕೂಡಲೇ ದೇಶಕ್ಕೆ ಹಿಂದಿರುಗುವ ಬದಲು, ದಕ್ಷಿಣ ಆಫ್ರಿಕದಲ್ಲಿ ಬಿಳಿಯರ ದಬ್ಬಾಳಿಕೆಗೆ ನಲುಗಿ ಹೋಗಿದ್ದ ವ್ಯಕ್ತಿ ಸ್ವಾತಂತ್ರ್ಯ, ಮಾನವ ಹಕ್ಕುಗಳ ದಮನದ ವಿರುದ್ಧ ಉತ್ತರ ಕಂಡುಕೊಂಡು ತೀವ್ರವಾಗಿ ಪ್ರತಿಭಟಿಸಿದ ಗಾಂಧಿಯ ಕುಡಿಗಳು; ಸ್ವಾತಂತ್ರ್ಯದ ಕಿಡಿಗಳು ವಕೀಲರು ಎಂದು ನಿಸ್ಸರೀಕೋಚವಾಗಿ ಹೇಳಬಹುದು.

ಸಾರ್ವಜನಿಕ ಹಿತಾಸಕ್ತಿಗಳನ್ನು ಕುರಿತ ಚರ್ಚೆಗೆ ವೇದಿಕೆಗಳನ್ನು ಕಲ್ಪಿಸಿಕೊಡುವುದು, ಉಪನ್ಯಾಸಗಳನ್ನು ನೀಡುವುದು. ಸಮಸ್ಯೆ ವಿವಾದಗಳನ್ನು ಕುರಿತಂತೆ ಪುಸ್ತಕಗಳನ್ನು ಬರೆದು ಪ್ರಕಟಿಸುವುದು. ಹೀಗೆ ಹಲವಾರು ರೀತಿಯಲ್ಲಿ ಸಮಾಜವನ್ನು ಜಾಗೃತಾವಸ್ಥೆಯಲ್ಲಿಡುವ ಪ್ರಯತ್ನದಲ್ಲಿ ವಕೀಲರದು ಸಿಂಹಪಾಲು. ನಮ್ಮಲ್ಲಿ ಇಂತಹಾ ಅಗ್ರರ ಸಾಲಿನಲ್ಲಿ ಕೇಳಿಬರುವ ಹೆಸರು ಪ್ರಖ್ಯಾತ ವಕೀಲರಾದ ಸಿ.ಬಿ. ಶ್ರೀನಿವಾಸ್ ಅವರದು.

‘ಸೆಪ್ಟೆಂಬರ್ ಇಲೆವೆನ್’ ಯಾವ ರೀತಿ ಜಗತ್ತನ್ನೇ ಅಲ್ಲಾಡಿಸಿಬಿಟ್ಟಿತೋ ಹಾಗೇ ‘ನವೆಂಬರ್ ಇಲೆವೆನ್’ ಸಹಾ ಆಸೇತು ಹಿಮಾಚಲ ಭಾರತದ ಧಾರ್ಮಿಕ ಜಗತ್ತನ್ನು ನಡುಗಿಸಿದ್ದು ಸುಳ್ಳಲ್ಲ. ಶಂಕರರಾಮನ್ ಕೊಲೆಯ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಕಂಚಿ ಕಾಮ ಕೋಟೆಯ ಶ್ರೀ ಜಯೇಂದ್ರ ಸರಸ್ವತಿಯವರ ಬಂಧನದ ಸುದ್ದಿ ಕಾಳ್ಗಿಚ್ಚಿನಂತೆ ಹರಡಿದಾಗ ಆಶ್ಚರ್ಯಪಟ್ಟವರಷ್ಟೋ

‘ಇಂತಹಾ’ ಬಂಧನಗಳಿಂದ ಬಿಡುಗಡೆ ಹೇಗೆ?

(1ನೇ ಪುಟದಿಂದ)

ಮೂಕವಿಸ್ತೃತರಾದವರಷ್ಟೇ, ತಲೆಗೊಂದರಂತೆ ಜನ ಮಾತಾಡಿಕೊಂಡ ಸಂಗತಿಗಳೆಷ್ಟೇ? ಸುದ್ದಿಮಾಧ್ಯಮವಂತೂ ವಿವಾದ ಹಿಡಿದು ಭೀಕರವಾಗಿ ನರ್ತಿಸಿತು. ಕ್ರಮೇಣ ಎಲ್ಲವೂ ತಣ್ಣಗಾಗುತ್ತಿರುವುದಾದರೂ, ಇದ್ದಾವುದರಿಂದಲೂ ವಿವಾದ ಕುರಿತು ಸಾರ್ವಜನಿಕ ಮೂಲಭೂತ ಸಂಶಯಗಳಾಗಲಿ. ‘ಬಂಧನ’ಕುರಿತ ಪೋಲೀಸರ ಕ್ರಮಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ‘ಕಾನೂನು’ ಕ್ರಮಗಳ ಪೂರ್ವಾಪರ ಆಲೋಚನೆಗಳಾಗಲಿ ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ‘ವಿವಾದ’ದ ಬಗ್ಗೆ ಬೆಳಕು ಬೀರಿ ಸಂಬಂಧಪಟ್ಟ ಕಾನೂನು ಕಟ್ಟಿಗೆ ಬಗ್ಗೆ ವಿಸ್ತೃತವಾಗಿ ಚರ್ಚಿಸಲ್ಪಟ್ಟು ದಿಸೆಂಬರ್ 3 ರಂದು ಪ್ರಕಟವಾದದ್ದು. ಸಿ.ಬಿ. ಶ್ರೀನಿವಾಸ್ ಅವರ ‘ಖಾಕಿ ಅರೆಸ್ಟ್ ಕಾವಿ’ ಪುಸ್ತಕ. ಇದೀಗ ಕನ್ನಡದಲ್ಲಿ ಬರೆಯಲಾದ ‘ಕಾವಲ್ ಸನ್ಯಾಸಿ’.

ಲೇಖಕರೇ ಹೇಳುವಂತೆ ಕೇವಲ ಒಬ್ಬ ನ್ಯಾಯವಾದಿಯ ದೃಷ್ಟಿಯಲ್ಲಿ ಸೆರೆಮನೆವಾಸ, ಇದಕ್ಕೆ ಶಾಸನದ ನೆಲೆ ಏನು? ಪ್ರಸ್ತುತ ಕಾನೂನಿನ ಶಾಸನ ಪ್ರಕಾರದಲ್ಲಿ ಅಡಗಿರುವ ಅಂಶಗಳ ಅವಲೋಕನಕ್ಕೆ ಸೀಮಿತವಾದ ಚರ್ಚೆ ಇದು. ಒಂದು ರೀತಿ ‘ಸ್ಪಾಟ್’ ಲೈಟ್ ಅನ್ನಬಹುದು.

ನಲವತ್ತೆಂಟು ಪುಟಗಳ ಈ ಹೊತ್ತಿಗೆಯಲ್ಲಿ, ಸುದ್ದಿಸ್ಟೋಟ, ಪೋಲೀಸಿನವನ ದರ್ಶನ, ಮೂಲಭೂತ ಪಶ್ಚಿ, ನ್ಯಾಯಾಲಯದ ಹೊಣೆಗಾರಿಕೆ ಎಂಬಿತ್ಯಾದಿ ಆರು ಅಧ್ಯಾಯಗಳಲ್ಲದೆ. ಅವಕ್ಕೆಲ್ಲ ಅನ್ವಯವಾಗುವ ಅಪರಾಧ ಪ್ರಕ್ರಿಯಾ ಸಂಹಿತೆ ಮತ್ತು ಸಾಕ್ಷ್ಯ ಅಧಿನಿಯಮಗಳ ನಿರ್ದಿಷ್ಟ ಕಲಂಗಳನ್ನು ಕನ್ನಡಕ್ಕೆ ಸರಳವಾಗಿ ಅನುವಾದಿಸಿ ಪುಸ್ತಕದ ಕೊನೆಗೆ ‘ಪರಿಚ್ಛೇದ’ದಲ್ಲಿ ನೀಡಲಾಗಿದೆ.

ಪ್ರತಿಯೊಂದು ಅಧ್ಯಾಯವನ್ನು ಆಧಾರಸಹಿತ, ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯದ ತೀರ್ಪುಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ವಿಶ್ಲೇಷಿಸುವ ಜೊತೆಗೇ ತಮ್ಮ ಅಭಿಪ್ರಾಯವನ್ನು ನಿರ್ಭಯದಿಂದ ಸ್ಪಷ್ಟ ಮಾತುಗಳಲ್ಲಿ ಲೇಖಕರು ತಿಳಿಸುತ್ತಾರೆ. ಕಾನೂನಿನ ನಕಾರಾತ್ಮಕ ಅಂಶದ ಲಾಭ ಪಡೆದು ಚೋರನೂ ಒಂದೇ, ಮರಾಢಿಪತಿ, ಮಾಜಿಮುಖ್ಯಮಂತ್ರಿಗಳೂ ಒಂದೇ ಎಂಬ ಹುಂಬತನದಿಂದ ತಮ್ಮ ಅಧಿಕಾರವನ್ನು ರಾಜಕೀಯ ದುರುದ್ದೇಶಗಳಿಗೋ, ವೈಯಕ್ತಿಕ ದ್ವೇಶ ಸಾಧನೆಗೋ ಬಳಸುವ ಹುನ್ನಾರ, ವ್ಯಕ್ತಿ-ವ್ಯಕ್ತಿಗಳ ನಡುವಣ ಸಂಘರ್ಷಗಳಿಗೆ ಕಾನೂನಿನಲ್ಲಿರುವ ಸಕಾರಾತ್ಮಕ ಧೋರಣೆಗಳನ್ನು ಮರೆಮಾಚಿ, ವ್ಯಕ್ತಿಯೊಬ್ಬನ ಮಾನಹಾನಿಗೋ, ಚಾರಿತ್ರ್ಯವಾಗೋ ಆಡಳಿತಯಂತ್ರವನ್ನು ದುರುಪಯೋಗಪಡಿಸಿಕೊಳ್ಳುವುದನ್ನು ಕುರಿತು ಲೇಖಕರು ಸೂಕ್ತ ಎಚ್ಚರಿಕೆಯನ್ನು ನೀಡುವುದೇ ಅಲ್ಲದೆ, ಇಂಥಹ ಆಕ್ರಮಗಳನ್ನು ಸಾರ್ವಜನಿಕರು ವಿರೋಧಿಸಬೇಕು ಎನ್ನುತ್ತಾರೆ. ರಾಷ್ಟ್ರೀಯ ಪೋಲೀಸ್ ಆಯೋಗ, ಮಾನವ ಹಕ್ಕು ಆಯೋಗ ಹಾಗೂ ಆರೋಪಿತ ವ್ಯಕ್ತಿ ಸ್ವಯಂ ತನ್ನ ವಿರುದ್ಧವೇ ಸಾಕ್ಷಿಯಾಗುವಂತೆ ಹೇಳಿಕೆಗೆ ಬಲಾತ್ಕರಿಸತಕ್ಕದ್ದಲ್ಲ ಎಂಬ ಸಂವಿಧಾನಿಕ ಹಕ್ಕಿನ ಬಗ್ಗೆಯೂ ವಿಶ್ಲೇಷಿಸುತ್ತಾರೆ. ಅಲ್ಲದೆ ವಿಸ್ತೃತ ಓದಿಗೆ ಅಲ್ಲಲ್ಲಿ ಮಹತ್ವದ ತೀರ್ಪುಗಳ ಬಗ್ಗೆಯೂ ಮಾಹಿತೆ ಇದೆ. ಆಕರ್ಷಕ ಬರವಣಿಗೆಯಿಂದಾಗಿ ಹಾಗೂ ಲೇಖಕರು ನೀಡುವ ಸುಳಿವು ಹೊಳಪುಗಳು ಇನ್ನೂ ವಿಚಾರಣೆಯ ಘಟ್ಟದಲ್ಲಿರುವ ‘ಶಂಕರರಾಮನ್’ ಕೊಲೆ ಪ್ರಕರಣವನ್ನು ಓದುಗರು ಕುತೂಹಲದಿಂದ ನಿರೀಕ್ಷಿಸುವಂತೆ ಮಾಡುತ್ತವೆ.

ಮಾನವ ಹಕ್ಕುಗಳ ಸಂರಕ್ಷಣೆಗೆ ಇಡೀ ವಿಶ್ವವೇ ಜಾಗೃತವಾಗಿರುವಾಗ ಹೊರಬರುವ ಇಂತಹ ಪುಸ್ತಕಗಳು ಸ್ವಾಗತಾರ್ಹ. ಅದಕ್ಕಾಗಿ ಲೇಖಕರು ಅಭಿನಂದನಾರ್ಹರು. ಇನ್ನೆರಡು ಮಾತು : ಸಾರ್ವಜನಿಕ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿ ಪ್ರಕಟಿಸಲಾದ ಈ ಪುಸ್ತಕದ ಬೆಲೆಯನ್ನು ಸ್ವಲ್ಪ ಕಡಿಮೆಮಾಡಿ ಎಲ್ಲರ ಕೈಗೆ ಸುಲಭವಾಗಿ ನಿಲುಕುವಂತೆ ಮಾಡುವುದು. ಹಾಗೂ ಪುಸ್ತಕದಲ್ಲಿ ಅಲ್ಲಲ್ಲಿ ಉಳಿದು ಹೋಗಿರುವ ಮುದ್ರಣ ದೋಷಗಳನ್ನು ಮರುಮುದ್ರಣದಲ್ಲಿ ಸರಿಪಡಿಸುವುದು.

- ಸೂತ್ರಧಾರ ರಾಮಯ್ಯ

ಜೀವನ ಶೈಲಿ, ಆಹಾರ ಕ್ರಮ ಮಧುಮೇಹಕ್ಕೆ ಅಂಕುಶ

ಮಧುಮೇಹ ರೋಗವು ದೇಹದಲ್ಲಿ ಇನ್ಸುಲಿನ್ ಅಂಶ ಕಡಿಮೆಯಿದ್ದರೆ ಅಥವಾ ಅದರ ದುಷ್ಪರಿಣಾಮದಿಂದ ಬರುತ್ತದೆ. ಇನ್ಸುಲಿನ್ ಎಂಬ ರಸವು ನಮ್ಮ ದೇಹದಲ್ಲಿ ಹೊಟ್ಟೆಯ ಹಿಂಭಾಗದಲ್ಲಿ ಇರುವ ಮೇಧೋಜೀರಕ ಗ್ರಂಥಿಯಿಂದ (ಪ್ಯಾನ್ಕ್ರಿಯಾಸ್) ಉತ್ಪತ್ತಿಯಾಗುತ್ತದೆ. ಮೇಧೋಜೀರಕ ಗ್ರಂಥಿಯು ಶರೀರಕ್ಕೆ ಸಾಕಾಗುವಷ್ಟು ಇನ್ಸುಲಿನ್ ಉತ್ಪತ್ತಿಯನ್ನು ಮಾಡದೇ ಹೋದರೆ ಅಥವಾ ಇನ್ಸುಲಿನ್ ಕೆಲಸ ಮಾಡದಿದ್ದರೆ ರಕ್ತದಲ್ಲಿ ಸಕ್ಕರೆಯ ಪ್ರಮಾಣ ಹೆಚ್ಚಾಗುತ್ತದೆ. ಇದು ಮಧುಮೇಹ ರೋಗಕ್ಕೆ ಕಾರಣವಾಗುತ್ತದೆ.

ಪ್ರಮಾಣ: ಮಧುಮೇಹವು ಪಟ್ಟಣ ಪ್ರದೇಶದಲ್ಲಿ ಶೇ.8 ರಷ್ಟು ಪ್ರಮಾಣದಲ್ಲಿದೆ. ಬದಲಾದ ಜೀವನಕ್ರಮ ಇದಕ್ಕೆ ಕಾರಣ. ನಮ್ಮ ಆಧುನಿಕ ನಾಗರಿಕತೆಗೆ ಕೊಡುವ ಬೆಲೆಯಾಗಿದೆ. ಮಾನಸಿಕ ಒತ್ತಡ ಅಥವಾ ತೀವ್ರ ಜೀವನಗತಿ ಇಲ್ಲವೆ ತಪ್ಪಾದ ಆಹಾರ ಕ್ರಮ, ಹೆಚ್ಚಾಗಿ ಕುಳಿತ ಕೆಲಸ ಮಾಡುವುದು ಇದರಿಂದ ಮಧುಮೇಹ ರೋಗ ಕಾಣಿಸಿಕೊಳ್ಳುವ ಸಾಧ್ಯತೆ

ಹೆಚ್ಚು.

ವಿವಿಧ ರೀತಿ: ಮಧುಮೇಹದಲ್ಲಿ ಪ್ರಮುಖವಾಗಿ ಎರಡು ವಿಧಗಳಿವೆ. ಮೊದಲನೇ ವಿಧದಲ್ಲಿ ಮಧುಮೇಹವು ಚಿಕ್ಕಮಕ್ಕಳಲ್ಲಿ ಕಾಣಿಸಿಕೊಳ್ಳುವುದು. ಇದಕ್ಕೆ ಇನ್ಸುಲಿನ್ ಆಧಾರಿತ ಮಧುಮೇಹ (ಐಡಿಡಿಎಂ) ಎಂದು ಹೇಳಲಾಗುತ್ತದೆ ಮತ್ತು ಇವರು ಇನ್ಸುಲಿನ್ ತೆಗೆದುಕೊಳ್ಳುವುದು ಬಹಳ ಅವಶ್ಯ. ಇನ್ನೊಂದು ಮಧುಮೇಹವು ವಯಸ್ಸಾದವರಲ್ಲಿ ಕಾಣಿಸಿಕೊಳ್ಳುತ್ತದೆ. ಇದಕ್ಕೆ ಇನ್ಸುಲಿನ್ ಆಧಾರಿತವಲ್ಲದ ಮಧುಮೇಹ ಎನ್ನಲಾಗುತ್ತದೆ.

ಲಕ್ಷಣಗಳು : ಮುಖ್ಯವಾಗಿ ಪದೇ ಪದೇ ಮೂತ್ರವಿಸರ್ಜನೆ, ಹೆಚ್ಚು ಹಸಿವು, ಬಾಯಾರಿಕೆ, ಸುಸ್ತು ಮತ್ತು ನಿರ್ಬಲತೆ, ಗಾಯಗಳು ಬೇಗನೆವಾಸಿಯಾಗದೇ ಇರುವುದು. ಇಂತಹ ಲಕ್ಷಣಗಳು ಕಾಣಿಸಿಕೊಂಡಾಗ ರಕ್ತದಲ್ಲಿರುವ ಸಕ್ಕರೆ ಅಂಶ ಪರೀಕ್ಷಿಸಬೇಕು. ಮಧುಮೇಹ ರೋಗಿಗಳೆಂದು ಗುರುತಿಸಿದರೆ ಸರಿಯಾದ ಚಿಕಿತ್ಸೆ ಪಡೆಯಬೇಕು. ರಕ್ತದಲ್ಲಿನ ಸಕ್ಕರೆ ಅಂಶವನ್ನು ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ನಿಯಂತ್ರಿಸದೇ ಇರುವುದರಿಂದ ರಕ್ತನಾಳಗಳ ಮೇಲೆ ದುಷ್ಪರಿಣಾಮ ಬೀರಬಹುದು. ಸರಿಯಾದ ಚಿಕಿತ್ಸೆ ತೆಗೆದುಕೊಳ್ಳದೇ ಹೋದಲ್ಲಿ ಬೇರೆ ತೊಂದರೆಗಳಾಗಬಹುದು. ಹೃದಯಾಘಾತ, ಕಣ್ಣಿನ ದುರ್ಬಲತೆ ಮತ್ತು ಕುರುಡು, ಮೂತ್ರ ಪಿಂಡದ ಬಳಲಿಕೆ, ಕಾಲು ಕೊಳೆಯುವುದು ಅವುಗಳಲ್ಲಿ ಪ್ರಮುಖ.

ಅನುವಂಶಿಕವೇ?: ಮಧುಮೇಹ ವಂಶ ಪರಂಪರಾಗತವಾದ ರೋಗ. ಅಂದರೆ ಮಧುಮೇಹವಿರುವವರ ಮಕ್ಕಳಲ್ಲಿ ಮಧುಮೇಹ ಉಂಟಾಗುವ ಸಾಧ್ಯತೆ ಹೆಚ್ಚು ತಂದೆ ತಾಯಿಗಳಲ್ಲಿ ಯಾರಾದರೊಬ್ಬರು ಮಧುಮೇಹಿಗಳಿದ್ದರೆ ಮಕ್ಕಳಿಗೆ ಮಧುಮೇಹ ಬರುವ ಸಾಧ್ಯತೆ ಶೇ. 30ರಷ್ಟು ಹೆಚ್ಚು. ತಂದೆ ತಾಯಿಗಳಿಬ್ಬರೂ ಮಧುಮೇಹಿಗಳಾಗಿದ್ದರೆ ಮಕ್ಕಳಿಗೆ ಬರುವ ಸಾಧ್ಯತೆ ಶೇ. 60-70ರಷ್ಟು. ಇದು ಇನ್ಸುಲಿನ್ ಆಧಾರಿತ ಮಧುಮೇಹಿಗಳಿಗೆ ಅನ್ವಯಿಸುವುದಿಲ್ಲ. ಏಕೆಂದರೆ ಇನ್ಸುಲಿನ್ ಆಧಾರಿತ ದೇಹದಲ್ಲಿರುವ ನಿರೋಧಕಗಳು ಮೇಧೋಜೀರಕ ಗ್ರಂಥಿಯನ್ನು ಹಾಳು ಮಾಡುತ್ತವೆ. ಇದರಿಂದ ದೇಹದಲ್ಲಿ ಇನ್ಸುಲಿನ್ ಉತ್ಪತ್ತಿಯಾಗುವುದಿಲ್ಲ.

ನಿವಾರಿಸಬಹುದೇ?: ಮಧುಮೇಹ ರೋಗವನ್ನು ನಿವಾರಿಸಲು ಸಾಧ್ಯವಿಲ್ಲ. ಆದರೆ ಖಂಡಿತವಾಗಿ ನಿಯಂತ್ರಿಸಬಹುದು. ಮಧುಮೇಹ ರೋಗವು ಅಂಟುರೋಗವಲ್ಲ ಮತ್ತು ಒಬ್ಬರಿಂದ ಮತ್ತೊಬ್ಬರಿಗೆ ಹರಡುವ ರೋಗವಲ್ಲ. ಆರೋಗ್ಯ ಕರ ಜೀವನಕ್ರಮ. ಸರಿಯಾದ ಆಹಾರ ಕ್ರಮ, ವ್ಯಾಯಾಮ ಯಾವುದೇ ಮಾನಸಿಕ ಒತ್ತಡದಿಂದ ದೂರವಿರುವುದು. ಇವುಗಳಿಂದ ಮಧುಮೇಹ ನಿಯಂತ್ರಿಸಬಹುದು. ತಂದೆ ತಾಯಿಗಳಲ್ಲಿ ಯಾರಿಗಾದರೂ ಒಬ್ಬರಿಗೆ ಮಧುಮೇಹ ರೋಗವಿದ್ದರೆ 30 ವರ್ಷಗಳಾದ ಮೇಲೆ ಗ್ಲೂಕೋಸ್ ಟಾಲರನ್ಸ್ ಪರೀಕ್ಷೆ (ಜಿಟಿಟಿ) ಮಾಡಿಸಿಕೊಳ್ಳಬೇಕು.

ನಿಯಂತ್ರಿಸುವ ಬಗ್ಗೆ: ಮಧುಮೇಹ ರೋಗಿಗಳಿಗೆ ಅವರ ಎತ್ತರ ಹಾಗೂ ತೂಕಕ್ಕೆ ತಕ್ಕಂತೆ ಆಹಾರ ಕ್ರಮ ಇರುತ್ತದೆ. ದೇಹ ತೂಕವನ್ನು ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ನಿಯಂತ್ರಿಸುವುದು ಒಂದು ಮುಖ್ಯ ಅಂಶ. ನಿಗದಿತ ತೂಕಕ್ಕಿಂತ ದೇಹತೂಕ ಹೆಚ್ಚಾಗಿದ್ದರೆ ಅವರಿಗೆ ಹೆಚ್ಚು ಇನ್ಸುಲಿನ್ ಅವಶ್ಯವಿರುತ್ತದೆ.

ಮಧುಮೇಹ ರೋಗಿಗಳು ತಿನ್ನಲು ಯೋಗ್ಯವಲ್ಲದ ವಸ್ತುಗಳು ಸಕ್ಕರೆ, ಬೆಲ್ಲ ಮತ್ತು ಜೇನುತುಪ್ಪ. ಕೆಲವೊಂದು ಹಣ್ಣುಗಳು, ತರಕಾರಿ, ಮೊಟ್ಟೆಯ ಬಿಳಿಭಾಗ ಮತ್ತು ಮಾಂಸಾಹಾರಿ ಪದಾರ್ಥಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳಬಹುದು. ಮಧುಮೇಹಿಗಳಿಗೆ ಅತಿಮುಖ್ಯವಾದ ಸಾಧನವ್ಯಾಯಾಮ. ದಿನಕ್ಕೆ 40 ರಿಂದ 50 ನಿಮಿಷಗಳ ಅವಿರತ ವ್ಯಾಯಾಮ ಅವಶ್ಯ. ಇದರಿಂದ ದೇಹ ತೂಕವನ್ನು ನಿಯಂತ್ರಣದಲ್ಲಿಡಬಹುದು.

ಮಾತ್ರೆ ಮತ್ತು ಇನ್ಸುಲಿನ್: ಸರಿಯಾದ ಆಹಾರ ಕ್ರಮ ಹಾಗೂ ವ್ಯಾಯಾಮ ರಕ್ತದಲ್ಲಿರುವ ಸಕ್ಕರೆಯ ಪ್ರಮಾಣವನ್ನು ನಿಯಂತ್ರಿಸಲು ಸಹಾಯ ಮಾಡದಿದ್ದರೆ ಮಧುಮೇಹ ರೋಗಿಗಳು ಮಾತ್ರೆ ತೆಗೆದುಕೊಳ್ಳಬಹುದು. ಎರಡು ತರಹದ ಮಾತ್ರೆಗಳಿವೆ. ಒಂದು ಸಲ್ಫೋನಿಲ್ ಯುರಿಯಾ ಮತ್ತು ಇನ್ನೊಂದು ಬಾಯಗೊನಾಯಿಡ್. ಸಲ್ಫೋನಿಲ್ ಯುರಿಯಾ ಮಾತ್ರೆಗಳನ್ನು ಆಹಾರ ತೆಗೆದುಕೊಳ್ಳುವ 30 ನಿಮಿಷ ಮೊದಲು ತೆಗೆದುಕೊಳ್ಳಬೇಕು. ಮಧುಮೇಹ ರೋಗಿಗಳು ಮದುವೆಯಾಗಿ ಒಳ್ಳೆಯ ಆರೋಗ್ಯಕರ ಮಕ್ಕಳನ್ನು ಪಡೆಯಬಹುದು.

ದುಷ್ಪರಿಣಾಮ: ಮಧುಮೇಹ ರೋಗಿಗಳು ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ರಕ್ತದಲ್ಲಿನ ಸಕ್ಕರೆಯ ಪ್ರಮಾಣವನ್ನು ನಿಯಂತ್ರಿಸದೇ ಹೋದಲ್ಲಿ ಕಣ್ಣಿನ ದುರ್ಬಲತೆ, ಮೂತ್ರಪಿಂಡದ ಬಳಲಿಕೆ, ಹೃದಯಾಘಾತ ಹಾಗೂ ಮೆದುಳು ಮತ್ತು ಕಾಲುಗಳಿಗೆ ಹುಣ್ಣು ಅಥವಾ ಗಾಯಗಳು ಉಂಟಾಗಬಹುದು.

ಇನ್ಸುಲಿನ್ : ಮೇಲೆ ಹೇಳಿದ ಎಲ್ಲ ಚಿಕಿತ್ಸೆಗಳು ಸಕ್ಕರೆಯನ್ನು ಸರಿಯಾಗಿ ನಿಯಂತ್ರಿಸದೇ ಹೋದರೆ ಇನ್ಸುಲಿನ್ ಅನೇಕ ವಿಧದ ಇನ್ಸುಲಿನ್‌ಗಳಿಂದ: ಬೊವಾಯಿನ್ (ಹಸು), ಫೊರಸಾಯಿನ್ (ಹಂದಿ) ಮತ್ತು ಹ್ಯೂಮನ್ (ಆಧುನಿಕ ತಾಂತ್ರಿಕರಣದ - ಕೃತಕ ಇನ್ಸುಲಿನ್)

ಮಧುಮೇಹ ರೋಗವನ್ನು ನಿಯಂತ್ರಿಸುವಲ್ಲಿ ಒಂದು ಮುಖ್ಯವಾದ ಅಂಶವೆಂದರೆ ಯಾವುದೇ ಚಿಕಿತ್ಸೆ ಪಡೆದರೂ ರಕ್ತದಲ್ಲಿನ ಸಕ್ಕರೆ ಸರಿಯಾದ ಪ್ರಮಾಣದಲ್ಲಿಟ್ಟುಕೊಳ್ಳುವುದು. ಇನ್ಸುಲಿನ್ ಅವಶ್ಯವಿದ್ದರೆ ತೆಗೆದುಕೊಳ್ಳಲು ಸಂಕೋಚಪಡಬಾರದು. ಏಕೆಂದರೆ ರಕ್ತದಲ್ಲಿನ ಸಕ್ಕರೆ ಪ್ರಮಾಣವನ್ನು ನಿಯಂತ್ರಣದಲ್ಲಿಟ್ಟುಕೊಂಡರೆ ಇದರಿಂದ ಬರುವ ದುಷ್ಪರಿಣಾಮಗಳನ್ನು ತಡೆಗಟ್ಟಬಹುದು.

- ಆಧಾರ

ಪ್ರಕಾಶಕರು: ಲಹರಿ ವಕೀಲರ ವೇದಿಕೆ, ಸಂ. ೨೬೯೦, “ಲಕ್ಷ್ಮೀ ದೀಪ್” ೧೭ನೇ ಅಡ್ಡರಸ್ತೆ, ಬನಶಂಕರಿ ೨ನೇ ಹಂತ, ಬೆಂಗಳೂರು- ೫೬೦೦೭೦.

ಮುದ್ರಕರು: ನವನೀತ ಮುದ್ರಣಾಲಯ ೭೫, ಡಾ: ಆನಕ ರಸ್ತೆ, ವಿವಿಪುರಂ, ಬೆಂಗಳೂರು- ೫೬೦೦೦೪. ಸಂಪಾದಕರು: ಜಿ.ಎಸ್. ನಟರಾಜನ್, ಸಹ ಸಂಪಾದಕರು: ಸೂತ್ರಧಾರ ರಾಮಯ್ಯ