

# JUSTICE

2023-2024



NACC Accredited with 'A'

## Council of Education's Shahaji Law College, Kolhapur

(Affiliated to Shivaji University, Aided by Government of Maharashtra & Approved by Bar Council of India, Delhi)



# SHAHAJI LAW COLLEGE, KOLHAPUR

## Vision

To impart holistic value legal education to Social Engineers and empower the citizenry for just and human society. Our vision includes not only to produce socially sensitive eminent lawyers but also to become stellar legal institute of Social Justice.

## Mission

To fulfill the long felt and emerging need of Legal Education in Southern Maharashtra and create Legal Awareness through quality and relevant legal education.

## Objectives

To impart legal education and to inculcate the principles of Justice, Equity, Liberty, Equality, Fraternity, Dignity in the minds of the students and to promote National Integration.

To impart high sense of Legal, Social, Moral values among students and to discover and develop overall personality in disciplined environment.

To create Legal Awareness especially in the weaker sections of the society by providing free legal services.

To sensitize the students regarding socio-legal issues of the country and to foster Rule of Law enshrined in the Constitution of India.

To bridge the gap between theoretical knowledge and applied practice.



# OUR GUIDE AND INSPIRATION



**Padmashri Deshbhakta Dr. Ratnappa Kumbhar**

Founder President, Council of Education  
Kolhapur

Birth : 15-09-1909

Abode : 23-12-1998





### Activities of Women Cell





## FROM THE PRINCIPAL'S DESK



**Dr. Praveen B. Patil**

M.A., LL.M., NET., Ph.D., DCS., PGDHR

Shahaji Law College is a premier institution dedicated to impart legal education in this region of the State. This institution has the rich heritage of producing young lawyers, many of whom have flourished as seasoned lawyers, great judges on the Benches of lower Courts and High Courts, politicians of image, activists, social workers, and justice dispensing agents both in India and abroad.

Since its inception, the college has seen many changes in terms of infrastructure, curriculum, and personnel. With the passage of time, the college has imbibed the emerging values without losing the traditional roots of 'Justice to All' and 'Justice for All'. The tiny beginning of the college in a thatched hut has now culminated into an independent sprawling campus of two acres. The college is catering to the needs of poor, downtrodden and all needy. The three year and five-year law courses coupled with diplomas, certificate courses and LL.M. are watering the legal thirst of the community since 1933.

The college has a rich heritage of producing meritorious students at university level. It is not an exaggeration to mention that every year the students of this institution make it into top ten students declared by the University. The college has won the Best College Certificate among the urban colleges in DIT, DLL, DCL courses.

This institution is blessed with the selfless

trustees, talented teachers and committed non-teaching staff. There is a well-maintained library with collection of classic books which are rarely available in any of the libraries in western part of Maharashtra.

As I look at the path that will take us towards the centenary year, I cannot help but feel a little emotional in remembrance of all those who have contributed selflessly to build this institution brick by brick. In honour of them, we aim to proudly continue on the path of excellence. The Institution has always considered Students as the core of its existence. Thus, the aim is to provide even better facilities, wide ranging activities like Placement drives, MoUs with reputed institutions, augmentations of the college infrastructure, complete digitization of the Library. Every constructive step to enhance the prestige and glory of this highly acclaimed organization will be passionately taken up. In tune with our slogan 'अकारणं रुपमकारणं कुलम महस्तु निचेषु कर्मैव शोभते', every student will be coached to perform extraordinary deeds, as his deeds will shine rather than his lineage.

This academic year was full of events. I am enthralled to share that our college has now become an International Publisher by obtaining the ISBN No. Two books of International Standards have already been published with ISBN number. We wish to increase this to 20 in the coming years.

I am also delighted to share that for this academic year, our students have performed exceptionally well in moot courts at State and National Level. As many as 12 Prizes with trophy and cash prizes, have been won by our students, which is first of its kind achievement in the history of the college. I am sure this will encourage the forth coming students in the long way and long run. I am stopping here with heart full & satisfaction. I wish best of the academics to my staff & students.



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**Suyash Bhosale**  
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Inauguration of International Publication with



Celebration of World Book Day



Guidance on Various Scholarships.



Celebration of Mahatma Phule Jayanti



Health Awareness Campaign



प्रिन्सिपल आपटे व्याख्यानमाला – अॅड. युवराज नरवणकर 'सुदढ समाज आणि लोकशाहीतील वकिलांची भुमिका'



Guest Lecture on 'Role of Advocate in Legal





Celebration of Environmental Day - Tree Plantation



Workshop on 'Basics of G. I. – Law & Policy'  
Dr.Karan Solapure, Principal KLE's Law College, Chikodi



Guest Lecture on 'Personality Development'



Orientation on 'How to refer / use Library'



Kashibai Navale National MOOT Court Competition,  
Sinhgadh Law College, Pune - **Runner Up**



'Role Play on Mediation'

### YIN Elections



निरंजन दशरथ सवने एलएल.बी.-३  
मत्स्य व्यवसाय मंत्री (महा. राज्य,  
यिन मंत्रिमंडळ २०२४)  
व्हा.प्रेसिडेन्ट, शहाजी लॉ कॉलेज,  
कोल्हापूर



वैभव कोतेकर एलएल.बी.-२  
- यिन प्रेसिडेंट  
- शहाजी लॉ कॉलेज कोल्हापूर



1st, Vishwakarma University, National Moot Court  
Competition - **Runner Up**



Internship Activities



Visit to Labour Court.



Visit to Cyber Cell, Kolhapur



Participation in Lok Adalat



Participation in Lok Adalat



पुरुषोत्तम करंडक विजेते

लोकांकिका स्पर्धा

सर्वोत्कृष्ट अभिनेता : गंधार जोग  
सर्वोत्कृष्ट अभिनेत्री : मैथिली कुंभार

पुरुषोत्तम करंडक

(महाअंतिम फेरी)

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जंगल जंगल बटा चला है  
सर्वोत्कृष्ट अभिनेता : गंधार जोग  
सर्वोत्कृष्ट दिग्दर्शक : गंधार जोग



कोहिनूर करंडक

उत्तेजनार्थ एकांकिका :  
जंगल जंगल बटा चला है  
दिग्दर्शन उत्तेजनार्थ : गंधार जोग

अखिल भारतीय नाट्य परिषद

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जंगल जंगल बटा चला है  
सर्वोत्कृष्ट अभिनेत्री :  
मैथिली कुंभार

The Council of Education's

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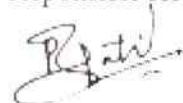
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2023-24



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# A Study of Professional Ethics for Advocacy

Mr. Sairaj Satish Suryavanshi - LL. B III

## Abstract

Professional ethics are critical in directing the conduct and behavior of individuals in advocacy roles, which are responsible for pushing social change, policy reform, and public awareness. They advise lawyers and advocates on how to respect the legal system's integrity, safeguard client confidentiality, provide competent representation, prevent conflicts of interest, and promote justice. Section 4 of the Advocate Act of 1961 established the Bar Council of India, which establishes etiquette and professional standards for lawyers.

Professional ethics legislation educates newcomers about the standards that must be observed in the area, while elder members are kept in line with social norms and expectations. If professional misconduct is discovered, the matter is sent to a disciplinary body, which schedules a hearing and notifies the Advocate. By having a thorough understanding of these concepts, advocates can harness the transformative power of advocacy to build a more just, informed, and compassionate world. The legal profession and legal ethics are inextricably linked, and the Bar Council guarantees that practitioners adhere to professional conduct and attire standards.

Keywords – Advocacy, Ethics, Justice, Legal, Professional Ethics.

## I. INTRODUCTION

Professional ethics play a pivotal role in guiding the conduct and behavior of individuals engaged in advocacy roles across various fields. Advocacy, a powerful force for driving social change, policy reform, and public awareness, demands a strong ethical foundation to ensure its credibility, integrity, and positive impact. Whether advocating for legal rights, social justice, environmental protection, or any other cause, ethical considerations serve as the compass that steers the actions and decisions of advocates.

This study delves into the intricate landscape of professional ethics for advocacy, delving deep into the principles, challenges, and responsibilities that shape the conduct of advocates. As advocates wield the power to influence opinions, policies, and even the course of history, it becomes imperative to scrutinize the ethical dimensions that underpin their work.

Advocates are entrusted with the task of articulating compelling narratives, persuading diverse audiences, and mobilizing support for their causes. However, this influence comes with a weighty ethical obligation — a duty to uphold truth, transparency, and respect for differing viewpoints. Navigating the dynamic terrain of advocacy requires striking a delicate balance between passionately championing a cause and upholding the highest standards of integrity.

Advocacy for social justice, environmental sustainability, human rights, and myriad other causes inherently carries ethical dimensions that must be dissected and comprehended. By scrutinizing the ethical frameworks that guide these endeavors, to become a cultivate advocates who are not only champion their causes passionately but also ethically.

As we embark on this journey of dissecting professional ethics for advocacy, it is crucial to recognize that the principles we uncover will serve as touchstones for advocates seeking to navigate the complexities of their roles responsibly and ethically. By cultivating a robust understanding of these principles, advocates can harness the transformative power of advocacy to shape a more just, informed, and compassionate world.

## II. NATURE OF ETHICS FOR ADVOCACY

Professional ethics for advocacy refer to the moral principles and standards that guide lawyers and advocates in their professional conduct. It involves upholding the integrity of the legal system, maintaining client confidentiality, providing competent



representation, avoiding conflicts of interest, and promoting justice. Key aspects include:

**Integrity:** Advocates must act honestly and truthfully, both in court and with clients. They should avoid any deceptive practices or misrepresentations of facts.

**Confidentiality:** Advocates must protect client information and maintain strict confidentiality. This ensures that clients can share information openly without fear of it being disclosed improperly.

**Competence:** Advocates must provide skilled and knowledgeable representation. They should only take cases within their area of expertise and continuously enhance their legal skills.

**Conflict of Interest:** Advocates must avoid situations where personal, financial, or other interests could compromise their duty to clients. They must disclose any potential conflicts and prioritize the client's best interests.

**Zealous Representation:** Advocates should vigorously represent their client's interests within the boundaries of the law and ethical standards while respecting the rights of all parties involved.

**Candor:** Advocates should be honest and forthright in their interactions with the court, opposing parties, and clients. This contributes to the fair administration of justice.

**Respect:** Advocates must treat all parties involved, including opposing counsel, witnesses, and the court, with respect and professionalism.

**Access to Justice:** Advocates have a responsibility to promote equal access to justice and should not discriminate based on factors such as race, gender, or socioeconomic status.

**Pro Bono Work:** Advocates are encouraged to provide free or reduced-cost legal services to those in need, contributing to the broader social good.

**Professional Development:** Advocates should engage in continuous learning and stay updated with legal developments to ensure high-quality representation.

Overall, professional ethics for advocacy uphold the integrity of the legal profession and play a crucial role in ensuring a just and fair legal system.

### III. PROFESSIONAL ETHICS ARE NECESSARY FOR INDIAN COURTS.

The American Bar Association Committee provided a clear justification for the necessity for a code of legal ethics. The cornerstone of government is the law. Therefore, a proper code is required to prevent graft, greed, or other unethical motivations from controlling the legal system. A judge owes a duty to the Bench of Justice through ethics, while an advocate owes a duty to the Bar. It should be noted that litigants or clients who are represented by an advocate in court do not necessarily owe the same ethical obligations as an advocate or a judge. The Bar and the Bench also have a responsibility to guard against the client engaging in unethical behavior.

The board also noted that in order to further the fair and impartial administration of justice, a high level of legal ethics must be legislated. To continue to be a member of a professional organization, every lawyer must adhere to the rules of legal ethics.

### IV. 1961 ADVOCATE ACT

It was put into place to carry out the All-India Bar Committee's recommendations and take the Law Commission's recommendations into consideration regarding the legal profession. In accordance with Section 4 of The Advocate Act of 1961, the Parliament created The Bar Council of India. The council must establish etiquette and standards of professional behavior for advocates in accordance with section 7(1) (b) of the law. Also, section 49(1)(c) gives the Indian Bar Council the authority to create rules that specify the required norms of conduct for lawyers.

Part VI of Chapter II, which addresses the ethical requirements for lawyers, has been written by the Bar Council of India. This chapter outlines 39 obligations for lawyers in relation to the court, clients, competitors, etc.

### V. PROFESSIONAL ETHICS FOR ADVOCACY



A study of professional ethics for advocacy is an exploration of the ethical principles and standards that guide the conduct of individuals engaged in advocacy roles. Advocacy refers to the act of publicly supporting or promoting a cause, idea, policy, or individual. Professionals engaged in advocacy may include lawyers, lobbyists, public relations specialists, activists, and others who work to influence public opinion, policy decisions, and social change.

Key aspects of a study of professional ethics for advocacy may include:

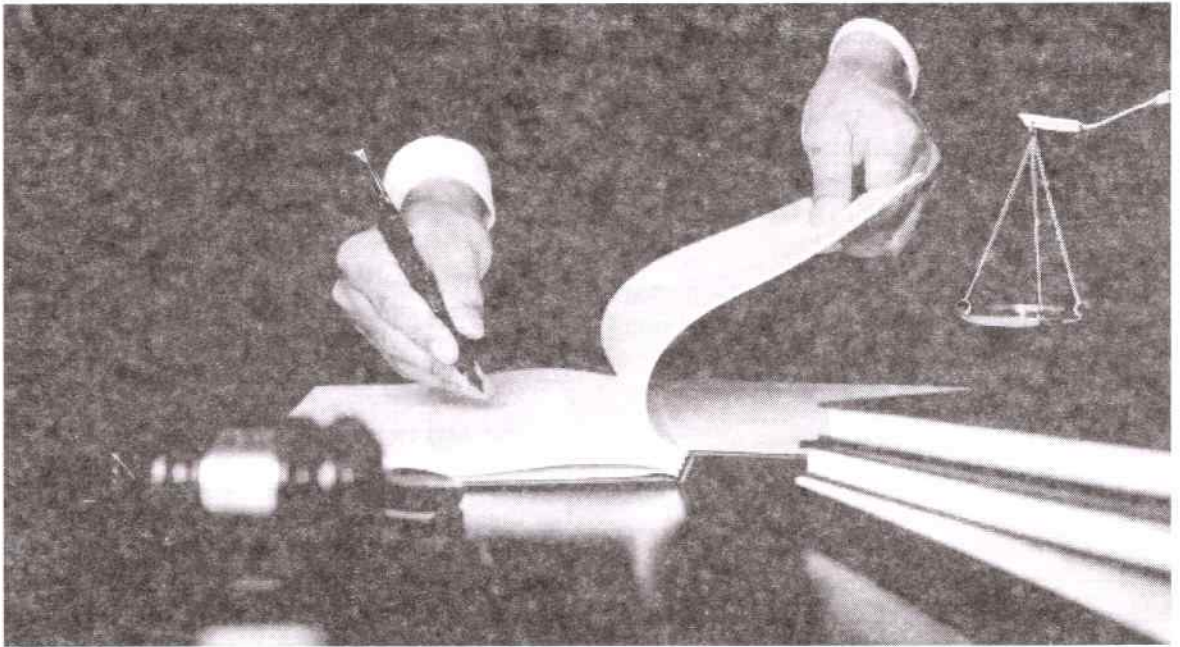
Ethical Principles: Identifying and understanding

information while advocating for a cause. This includes avoiding misinformation, distortion of facts, or manipulation of data to advance an agenda.

Transparency: Examining the need for transparency in disclosing affiliations, funding sources, and potential biases to maintain credibility and trustworthiness.

Respect for Opposing Views: Understanding the ethical responsibility to engage with opposing viewpoints and engage in civil discourse while advocating for one's own position.

Cultural Sensitivity and Inclusivity: Recognizing



the fundamental ethical principles that should guide advocacy, such as honesty, integrity, transparency, and respect for diverse perspectives.

Conflicts of Interest: Examining how advocacy professionals should navigate conflicts of interest that may arise when representing clients, organizations, or causes. This includes ensuring that personal interests do not compromise the advocate's duty to their clients or the public.

Truthfulness and Accuracy: Exploring the importance of presenting truthful and accurate

the importance of respecting cultural diversity and inclusivity when advocating for different causes, particularly when working in a global or multicultural context.

Advocacy for Social Justice: Exploring the ethical dimensions of advocating for social justice and addressing issues such as inequality, discrimination, and human rights violations.

Legal and Regulatory Framework: Understanding the legal and regulatory constraints within which advocacy professionals operate and the ethical





considerations related to adhering to these rules.

**Accountability and Professional Responsibility:** Examining how advocacy professionals can be held accountable for their actions and decisions, both within their profession and in the broader public sphere.

**Balancing Advocacy with Public Interest:** Analyzing the ethical dilemma of balancing the duty to advocate for a specific cause or client with the broader public interest and societal well-being.

**Media and Communication Ethics:** Exploring ethical considerations related to media interactions, public statements, and communication strategies used in advocacy efforts.

**Impact Assessment:** Considering the ethical obligation to assess the potential positive and negative impacts of advocacy efforts on various stakeholders and society as a whole.

A comprehensive study of professional ethics for advocacy would delve into these and other related topics, examining case studies, ethical frameworks, codes of conduct, and real-world examples to provide a nuanced understanding of how ethical principles can be applied in the context of advocacy. Such a study is important for promoting responsible, effective, and socially beneficial advocacy practices.

## **VI. BENEFITS OF PROFESSIONAL ETHICS CODIFICATION**

Initially, in the absence of a code of professional ethics, society or the government may attempt to regulate the standards through its authorities. Therefore, a code is necessary to prevent such control and intervention. In order to prevent governmental intrusion, it is therefore believed and practiced that a certain set of rules, protocols, and ethics should be standardized.

A rule of professional ethics additionally offers a feeling of social control. Each sector and profession—in this case, the legal profession—occasionally welcomes a newbie. As a result, legislated professional ethics inform newcomers about the standards that must be upheld in the field. Older members of a

professional fraternity are also kept in line with a codified code of ethics in accordance with social norms and expectations.

Both attorneys and laypeople will benefit much from the existence of a code of professional ethics in terms of education, correction, and appreciable worth.

## **VII. DISCIPLINARY ACTION FOR PROFESSIONAL MISCONDUCT**

According to section 35 of the 1961 Advocate Act, if a person is determined to have engaged in professional misconduct, the matter is sent to a disciplinary committee, which sets a hearing date and notifies the Advocate. Following that, the State Bar Council's disciplinary committee will hear from both parties, and the presiding judge may:

Can Dismiss The Complaint,

Warning To The Advocate;

Restricting The Advocate's Ability To Practice For A While;

A State's List Of Advocates May Be Amended To Remove An Advocate's Name.

## **VIII. CONCLUSION.**

In order to handle the complexity of advocacy tasks properly and ethically, professional ethics are crucial. Advocates can leverage the transformative potential of advocacy to sculpt a more just, informed, and compassionate world by developing a solid understanding of these concepts.

It is clear that the legal profession and legal ethics are intertwined. The fact that professional ethics have been legislated for the legal profession shows how vital ethics are to the field of law. The Bar Council makes sure that attorneys abide by the standards set forth in regard to professional conduct and attire.

## **IX. ACKNOWLEDGMENT**

The author is thankful to all the friends and Faculty of Shahaji Law College Kolhapur for motivating us to write this paper.



# A Confluence of Legal Minds: Hilary Charlesworth Joins Chief Justice D Y Chandrachud

Onkar Prakash Hulswar - LLB I

## Introduction

Recently, Hilary Charlesworth a judge of International Court of Justice joins the Supreme Court of India, and witnessed proceedings of the Apex Court. In the dynamic realm of legal discourse, the collaboration between eminent legal scholars and practitioners often leads to profound insights and transformative developments. The recent convergence of Hilary Charlesworth, a judge of International Court of Justice and distinguished Australian legal scholar, with Chief Justice of India, D Y Chandrachud, marks a significant juncture in the pursuit of justice and human rights.

CJI D Y Chandrachud welcomed her and said “I am pledged to welcome ICJ Judge Hilary Charlesworth among us.”

Solicitor General Tushar Mehta added “we all welcome her Ladyship to the Court”

## Hilary Charlesworth

Hilary Charlesworth’s illustrious career as a scholar, advocate, educator and a judge of International Court of Justice, the Peace Palace in The Hague (Netherlands) has been marked by her unwavering commitment to advancing the principles of international law, human rights, and gender equality. As a judge of International Court of Justice, former Professor at Melbourne Law School and a former Director of the Centre for International Governance and Justice, her expertise spans a wide range of legal issues, including women’s rights, peacebuilding, and the intersection of law and politics. Charlesworth has published over 130 book chapters and articles, authored or co-authored 11 books on International Law, and currently holds a number of editorial positions, including with the American Journal of International Law and the Asian Journal of International Law. Charlesworth, an Australian international lawyer, has served as a judge of the International Court of Justice since November 5, 2021, and re-elected from February 06, 2024 and was

currently in India.

## CJI D Y Chandrachud

Chief Justice D Y Chandrachud, known for his erudition, judicial acumen, and progressive outlook, has played a pivotal role in shaping India’s legal landscape. With a keen focus on upholding constitutional values and protecting fundamental rights, he has emerged as a beacon of justice and a staunch advocate for the marginalized and vulnerable sections of society. Justice D Y Chandrachud has been involved in several landmark cases during his tenure on the Supreme Court of India. Some notable cases include:

1. Right to Privacy: He was part of the nine-judge bench that unanimously declared the right to privacy as a fundamental right under the Indian Constitution in the historic Puttaswamy judgment (Justice K. S. Puttaswamy (Retd.) vs Union of India).

2. Section 377: He was part of the five-judge bench that struck down Section 377 of the Indian Penal Code, decriminalizing consensual homosexual acts between adults in the Navtej Singh Johar v. Union of India case.

3. Aadhaar: He was part of the majority judgment in the Aadhaar case (Justice K. S. Puttaswamy (Retd.) vs Union of India), which upheld the constitutional validity of Aadhaar but with certain restrictions.

4. Sabarimala Temple: He was part of the majority judgment that allowed women of all ages to enter the Sabarimala Temple in Kerala, overturning the centuries-old ban on women of menstruating age.

These are just a few examples of the significant cases in which Justice D Y Chandrachud has played a pivotal role.

The collaboration between Hilary Charlesworth and Chief Justice D Y Chandrachud holds immense promise for fostering greater understanding and cooperation in addressing pressing legal challenges, both at the national



and international levels. Their shared commitment to justice, equity, and the rule of law provides a solid foundation for meaningful dialogue and collaborative action.

The convergence of Hilary Charlesworth with Chief Justice D Y Chandrachud heralds a new chapter in the pursuit of justice. Through their partnership, they have the potential to inspire positive change, shape legal norms, and promote a more just and equitable world for future generations. On Saturday, she delivered the second annual lecture on the 'International Court of Justice: a legal forum in a political environment' on the Supreme Court premises.

The joint sitting of Hilary Charlesworth, an esteemed a judge of International Court of Justice, Australian legal scholar, with Chief Justice of India, D Y Chandrachud, holds significant implications on multiple fronts:

1. **Legal Scholarship and Practice:** The collaboration between Charlesworth and Chief Justice Chandrachud bridges the gap between academic research and judicial practice, enriching legal scholarship and informing judicial decision-making with rigorous analysis and fresh perspectives.

2. **Advancement of Human Rights:** Both

Charlesworth and Chief Justice Chandrachud are staunch advocates for human rights and equality. Their joint efforts can lead to a deeper understanding of human rights issues and foster innovative strategies for their protection and promotion.

3. **Gender Justice:** Charlesworth's expertise in gender justice combined with Chief Justice Chandrachud's progressive jurisprudence on gender equality can catalyse efforts to address gender disparities and advance women's rights both domestically and internationally.

4. **International Collaboration:** The collaboration between a judge of International Court of Justice and the Chief Justice of India promotes international collaboration in addressing common legal challenges, fostering mutual understanding, and enriching global legal discourse.

### Conclusion

Overall, this joint sitting signifies a convergence of legal minds with a shared commitment to justice, human rights, and equality, offering a platform for collaboration and dialogue that can lead to meaningful and lasting impact in the field of law and beyond.



## Vishal Tiwari vs Union Of India on 3 January, 2024

Aditya J. Patil - LLB II

### Adani - Hindenburg Case

On January 3, 2024, the Supreme Court of India rejected a petition to order a probe into the allegations made in the Hindenburg Research report. The report was published in January 2023 by Hindenburg Research, a US-based short-selling firm, and alleges stock price manipulations by the Adani group of companies.

The Supreme Court's ruling was handed down by a bench of Chief Justice DY Chandrachud, and Justices

JB Pardiwala and Manoj Misra. The ruling states that SEBI must carry out an investigation.

On December 3, 2023, the Supreme Court bench on January 3 also held that there is no ground to transfer the Adani Hindenberg case investigation from the Securities and Exchange Board of India (SEBI) to a Special Investigation Team (SIT). In March 2023, the top court directed SEBI to look into any violations of securities law by the Adani Group in the wake of the Hindenburg report.



# Forensic Psychology: Untangling, Unreliable Memory

Manjiri Kulkarni - LLB III

Forensic Psychology, a relatively new sub field of psychology. Various shows on television and OTT Platforms creating interest in human behavior.

Forensic Psychologists work with attorneys, judges and other law professional to throw light on psychological elements in legal cases. Forensic Psychologists are hired to bring the science of psychology into the legal system and, in doing so, help

the field of forensic psychology has blossomed, with contributions from lots of other experts in the field such as James Mckeen Cattell, Alfred Binet, William Stern, etc.

## Relationship between Psychology and Law

Law and psychology are two separate disciplines but they have much in common. Both the fields have establish norms about people's causes. The field of psychology and law uses resources and research method and findings of social psychology, cognitive psychology and developmental psychology and clinical psychology.

Forensic Psychologists have many performances in criminal justice system, which focus on three areas

law enforcement,

corrections,

courts.

## Various Laws relating to Psychology

Section 84 of Indian Penal Act, 1860 states, an act of a person unsound mind – if a person has committed offence because of unsoundness of mind and does not understand the nature of his or her act. He or She does not realize that he is doing wrong or contrary to law.

Indian Lunacy Act, 1912

It is an act to consolidate and amend the law relating to the Lunacy. Certain definitions provided under this law:-

Asylum

Cost of Maintenance

Criminal Lunatic etc.

The Mental Health Act, 1987

The Mental Health Act, 1987 was enacted for better treatment and care of mentally ill persons. The



courts reach more just outcomes.

## What is Forensic Psychology?

American Psychological Association (2001) defines forensic psychology as, “The application of clinical speciality to the legal arena.”

Wrightsmann and Fulero (2005) defines forensic psychology as, “ Any application of psychological research, methods, theory and practice to a task faced by the legal system.”

These definitions emphasize the application of clinical psychology to the forensic setting.

The professionals in the field apply tools, research and ideas from psychology to legal situations.

## Historical Background

The first seeds of forensic psychology were planted in 1879, when the father of psychology, Wilhelm Wundt founded his first lab in Germany. Since Wundt,



Act made provisions with respect to management of property in the affairs of mentally ill persons. The Act also provides protection of human rights of mentally ill persons.

### **Forensic psychology in the Courtroom**

One crucial finding to this field is the fallibility of human memory, with giving more importance to the eye witness testimony till date.

The Role played by forensic psychologist will shade a light on the mens rea of the person in question

Section 45 of the Indian Evidence Act, 1872 also allows the forensic psychologist to give their expertise in solving criminal investigation and these gives the opportunity to psychologist to make their forensic methods, according to the needs of cases.

Some specific functions of Forensic Psychologist

Police Psychology

Psychology of Crime and Delinquency

Victimology and Victim Services

Legal Psychology

One of the earliest recorded examples of psychological evidence been presented in court of law was in 1896, when, Albert Von Schernk – Notzing testified at the trail of a man accused of Murdering three women.

Drawing on research into memory and suggestibility, he argued that, pretrial publicity meant that witnesses could not distinguish between what they actually saw and what had been reported in the press.

### **Why Memory is Unreliable ?**

Mark Howe and Lauren Knott explain that Memories are influenced by expectations, experiences, emotional state and a multitude of other factors. When we recall a memory, we do not access it exactly as it was stored, because memories are encoded into the brain as a video like recording. With some details forgotten, memories in general are fragmentary with gaps containing guesses and incorrect details.

Here starts the role of forensic psychologist/

psychiatrist in the court room

Standard evaluation procedure are carried out by them when ordered by the court, for the defense of Insanity. The procedure which includes various assessments, treatments and reports/certifications are prepared by them for the admissibility in the court.

Forensic psychologist evaluate and analyses the presence or absence of mental illness in a person, requested for defense in Insanity.

The forensic psychologist are called upon as experts for expert opinion, in case of any doubts by the court. Where they as experts have to put forward their knowledge based observations in front of the court clarify psychiatric problems and provide an honest and clean opinion based on strong data and accurate reasoning.

### **Evidential Value**

Forensic Psychologists function has amicus curie to the court and gives his testimonies or expert opinion, using various techniques. Though admissibility of evidence extracted by using this techniques is still debated, these evidences are used as corroborative evidence.

For instance, In Arushi Talwar Murder Case, 2008, testimony given by forensic psychologist on some of the suspects were in fact very close to the event, but courts and CBI did not pay much attention to testimony and it was considered as inadmissible in courts.

### **Forensic psychology and Right to Privacy**

Crucial challenge that forensic psychology faces the issue of privacy. Psychology is a study of human mind and forensic psychology aims at looking into the criminal mind. Often privacy of the accused is raised as defense. Right to privacy is declared to be as fundamental right in various landmark judgements.

### **National Human Rights Commission**

NHRC in 2000 published a guidelines on administering NARCO analysis, Polygraph Test and Brain Mapping, stating that these tests can be administered on a person only with his informed consent



## Roles and Responsibilities of Forensic Psychologists

The roles and responsibilities of the forensic psychologists are many and varied. They can take on one primary role but may engage in additional roles depending on their interests and training. The various roles include trial consultant – an expert who works with attorneys to assist in case strategy and witness preparation, expert witness, evaluator – to evaluate mental health issues in civil and criminal litigations, treatment provider, researcher, academic and correctional psychologist.

### Global Scenario of Forensic Psychology

Foreign psychologist are integral part of crime investigation. Developed countries are focused on understanding behavioural occurrences to minimize and prevent crimes in countries like USA, UK and Australia. Their role includes developing profiles of criminal, expert witnesses in courts, suspect interrogations, psychological profiling, rehabilitation etc. Various assessments such as polygraph or lie detector, psychological stress evaluator, are used for investigation and assist courts in proceedings.

Forensic psychologist conduct objective interviews of offenders, and refer to mental health professionals.

### Forensic psychology in India

In 2010, Narco analysis, lie detection and brain electric oscillation signature profiling for criminal investigation with informed consent have introduced by the Supreme Court of India. Psychological Assessments conducted under forensic science laboratories are layered voice analysis, narco analysis, statement analysis, forensic hypnosis, psychological autopsy, psychological profiling is also now recognized as promising techniques. These laboratories are also working on the establishment of the forensic psychology labs in all the states for better investigations.

### Current Prospects

The scope of investigation has grown beyond lie detection to tracking biopsychosocial components of criminal behavior in suspects and accused.

It is important to have forensic psychologist because, sometimes a crime can be prevented before it becomes a crime for which it is necessary to have an expert on this type of research. Many people do not even know that forensic psychology department is the most involved in stopping crime.

Criminal Justice and the law benefit from the psychological expertise of forensic psychologist. Forensic psychology has recently seen surge in popularity in India among legal and mental health professionals, and this trend expected to continue.

### Suggestions to Promote Forensic Psychology

More specialized courses can be introduced on forensic psychology.

Psychologist should be taught to handle the cases



ethically.

An approach of forensic psychologist should be more humane.

Spreading awareness and educating the people of India, and provide them with employment.

More than 90% of the cases in the current scenario of criminal behavior are the reason or need for drugs, high increasing juvenile cases. Thus, the study of different behavior is important

Each forensic laboratory should have a separate team for forensic psychology .

Special training should be given to police department and investigation agencies.



# The Crucial Role of DNA Evidence in the Criminal Justice System

Onkar Prakash Hulswar - LLB I

## Introduction:

In the intricate tapestry of the criminal justice system, DNA evidence has emerged as a powerful tool, revolutionizing the way crimes are investigated, prosecuted, and adjudicated. Since its advent, DNA analysis has played a pivotal role in exonerating the innocent, identifying perpetrators, and ensuring justice is served. This article delves into the significance of DNA evidence and its profound impact on the criminal justice landscape.

At the heart of DNA evidence lies its unparalleled ability to unveil the truth. Each individual possesses a unique genetic blueprint encoded within their DNA, akin to a molecular fingerprint. This distinctive signature enables forensic scientists to link biological evidence found at crime scenes to specific individuals with an unprecedented degree of accuracy. Whether it's a drop of blood, a strand of hair, or a saliva sample, DNA analysis provides irrefutable evidence that can either inculpate or exculpate suspects, ultimately unravelling the truth behind criminal acts.

## Role of DNA Evidences in the Criminal Justice System:-

1. Exonerating the Innocent: One of the most profound impacts of DNA evidence is its role in exonerating the wrongly convicted. DNA exoneration not only restores the freedom of the innocent but also prompts systemic reforms aimed at preventing future wrongful convictions.

2. Identifying Perpetrators: Equally significant is DNA evidence's role in identifying perpetrators and holding them accountable for their actions. By matching DNA profiles obtained from crime scenes to those stored in databases, law enforcement agencies can establish links between suspects and offenses, facilitating the

apprehension and prosecution of criminals.

3. Corroboration of Witness Testimony: DNA evidence can corroborate or refute witness testimony, providing additional support for the prosecution or defence's case.

4. Resolution of Conflicting Evidence: In cases where there is conflicting evidence or multiple suspects, DNA analysis can help resolve uncertainties and clarify the facts of the case.

5. Cold Case Investigations: DNA evidence has been instrumental in solving cold cases, providing crucial leads and identifying perpetrators years or even decades after the crime was committed.

6. Establishment of Parentage: DNA testing is commonly used in family court cases to establish paternity or maternity in matters such as child support, custody, and inheritance disputes.

7. Sentencing: DNA evidence can also impact sentencing decisions by providing information about the severity of the crime or the likelihood of recidivism.

## Landmark Cases in which the Validity of the DNA Evidences has been considered-

However, there have been cases where the admissibility and reliability of DNA evidence have been discussed and affirmed by Indian courts. Here are a few notable cases:

1. State of Maharashtra v. Sukhdev Singh (1992): In this case, the Supreme Court of India upheld the admissibility of DNA evidence as a reliable form of scientific evidence. The court emphasized the importance of ensuring the integrity of DNA samples and the accuracy of testing procedures.

2. Lal Singh v. State of Uttar Pradesh (2003): In

## Relevant Rare Quotes :

"Justice is the constant and perpetual will to render to every person their due." - Emperor Justinian I



this case, the Allahabad High Court ruled that DNA evidence can be admitted in court if it meets the criteria of relevancy, authenticity, and credibility. The court emphasized the need for proper documentation and chain of custody procedures to ensure the admissibility of DNA evidence.

3. *Selvi v. State of Karnataka* (2010): While not specifically focused on DNA evidence, this landmark case dealt with the admissibility of scientific evidence, including psychological and psychiatric tests, in criminal proceedings. The Supreme Court laid down guidelines for the admissibility of scientific evidence, emphasizing the need for reliability, relevance, and fairness.

### Challenges and Ethical Considerations:

Despite its transformative potential, the utilization of DNA evidence is not without challenges and ethical considerations. Issues such as sample contamination, chain of custody protocols, privacy concerns, and potential misuse of genetic information necessitate robust safeguards and stringent adherence to established procedures. Moreover, disparities in access to DNA testing and forensic resources raise questions about the equitable administration of justice and underscore the need for inclusive and transparent practices within the criminal justice system.

### Act regulating DNA Evidences in India-

However DNA evidence was covered under Section 45 of the Indian Evidence Act 1872 under 'Scientific Evidence'

The DNA Technology (Use and Application) Regulation Bill was introduced in 2018 to regulate the use of DNA technology. The bill aims to create a national DNA database and streamline the process of collecting, analysing, and using DNA evidence in criminal investigations and court proceedings. DNA evidence has been instrumental in solving high-profile cases and ensuring justice in India's legal system.

### Conclusion:

In an era characterized by technological advancements and evolving legal landscapes, DNA evidence stands as a beacon of truth in the pursuit of

justice. Its role in exonerating the innocent, identifying perpetrators, and upholding the integrity of the criminal justice system cannot be overstated. However, its effective utilization requires a balanced approach that safeguards individual rights, promotes scientific rigor, and fosters public trust. As we navigate the complexities of the modern legal terrain, DNA evidence remains a cornerstone of justice, illuminating the path towards a more equitable and accountable society.

1) Don't look back and regret what is left, instead go ahead and see what are new challenges and opportunities and go ahead and achieve them!

2) The best way of reply to an idiot is to ignore him.

3) Sometimes you should ignore the problems and let the problem take its time and it may resolve by itself and after giving sufficient time if it is not resolved then you should act to resolve it.

4) If you want people to respect you, salute you, love you then you have to be SUCCESSFUL. UNSUCCESSFUL people don't love themselves and they should not expect others to love them, they always blame their destiny there life.

5) Sometimes a distance is also required for coming nearer, if you will be always available like a shadow nobody will remember you!

6) I know how it pains when separated, so I never disturb the birds who are sitting together!

7) The Sad thing of life is Good things don't happen with Good people!

8) When the poor died no one was sad, a rich person got a scratch everyone started mourning!

9) Who is in the world who don't have worries, pain, sorrow but the only way to get away from the suffering is to master the skill of ignorance.

- **Mujahid Patel**  
LL.M. - I





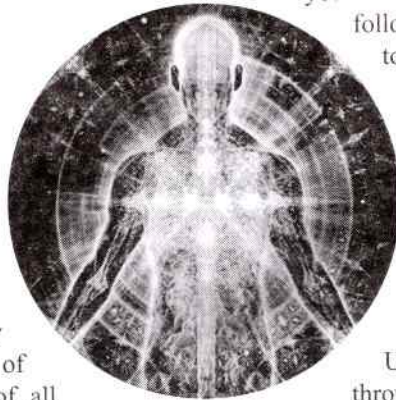
## SPIRITUAL THREADS

Riddhi Indrajit Adgule - PRE LAW 1

There has been countless cries, fights and protests to establish superiority of their religion from people all over the world but today I'll talk about the perspective of india : the most diverse country

India has been the most fertile land to sow the seeds of foundation leading one to live a life in their highest form of potential that is attainable as a human being . In other words "HINDUISM" or "SANATAN DHARMA" as some like to use the term casually in today's world , delivers innumerable messages about living life in such order that it leads you to attain the highest form

With all the books from bhagvad gita to upanishads to vedas and so on , if i had to conclude one thing it'll be this that telling everyone " Hinduism is not a religion , it is an art of living life in the most profound way backed by wisdom and science that is still out of grasp for a average human mind " . According to the "upanishads" which is a documented version of the realizations of the awakened and self realized rishis : Sanatan Dharma is "ULTIMATE TRUTHS" aka absolute philosophy stitched together by the seers of India, which advocated oneness of all the existing beings , promoting acceptance with utmost respect , love and compassion . Figures like JESUS CHRIST , PROPHET MUHAMMAD , GURUNANK and so on are viewed as imparting ways of life aimed at connecting with the highest divine power . EVERY SINGLE ONE OF THEM had divine revelations to share and so did the yogis ,



monks, seers, saints of india.

Names changed , techniques changed but it is ONE DIVINE POWER that's being talked about over years and years.

It's like the words like "PREMAH" in sanskrit , "LOVE" in english and "LUFU" in old english , "HABUN" in arabic and so on are talking about the same force that is Love, in different languages to refer to the "SUPREME"

Some of the religious texts are so highly misunderstood . These "saintly figures" or "Avatars" talked about how one could awaken the divine consciousness present within every single being and not about "MAKE A RELIGION OUT OF ME" . If you're a "Christian" it only implies that you follow the path suggested by "Jesus" to attain divine communication . if you're a krishna bhakt then follow the paths suggested by him through "The Holy Bhagavad gita" and so on .

To conclude I only wanted to shed some light on this subject because earth is so diverse and so are humans but in the end ALL OF US are only humans . We are born through the same path and die the same . It's SINGULAR DIVINE POWER echoing through different religions around self realized beings but actually studying their lives and learning lessons .

Overall, the concept of divine power is deeply rooted in the human desire to understand and connect with forces beyond ordinary.

"Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is an organised conspiracy to oppress, rob, and degrade them, neither persons nor property will be safe." - Frederick Douglass



# ‘Two Finger Test’ Its Interpretation And Guidelines of The Supreme Court Of India.

Onkar Prakash Hulswar - LLB I

This article contained comprehensive information related to ‘Two Finger Test’, its procedure, scientific importance, practice and recent interpretation and guidelines of the honourable Supreme Court of India.

### What is ‘Two Finger Test’?

- It is a Medical Procedure by a Medical Practitioner conducted to analyse, medically, whether the Rape Victim has had sexual Penetration or intercourse.

### What is analysed in the ‘Two Finger Test’?

- During the Two Finger Test, Status of Hymen (a piece of tissue covering or surrounding women’s vaginal opening), Elasticity of Vaginal Walls and its tightness was considered to be analysed.

### Why is this Test conducted?

- Previously this test was conducted on Rape survivors to check whether the hymen of women ruptured or laxity of Vaginal Muscle. Or to check

whether the victim was assaulted sexually by penetration, Or to check if the victim is habituated to sexual intercourse.

### What is the Scientific Validity of the ‘Two Finger Test’?

- According to Medical Experts and a Handbook of World Health Organisation dealing with Sexual Assault, the Hymen is certainly not a reliable source of proving vaginal penetration. However Hymen is a thin covering of Tissue on Vagina and it can be ruptured without any sexual penetration. It can be ruptured even in day to day activity or there are some women who are born without hymen.

### How does ‘Two Finger Test’ affect Women’s Dignity and Privacy?

- This is a medical procedure which involves insertion of ‘Two fingers’ into the victim’s vagina. Firstly, this affects the privacy of the victim. Secondly,



after the rape penetration, the insertion of two fingers is also painful. Thirdly, the victim is subject to undergo such inhuman procedure during her painful time.

### What is the Supreme Court's Observation?

- On 31 October 2022, a bench comprising Justice D Y Chandrachud and Hima Kohli observed the comments while restoring a conviction and sentencing of a man for rape and murder of a minor girl in November 2004 in Jharkhand. (State of Jharkhand V Shailendra Kumar Rai 2004).

- A bench observed "Whether a women is 'habituated to sexual intercourse' or 'habitual to sexual intercourse'" is irrelevant for the purpose of determining whether the ingredients of Section 375 of IPC (Rape) are present in a particular case."

- The Court further added, 'Probative Value' of women's testimony does not depend upon her sexual history, the Court said, "It is a Patriarchal and Sexiest to suggest that a women cannot be believed when she states that's she was raped, merely for the reason that she is sexually active."

- The Supreme Court observed the use of the two-finger test. In *Lillu @ Rajesh & Anr. V State of Haryana* (2013), the SC observed that "the two finger test and its interpretation, violates the right of rape survivors to privacy, physical and mental integrity and dignity".

- High courts have also taken a similar approach. In the State of Gujarat vs Rameshchandra Ramanbhai Panchal (2020), the Gujarat High Court observed that the two-finger test is an unscientific method of examination. Various other high courts have stated that this test has no evidence medical or forensic to back it up, and thus should not be relied upon.

### What are the Government's Guidelines?

- After nationwide protests and demonstrations led by Nirbhaya Case (2012), Government set up Committee, According to report of Justice Verma Committee on Amendments to criminal law for faster trial and enhanced punishment in sexual assault cases, the Union Health Ministry brought out detailed guidelines for the medical examination of victims of sexual assault in early 2014.

- According to the guidelines 'two finger test', must not be conducted for establishing rape or sexual violence.

- The guidelines states that a rape victim's consent (or her guardian's consent, if she is minor or unsound of mind or mentally disabled) is necessary for any medical examination. Even if the consent is not provided, the victim cannot be denied medical treatment.

However, these are guidelines and are not legally binding.

### Conclusion:

- 'Two Finger Test' is a medical procedure conducted on Rape Survivors or Rape Victims, by medical practitioner, by inserting two fingers into vagina of the victim to check whether the victim has had sexual intercourse.

- The Supreme Court, however observed that the two finger test is not a scientific method, and derogatory to dignity of women, and it violates the principle of privacy of a women, and in number of cases, the supreme court provided ban on practice of two finger test. In this regard, the government too provided guidelines for banning on 'two finger test'.



### Relevant Rare Quotes :

"Injustice anywhere is a threat to justice everywhere."

- Martin Luther King Jr.



# REGULATION OF PORNOGRAPHY ON OTT PLATFORM

GIRIJA ANAND JOSHI - LLB II

## ABSTRACT-

The history of film chronicles the development of a visual art form created using film technologies that began in the late 19th century. The advent of film as an artistic medium is not clearly defined. There were earlier cinematographic screenings by others, however, the commercial, public screening of ten Lumière brothers' short films in Paris on 28 December 1895, can be regarded as the breakthrough of projected cinematographic motion pictures. The earliest films were in black and white, under a minute long, without recorded sound, and consisted of a single shot from a steady camera. The first decade saw film move from a novelty, to an established mass entertainment industry, with film production companies and studios established throughout the world. Conventions toward a general cinematic language developed, with film editing camera movements and other cinematic techniques contributing specific roles in the narrative of films. Now-a-days the ott platforms are famous for indoor entertainment.

## WHAT IS OTT PLATFORM?

OTT stands for OVER THE TOP and refers to technology (OTT SERVICES AND PLATFORMS) that delivers streamed contents via internet connected devices.

A dedicated OTT is compiled with any number of streaming services that is delivered over the use of internet. Its media services are configured to any device & content broadcasters can outreach audiences with their content globally.

For example, consumers would sign up for subscriptions or for one-time view added with in-stream ads in services like Netflix or Spotify to access thousands of content from anywhere at any time.

Advertising via OTT channels is an innovative

way to reach your customers/target audience. OTT platforms allow advertisers to distribute their material across all devices (e.g., computers, TVs, phones, and tablets) when viewers access the OTT platform, resulting in "second chance" business. The Government inherent right to regulate the OTT platform's content under article 19(2).

## INTRODUCTION

Over-the-top (OTT) platforms have become a business for content producers in today's times, and this was particularly true during the Pandemic when many online content artists choose to push their material to run on these OTTs and received a positive reaction. OTTs are internet-based streaming services that provide users access to audio and video material shown on their platform. They used to exclusively broadcast material that had already been shown in cinemas after buying the rights from the distributor. Still, recently they've started making their own, such as feature films and documentaries, as well as web series and other things. Around March to July 2020, the figure of paid OTT customers in this country grew by 30%, from 22.2 million to 29.0 million. Netflix had been considered a stranglehold on the OTT industry until Amazon Prime Video, Amazon's OTT service, entered the fray. There are several local rivals in this country, including Amazon Prime Video, Disney+ Hotstar, Netflix and international players like Alt Balaji, Voot, and Sony Liv. These platforms, it might be argued, often get themselves in legal problems as they tend to self-inspect the material hosted. A new modification to the Government of India (Allocation of Business) Rules, 1961, states that the Ministry of Information and Broadcasting would supervise OTT platforms, the material on current events, and digital news.

Over the top (OTT) media services are online streaming platforms that have gained a lot of



popularity in the last new years with theatre being shut due to Covid 19 led Lockdown, OTT platforms like Amazon Prime, Netflix, Hotstar and many others saw a rise of 30% in the number of paid subscribers. These platforms are known for providing a vast library of fresh, novel and diverse content, with out of the box stories, for an affordable subscription. Criticism will always find a way towards great ideas. Theatrical releases have always been attracting controversies regarding their content, where they are criticized that the content is obscene, inappropriate or hurting religious sentiments or sentiments of a certain section of society, etc. But such cases with respect to theatrical releases are dealt by the Central Board of Film Certification (CBFC).

### **NEED OF REGULATION OF CENSORSHIP.**

#### **Meaning of censorship on OTT :**

Censorship on OTT platforms refers to the restriction or removal of content that is deemed inappropriate or offensive by the platform or by governments. The extent of censorship can vary widely depending on the platform and the country in which it operates.

#### **Regulatory body on censorship in India :**

In India, censorship on OTT platforms is regulated by the Ministry of Information and Broadcasting (MIB), which has the authority to issue guidelines and regulations for digital content providers. In recent years, the MIB has issued a number of guidelines aimed at curbing offensive or inappropriate content on OTT platforms, including measures such as age classification of content and mandatory parental controls. The government of India has also given the power to the internet and mobile association of India (IAMAI) to self-regulate and monitor the content, as a result, IMAI had set up a Digital Content Complaints Council (DCCC) to self-regulate the streaming of content on various streaming platforms including OTT platforms.

The DCCC would investigate complaints and take action against streaming platforms if they are found

to have violated the guidelines set by IMAI. This includes removing, blocking, or requiring a rating, warning, or any other type of notice on the content.

**Constitutional Provisions on Freedom of Speech and Expression**  
 The Preamble to the Constitution of India resolves to protect for its citizens, liberty of thought, expression and belief.<sup>5</sup> Freedom of speech and expression plays a crucial role in formation of public opinion on social, political and economic matters. It is a basic and a natural right. The freedom of speech and expression has been described as the mother of all liberties. Article 19(1)(a). The concept of this fundamental right under Article 19 (1)(a) is dynamic as the content of speech & expression and its means to communicate has been evolving with time and advances in technology. It includes the freedom of communication and right to propagate or publish one's views through any medium, newspaper, magazine or movie, including the electronic and audio-visual media. <sup>7</sup> Article 19(2) Restrictions on Freedom of Speech and Expression Freedom of speech and expression is not an absolute right, article 19(2) of the Constitution of India provides for restrictions on OTTs and to make laws imposing reasonable restriction for the interest of the sovereignty and integrity of India; security of the state; friendly relations with foreign state; public order; decency or morality; contempt of court; defamation or incitement of an offence.

### **THE ROLE OF JUDICIARY**

The judiciary is very important in making rules and regulation for OTT platform related pornography. The case of Gurdeepinder Singh Dhillon v. Union of India & Ors has been filed case against a web series Pataal Lok for showing obscenity, pornographic, abusive language, etc content to public without the approval from any Government Authority. Justice of Right Foundation V. Union of India is another case where there has been a petition filed for the use of the word "thieves" for lawyers in their content. Delhi High Court rejected the petition although



earlier courts could not decide in favour of a petition against pornographic content for the lack of rules and regulations related content. Later, the matter went to the Supreme Court in which Supreme Court asked the Ministry of Information and Broadcasting for an explanation for not having any specific rule for regulation. To which Ministry replied there are enough rules for the regulation of pornographic content. For which The Supreme Court agreed. There have been several High Courts such as Allahabad High Court, Calcutta High Court, Karnataka High Court, etc .have dismissed various petitions upon restriction over content .In another case of *Aparna Purohit v. State Of Uttar Pradesh* [(2021) 3 All LJ 634][16] this case plaintiff was denied anticipatory bail by Allahabad High Court as the court observed mere apology or deleting the scene over showing Hindu God Objectionably is not acceptable according to law. However, Court commented mere guideline for regulating the content does not constitute an effective mechanism.

### **Why in News?**

Recently, the EU lawmakers agreed to draft rules requiring Alphabet's Google, Meta and other online services to identify and remove Online Child Pornography, stating that end-to-end encryption would not be affected.

The draft rule on Child Sexual Abuse Material (CSAM), proposed by the European Commission in 2022, has been a bone of contention between advocates of online safety measures and privacy activists worried about surveillance.

The European Commission proposed rules requiring online services to identify and remove CSAM, addressing the inadequacy of voluntary detection and reporting systems by tech companies.

### **What is Child Pornography?**

#### **About:**

Child pornography refers to the creation, distribution, or possession of sexually explicit material involving minors. In India and globally, it's a

heinous crime with severe implications, perpetuating the sexual exploitation and abuse of children.

Online child pornography is the manifestation of digital exploitation, refers to the production, distribution, or possession of sexually explicit material involving minors through digital platforms.

The Protection of Children from Sexual Offences (Amendment) Act, 2019 defines child pornography as any visual depiction of sexually explicit conduct involving a child including photograph, video, digital or computer generated image indistinguishable from an actual child.

### **Indian Scenario:**

The spike in cases of child pornography reflects the grim picture of online child sexual abuse in India. According to NCRB (National Crime Report Bureau) 2021 the cases have increased from 738 (2020) to 969 (2021).

### **Impact:**

**Psychological Impact:** Porn creates a psychological impact on children. It is associated with depression, anger and anxiety. It can lead to mental distress. It also impacts day to day functioning of children, their biological clock, their work, and their social relationship.

**Impact on Sexuality:** When seen regularly, it gives a sense of sexual gratification and sexual obsession, which leads to a willingness to do the same things in real life.

**Sexual Addiction:** According to some experts, pornography is like an addiction. It produces a similar effect on the brain as produced by consumption of drugs or alcohol on a regular basis.

**Behavioral Impact:** Adolescent pornography use is associated with stronger beliefs in gender stereotypes, particularly for males. Male adolescents who view pornography frequently are more likely to view women as sex objects.

Pornography may strengthen attitudes supportive



of sexual violence and violence against women.

What are the Challenges to Deal with Pornography?

The effect of pornography is different in children belonging to the lower class compared to children belonging to the high class. A single approach won't be able to handle the issue effectively.

In India, sex is seen as negative (something which should be hidden). There is no healthy family dialogue regarding sex. It leads the child to learn this from outside which leads to an addiction to pornography.

It's very difficult for agencies to detect the activities of child pornography and monitor them effectively.

Availability of obscene content on regular websites and OTT (over the top) services like Amazon Prime, Netflix, Hotstar, etc. make it difficult to differentiate between the non-vulgar content and vulgar content.

What are the Indian Initiatives to Check Child Pornography and Child Abuse?

Protection of Children from Sexual Offences (POCSO) Act, 2012:

The Posco act has been amended in 2019, the amended POCSO included stringent measures such as the death penalty for aggravated sexual assault on children.

The Protection of Children from Sexual Offences (Amendment) Act, 2019 has introduced several provisions to curb child pornography in India.

According to the amended act, whoever uses a child or children for pornographic purposes shall be punished with imprisonment for a term which shall not be less than five years and shall also be liable to fine, and in the event of second or subsequent conviction with imprisonment for a term which shall not be less than seven years and also be liable to fine.

**Other Initiatives:**

IT act 2000.

Child Abuse Prevention and Investigation Unit

Beti Bachao Beti Padhao

The Juvenile Justice (Care and Protection of Children) Act, 2015

Child Marriage Prohibition Act (2006)

Child Labour Prohibition and Regulation Act, 2016

POCSO Courts under Special Fast Track Courts.

**FOLLOWING ARE SOME IMPORTANT CASES:-**

**RAJ KUNDRA CASE.**

The Raj Kundra case centers around allegations related to the creation and distribution of adult content through mobile applications. Raj Kundra, a businessman and the husband of Bollywood actress Shilpa Shetty, was arrested on July 19, 2021, by the Mumbai Police's Crime Branch.

The police claimed that Kundra was a key conspirator in a case involving the creation of apps that streamed explicit content for a subscription fee. These apps reportedly operated under various names and were available on both Android and iOS platforms. The content, produced and distributed through these apps, allegedly exploited a legal loophole by classifying it as erotica.

The charges against Raj Kundra include sections of the Indian Penal Code (IPC) such as sections 420 (cheating), 34 (common intention), 292 (obscenity), and 34 (criminal conspiracy). Additionally, he faced charges under relevant sections of the Information Technology Act, 2000.

The police investigation revealed that the apps were involved in the creation and distribution of explicit content, and they attracted users through a subscription-based model. The case brought attention to the regulation of online content in India and raised questions about the adequacy of existing laws to address emerging challenges in the digital space.

It is important to note that legal proceedings and investigations may have progressed since my



last update in January 2022. For the latest and most accurate information, please refer to recent news sources or official statements from law enforcement agencies.

### JACOBELLIS VS. OHIO CASE

378 U.S. 184 (1964), was a United States Supreme Court decision handed down in 1964 involving whether the state of Ohio could, consistent with the First Amendment, ban the showing of the Louis Malle film *The Lovers* (*Les Amants*), which the state had deemed obscene.

#### Background

Nico Jacobellis, manager of the Heights Art Theatre in the Coventry Village neighborhood of Cleveland Heights, Ohio, was charged with two counts of possessing and exhibiting an obscene film in [378 U.S. 184, 186] violation of Ohio Revised Code (1963 Supp.), convicted and ordered by a judge of the Cuyahoga County Court of Common Pleas to pay fines of \$500 on the first count and \$2,000 on the second (equivalent to \$25,000 in 2022), or if the fines were not paid, to be incarcerated at the workhouse, for exhibiting the film. Jacobellis' conviction was upheld by the Ohio Court of Appeals and the Supreme Court of Ohio.

#### Supreme Court

The Supreme Court of the United States reversed the conviction by ruling that the film was not obscene and so was constitutionally protected. However, the Court could not agree as to a rationale, yielding four different opinions from the majority. No opinion, including the two dissenting ones, had the support of more than two justices. The decision was announced by William J. Brennan, but his opinion was joined only by Justice Arthur Goldberg.

Justice Hugo Black, joined by Justice William O. Douglas, reiterated his well-known view that the First Amendment does not permit censorship of any kind.

Chief Justice Earl Warren, in dissent, decried the confused state of the Court's obscenity jurisprudence and argued that Ohio's action was consistent with the Court's decision in *Roth v. United States* and furthered important state interests.

Justice John Marshall Harlan II also dissented; he believed that states should have «wide, but not federally unrestricted» power to ban obscene films.

The most famous opinion from *Jacobellis*, however, was Justice Potter Stewart's concurrence, stating that the Constitution protected all obscenity except "hard-core pornography". He wrote, "I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description; and perhaps I could never succeed in intelligibly doing so. But I know it when I see it, and the motion picture involved in this case is not that."

## 10 Negative Effects of Porn

1. Partner feels threatened by porn use
2. Decreased sexual satisfaction and performance
3. May become addicted to porn
4. Could cause depression
5. Can normalize sexual abuse
6. Can normalize interpersonal violence
7. May create unrealistic expectations
8. Can diminish sexual pleasure with partner
9. Could encourage sexual infidelity
10. Can lead to loss of self-esteem

### Relevant Rare Quotes :

"The only real prison is fear, and the only real freedom is freedom from fear." - Aung San Suu Kyi





## The Life of a Law Student in India...

Aditya J. Patil - LLB II

### The Grind and the Glory: A Law Student's Life in India

For many young Indians, the ambition to become a lawyer burns bright. It's a profession steeped in tradition, respected for its intellectual rigor and perceived as a pathway to success.

#### The Academic Grind:

Life inside the hallowed halls of a law school is demanding. Students are bombarded with a dense curriculum, covering archaic laws, complex legal theories, and intricate judicial pronouncements. Days are consumed by lectures, seminars, and endless reading, leaving little time for leisure. The pressure to excel is immense, fueled by fierce competition and the desire to secure a coveted internship or job.

#### Beyond the Books:

However, a law student's life extends far beyond textbooks and case studies. Law schools offer a vibrant social scene, where friendships are forged amidst shared struggles and triumphs. Moot court competitions provide a platform to hone legal skills and public speaking abilities. Legal aid clinics allow students to apply their knowledge to real-world problems and contribute to social justice. These experiences not only build valuable skills but also foster a sense of purpose and commitment to the legal profession.

#### Tips for Aspiring Law Students

If you are considering a career in law, here are a few tips to help you succeed:

- Develop strong reading, writing, and research skills.
- Time management is critical.
- Participate in extracurricular activities.
- Build strong relationships with your professors and classmates.
- Network with legal professionals.
- Be prepared to work hard

The life of a law student in India is a demanding one, but it is also a rewarding one. Students who are willing to put in the hard work will be well on their way to successful careers in the legal field.

#### The Challenges:

Being a law student in India isn't without its challenges. The education system can be rigid and outdated, with a heavy emphasis on rote learning. The legal profession itself faces issues like overburdened courts, limited access to justice, and hierarchical structures. Furthermore, the pressure to succeed can be overwhelming, leading to stress, anxiety, and even depression.

#### Adapting and Thriving:

Despite these challenges, the majority of law students are adaptable and resilient. They find ways to navigate the complexities of the system, utilizing technology and online resources to supplement their learning. They actively participate in student organizations and initiatives to advocate for systemic reforms. They form strong support networks, seeking help from peers, seniors, and mentors to overcome academic and personal hurdles.

#### The Rewards and Beyond:

The journey of a law student is not only about academic achievement but also about personal development. They acquire critical thinking, analytical reasoning, and problem-solving skills. They develop strong communication and writing abilities, learning to argue persuasively and present information effectively. They cultivate a sense of justice and fairness, striving to uphold the rule of law and contribute to a better society.

In conclusion... Ultimately, being a law student in India is a demanding yet rewarding experience. It's a journey of intellectual growth, personal development, and social responsibility. It's a chance to be part of a vibrant community, contribute to meaningful change, and pave the way for a brighter future.

"The greatest justice in life is to be who you are." - Old Chinese Proverb



## DIVORCE AND CLIENT COUNSELING

Aditya J. Patil - LLB II

### Abstract:

“Your spouses are a garment for you as you are for them”.

Marriage is a very important institution in our society that has been around for centuries. It is the only legal foundation of family and a vital part of every man and woman's life.

### Introduction:

A troubled marriage can be incredibly emotional when it's on the edge of divorce. Divorce in a literal sense means, “Legal dissolution of a marriage.” Though divorce is not an entirely new concept, its ratio has increased exponentially as compared to the ancient times. In India, Divorce is governed on the basis of the religion of the couple. The commonly governing Divorce laws are The Indian Divorce Act, 1869, The Hindu Marriage Act, 1955, The Special Marriage Act, 1954.

### Research Methodology:

For understanding the change in society through the lens of divorce, document analysis has been used as the research method. Analyzing documents has been used for a long time in the study of nuptiality which aims to conduct bibliographic research and formulation based on available information. Accessible documents have been used in this study to apprehend the divorce and the process of Client Counseling. The type of the present research is explanatory; hence, it has explained the causes of divorce and the process of client counseling. The article reviews, and available evidence provided by preexisting research to trace the rising trend of the divorce rate in India.

### Historical perspective:

In Ancient times, the concept of divorce was not known to anyone. They considered marriage as a sacred concept. According to Manu, husband and wife cannot be separated from each other, their martial tie

cannot be broken. Later the concept of divorce came in the picture and established as a custom to put the marriage to an end. According to the Arthashastra, marriage can end if dissolved by mutual consent and should be an unapproved marriage. But Manu does not believe in the concept of the dissolution. According to Manu the only way to end the marriage is the death of one of the spouses.

### Role of Indian Judiciary:

The provision related to the concept of divorce was introduced by the Hindu Marriage Act, 1955. The Hindu Marriage Act defines divorce as a dissolution of the marriage. For the interest of the society, the marriage or the marital relationship needs to be surrounded by every safeguard for the cause specified by law. Divorce is permitted only for a grave reason. The Family Courts Act 1984 was enacted on 14 September 1984 to provide for establishment of the family courts with a view to promoting conciliation in and secure speedy settlement of disputes relating to marriage and family affairs. The main object of the Family Courts is to settle matrimonial disputes speedily by adopting simplified procedure.

All matrimonial disputes enumerated in the explanation to Section 7 (1) of the Act and also cases relating to Section 125 of Criminal Procedure Code are tried in the Family Court. This act is aimed at providing speedy and effective settlement of all types of matrimonial disputes under one roof, to all sections of people irrespective of caste, creed or religion.

### Types of Divorce:

Divorce can be divided specifically into three types: Contested Divorce, Mutual Divorce and lastly void and voidable marriage.

A “Contested Divorce occurs when a couple cannot agree on the issues involved in the dissolution of their marriage. Contested divorce is an expensive contentious and longest Nope of divorce process. On



the other hand, a “Mutual Divorce” or “Mutual consent divorce” is a legal action taken by the couple when they decide to end their relationship to get divorced on a mutual basis. Mutual divorce is a comparatively less time consuming divorce process. Void Marriage is a Marriage that is invalid as they are considered to be unlawful. Voidable marriages is one that is flawed in its validity but continues to exist until a nullity of marriage order is pronounced. For instance, if the marriage was solemnized forcefully, without consent, or if either of the parties was already married, then It can be annulled by the court. Each type of divorce and each type of law governing the divorce has its own procedure and this procedure must be taken into due consideration before finally deciding to file a divorce.

**Factors leading to Divorce:**

Usually, there are many warning signs before a marriage falls apart. Reasons to get a divorce normally don't just pop up overnight. Apart from the common grounds like Adultery, Cruelty and desertion etcetera, lately there are new factors emerging which are commonly seen in today's divorce cases. Some of the common factors that lead to divorce are as follows;

**1) Lack of Communication-**

A lack of communication is one of the top reasons for divorce. It is the most common factor for the breakdown of the marriage. Communication problems usually persist for a long time before the marriage ends. Some couples regularly argue or disagree with each other or have a tendency, not to speak to each other at all out of fear of conflict or being misunderstood, or not being heard. Gradually, these factors lead to the avoidance of having a healthy communication with each other.

Also a lack of empathy causes many communication problems, including not taking sufficient time to listen to one another. This can be due to mind-reading where a spouse interprets what another person is saying through the lens of their own feelings and beliefs. And what isn't communicated, is felt. What is felt, is

interpreted. What is interpreted is often inaccurate.

**2) Lack of Quality Time-**

A lack of meaningful quality time also leads to a breakdown of the marriage. Quality time makes the couple connect emotionally and intellectually on a deeper level; which is essential for a healthy and a fulfilling marriage. Quality time in a marriage can be tough to come by. Sometimes it is hard to find the right balance between juggling work and family responsibilities which can eventually lead to the marriage falling apart. Without quality time, there is a risk of the couple growing apart and losing the essence that binds them together.

**3) Incompatibility -**

Incompatibility is also a recognized ground for divorce. Sometimes the couple is unable to lead a matrimonial life due to inherent differences of opinion, different perception and outlook on marriage. These differences eventually deteriorate beyond repair. And sometimes people are so involved in themselves that they have no room left for others.

**4) Domestic violence -**

Domestic violence is another major reason for increasing rates of divorce. Domestic violence is commonly associated with physical abuse. However, the term domestic violence may describe any action or pattern that affects a spouse's mental health and safety. Physical abuse is never only physical, it also scars a woman's dignity, her self-esteem and her mental health. Every person has a right to live with dignity. No matter what, physical abuse should never be an excuse. If there is physical abuse, it is always highly recommended to walk off from such an abusive marriage. Furthermore, advising a woman to be patient in an abusive marriage amounts to mental abuse in itself.

**5) Excessive use of Social Media -**

Excessive use of Social Media has definitely become one of the most common reasons for increasing divorce rates in newly married couples. Unfortunately, many people use social media excessively, staying on various platforms for hours each day. Some spouses



engage in social media to take their minds off of a marriage that is not happy or stable. The fact is, social media is often one of the primary reasons couples get divorced, whether one or both spouses use it. Social media may cause issues in a relationship in many ways including Jealousy and resentment. It is easy to become jealous when it seems like so many people on social media are happily married and living their best lives. Those who are married may come to resent the fact that their own marriage and life do not seem to live up to others.

Some spouses may feel discontented when their partners spend what they feel is too much time on social media. In marriages where both spouses spend a significant amount of time on social media, quality time together or with the children is lost. Resentment may start to build over time when spouses become distracted by their devices. One of the negative aspects of social media is that it makes it so easy for spouses to meet other people or reconnect with a partner from the past. A spouse may be insecure, or prone to infidelity. Although a spouse may be completely innocent of cheating or the desire to cheat, the other becomes more and more insecure. This can lead to divorce.

**Client Counseling in Divorce Cases:**

A good lawyer must also be an attentive listener. Client counseling is the process of engaging with a client when they seek legal guidance. An Advocate when counseling in divorce cases adopts the role of a psychologist; understands the client’s mindset, analyzes their problems and offers a solution which can actually help the clients. Counseling in Divorce cases is a type of psychotherapy that helps to resolve conflicts between couples and tries to save their marriage. The Advocates while client counseling in divorce cases consider both the sides of marriage: The positive factors and the negative factors as well. They do not always recommend saving the marriage. Sometimes, the abuse and the sufferings are to such an extent that it is morally right to recommend walking off from such marriage. Because when a couple gets a divorce, it’s always such a tragedy. But at the same time if some couples stay together it can be even worse.

Leo Tolstoy, one of the most influential authors of all time had beautifully said, “What counts in making a happy marriage is not so much how compatible you are but how you deal with incompatibility.”

A marriage lasts longer when two people in the marriage start embracing each other’s differences than finding the similarities between them. When two people come together as husband and wife, the dynamics of the relationship might change. Things either change positively or negatively.

While marriage can be a wonderful and a fulfilling experience, no lifelong commitment is likely to run smoothly at all times. Life can be full of ups to downs which can sometimes challenge the strength of a marriage. The remedy for most marital stress is not in divorce. It is in repentance and forgiveness. It is not in seperation. It is in simple integrity that leads a man and a woman to square up their shoulders and meet their obligations.

Homes could never be faultless, a little change is not unwelcome for its own sake. If the stress in marriage is getting unmanageable then change of a scene might be of service - and perhaps a little relief from home may be as useful as anything.

The things that happen to people we never really know. What happens in houses behind closed doors, what secrets. The weird thing about houses is that they almost always look like nothing is happening inside of them; even though they contain most of our lives. We wonder, if that is sort of the point of the architecture. From the outside, what may seem like a happy, loving couple may actually be harboring a deadly secret violence and abuse. Lawyers highly recommend not to tolerate abuse and violence in marriage. Still most women do not find the courage to speak-up against it. But “Her” not objecting does not justify “Him”. Domestic violence and divorce become extremely emotional and sensitive topics, especially if children are involved in domestic abuse. Even if a parent has never abused a child directly, a parent who abuses their spouse in front of their child is perpetrating child abuse on the child in the form of emotional abuse. Couples who have children at the time of their divorce and separation find their children in a very disturbing



mindset. Divorce chiefly puts children at greater risk for many varieties of problems such as Loneliness, unstable mental health, and other psychological consequences. The emotional safety of a child is also a more delicate subject after a divorce. Children are rather sensitive in nature and they find it very hard to adapt to major changes like divorce of their parents.

Perhaps a long period of time, patience and emotional availability of the parents can make it comparatively easy for their tiny brains to adapt to huge changes. As the Afghan American novelist Khalid Hosseini has wonderfully said in his novel "The kite Runner", "Children aren't coloring books. You don't get to fill them with your favorite colors."

Rounding up, Divorce can be an overwhelming experience to go through. Divorce has its own positive and negative sides. Also it can cause both positive to negative outcomes for the spouses and for the children, if any. Deep down, people know exactly where they stand with someone. Hope blues the line a bit, but they know. It is important for the couple to have a clarity of opinions they have of each other and in what estimation they hold each other before reconciling or getting separated or parting their ways. On the other hand, to expose the former faults of any person without knowing what their present feelings are, seems unjustifiable. Perhaps it is better to act with the best intentions. There are few things which cannot be handled at the expense of one's own health, happiness and dignity. Similarly, there are still few unholdable things that can be handled through establishing meaningful conversations on a deeper level, through



being empathetic towards each other and embracing each other's differences and above all not bring too hard on oneself. Even the strongest relationships can hit rough patches that may seem impossible to overcome. But there is hope. Saving or not saving a marriage is a deeply personal decision that depends on the circumstances and dynamics of a relationship. However it is not easy to save a marriage when only one person is putting in the effort, but it is possible to a certain extent. As long as both the parties are willing to put in the effort, there's a real chance that things can improve for the better.

**Conclusion:**

While some marriages may be rescued with efforts and professional help, others may be beyond repair. It's okay if one feels nothing is really helping. There's always a way out. In some cases, ending an unhealthy or a toxic marriage might be the best decision for both the partners's well-being and happiness. Sometimes great wisdom lies in acknowledging the fact that "Some things are not meant to be, or maybe some things are meant not to be."



**Relevant Rare Quotes :**

"The first duty of society is justice."

- Alexander Hamilton



## अश्रुतले इंद्रधनुष्य - बाबा आमटे

- श्री. प्रविण विष्णू पाटील - LLB - II

समाजाने जगण्याचा हक्क नाकारलेल्या जगभरातील कुष्ठरोग्यांच्या मनात जिद्दीचा अंगार फुलविणारे, त्यांच्या डोळ्यात स्वाभिमानाचे निर्धार स्वप्न पेरणारे आणि भान ठेवून योजना आखा व बेभान होऊन त्या अमलात आणा असे तरुणाईला आयुष्यभर सांगणारे उपेक्षितांचे कर्मयोगी म्हणजे बाबा आमटे होय. दिनांक २६ डिसेंबर १९१४ इ. रोजी मुरलीधर देवदास आमटे यांचा जन्म वर्धा जिल्ह्यातल्या हिंणघाट येथील जमीनदार कुटुंबात झाला. गडगंज संपत्ती व एल. एल. बी. पर्यंत शिक्षण झालेले असताना देखील कुष्ठरोग्यांच्या सुश्रुषेसाठी आनंदवन या नंदनवनाची निर्मिती बाबांनी केली.

असे म्हणतात प्रत्येक क्रांतीला बंडखोरीच जन्माला घालत असते. बंडखोर प्रवृत्ती हीच क्रांतीची जननी असते क्रांती कधी विराम पावते पण बंडखोरी शाश्वत असते. बाबा आमटे यांच्यात प्रकर्षाने जाणवली ती बंडखोरी. या बंडखोरीतून हेमलकसा लोक बिरादरीची स्थापना केली. अनेकांचे संसार फुलविले. त्यांची ही बंडखोरी साहित्य क्षेत्रातही दिसून येते. 'ज्वाला आणि फुले, उज्वल उद्यासाठी' यासारखे काव्यसंग्रह म्हणजे कृतिशील माणसाच्या हाती दिलेलं बौद्धिक होकार्यत्रच होय. माती जागविल त्याला मत यासारख्या पुस्तकातून आपल्याला लोकशाहीचे महत्त्व समजावलं. 'भारत जोडो' या अभियानासाठी राष्ट्रीय एकात्मतेचा संदेश प्रभावीपणे मांडण्यासाठी काश्मीरपासून कन्याकुमारीपर्यंत, आसामपासून गुजरात पर्यंत यांनी सायकल यात्रा काढली. विस्थापकांच्या प्रश्नासाठी 'नर्मदा बचाव' आंदोलनात तब्बल १२ वर्ष नर्मदेकाठी मुक्काम करून आंदोलनाला पाठबळ दिले. संवेदनशीलता, प्रखर बुद्धिमत्ता, धाडस, प्रचंड कष्ट करण्याची शारीरिक व मानसिक तयारी, कामाचा झपाटा, उरवले ते साध्य करण्याची निश्चयी वृत्ती, संघटन कौशल्य, व्यवस्थापन कौशल्य आणि प्रेरणा, सातत्य या सर्व गुणांच्या आधारे बाबांनी आपले सर्व प्रकल्प यशस्वी केले. बाबा आमटे यांच्या नेतृत्वाखाली आमटे परिवार कार्यरत होताच, पण त्यांच्या कार्यामुळे अनेक क्षेत्रातील सामाजिक कार्यकर्त्यांना प्रत्यक्ष-अप्रत्यक्षपणे प्रेरणा मिळाली, उर्जा मिळाली. बाबा आनंदवनात मित्रमेळ्याचे आयोजन करत असत. या मेळ्यांना अनेक कलाकारांसह सामाजिक कार्यकर्ते उपस्थित रहात असत. यातूनच असंख्य कार्यकर्ते घडले, कामांना दिशा मिळाली.

त्यांच्या कार्याची पोचपावती म्हणून दि टेम्पलटन, रेमन मेगसेस,

पद्मश्री, पद्मविभूषण, जमनालाल बजाज पुरस्कार, डॉ. बाबासाहेब आंबेडकर आंतरराष्ट्रीय पुरस्कार, महाराष्ट्र भूषण, आंतरराष्ट्रीय गांधी शांतता पुरस्कार, इ. पुरस्कारांनी सन्मानित करण्यात आले अशा मानवतेचा उपासक, करुणेचा महासागर असणाऱ्या महामानवाचे महानिर्वाण १० फेब्रुवारी २००८ रोजी झाले.

त्यांच्या कृतीशील, कृतार्थ आणि त्यागाचा अनोखा प्रीतीसंगम असणारे जीवन हेच अनेकांना प्रेरणादायी ठरले आहे. त्यांच्या जीवनाविषयी त्यांच्याच शब्दात म्हणावेसे वाटते.

माणूस माझे नाव

माणूस माझे नाव

दहा दिशांच्या सिंगणात

यापुढे माझी धाव

बिंदुमात्र मी क्षुद्र खरोखर

परी जिंकले सातही सागर

उंच गाठला गौरी शंकर

अग्नीयान मग घेत चालले

अवकाशाचा ठाव

माणूस माझे नाव

### मज मोग्याचा मोह होता..

त्याने मात्र गुलाबाचा हड्ड धरीला...

मला मोग्यागत दरवळायच होत...

त्याला मात्र गुलाबागत राहायच होत...

मी भाळले गेले मोग्याच्या गंधाने....

त्याने मात्र एकत्रित केली लोचणे त्या गुलाबाने....

मग एकत्रित यावे मोगरा आणि गुलाबाने....

राहावे की, मग निरंतर आणि सुंदर त्या प्रेम गंधाने...

- श्रावणी कदम

IV NLC



## कलम ३७७

- साक्षी मल्लू लोकरे - III NLC

**माझ्या शांततेने माझे रक्षण केले नाही**

**तुमचे मौन तुमचे रक्षण करणार नाही. - ऑइ लाई**

आपण सारे मनुष्य. म्हणजे स्त्री - पुरुष, गरीब - श्रीमंत, लहान - मोठे, आपण सारे मनुष्य आहोत म्हणजे तृतीयपंथी लोकही मनुष्य आहेत ना? अजूनही हा प्रश्न आपल्या मनात घर करून बसला आहे. सर्वोच्च न्यायालयाने आपल्या अनेक निकालामध्ये असं नमूद केलं आहे की तृतीयपंथी लोक ही सर्वसामान्य माणसांसारखीच आहेत आणि त्यांना सर्वसामान्य माणसासारखेच हक्क गाजवण्याची अधिकार आहे. मग त्यांना लग्न करण्याचा अधिकार का नाही? याचे उत्तर सर्वोच्च न्यायालयाने आपल्या निकालात दिलं आहे.

२०१८ साली सर्वोच्च न्यायालयाने एक ऐतिहासिक निर्णय दिला. या दिवशी, भारतीय दंड संहितेच्या कलम ३७७ ची तरतुद बदलण्यात आली. ज्यामध्ये एकाच लिंगाच्या दोन व्यक्तीमध्ये संबंध ठेवणे बेकायदेशीर मानले गेले होते. सर्वोच्च न्यायालयाने कलम ३७७ अंतर्गत समलैंगिक संबंधांना कायदेशीर ठरवत लैंगिक प्रवृत्ती नैसर्गिक आहे असे नमूद केले.

सर्वोच्च न्यायालयाच्या या निर्णयामुळे एलजीबीटी (LGBT) समुदायाला समाजात स्थान मिळाले. नंतर LGBT मध्ये ट नंतर ख आणि - देखील जोडले गेले. आता या समाजाचे पूर्ण नाव LGBTQI- असे आहे. तुमच्यापैकी अनेकांना LGBT चा अर्थ माहित असेल, पण ट, ख, आणि - चा अर्थ माहित नसेल.

ट क्वीयर (Queer) म्हणजे ज्या व्यक्ती त्यांची लैंगिक ओढ किंवा आकर्षण नेमक कुणासाठी आहे हे ठरवू शकत नाही. म्हणजेच जे स्वतःला पुरुष, स्त्री किंवा ट्रान्सजेंडरही मानत नाहीत त्यांना क्वीयर म्हणतात.

ख इंटरसेक्स (Intersex) म्हणजे ज्या व्यक्तीला आपण स्त्री आहोत की पुरुष हे लक्षात येतं नाही त्यांना इंटरसेक्स म्हणतात.

- एसेक्सुअल (-sexual) ज्या व्यक्तीला कोणत्याही लिंगाच्या व्यक्तीसोबत शारीरिक संबंधासाठी रुची नसते त्यांना एसेक्सुअल म्हणतात.

आजही समलिंगी विवाहाकडे वार्डेट ट्यूनी पाहिले जाते. पण समलिंगी विवाहाला कायदेशीर मान्यता देण्याची विनंती करणाऱ्या २१ याचिकेवर सर्वोच्च

न्यायालयाने निकाल दिला. निकाल देताना सर्वोच्च न्यायाधीश डी. वाय. चंद्रचूड यांनी अनेक महत्त्वाच्या गोष्टी सांगितल्या. यावेळी चंद्रचूड म्हणाले की समलैंगिकता केवळ शहरी भागात अस्तित्वात आहे अशी कल्पना करणे चुकीचे होईल आणि कोणत्याही जातीची किंवा वर्गाची व्यक्ती समलैंगिक असू शकते.

समलैंगिक विवाहाला (Same Sex Marriage) मान्यता देण्यास सर्वोच्च न्यायालयाने नकार दिला आहे. पाच न्यायाधीशांच्या खंडपीठाने या प्रकरणात निकाल दिला. हा निकाल पाच टप्प्यात विभागलेला आहे. पाच न्यायाधीशांपैकी समलैंगिक विवाहाच्या बाजूने दोन तर, विरोधात तीन असा निकाल दिला. सर्वोच्च न्यायालयाने कायदा करण्याचा अधिकार संसदेला असल्याचं म्हटलं आहे.

**न्यायालयाने काय म्हटलं?**

एखाद्या व्यक्तीचे लिंग (Gender) आणि त्याची लैंगिकता (Sexuality) एकच नसते.

भिन्नलिंगी जोडपे चांगले पालक असू शकतात असे कायदा मानू शकत नाही.

**लग्न न झालेल्यांना मुल दत्तक घेता यावं**

समलिंगीना राहण्यासाठी निवारा मिळवण्यात कुठेही अडचण येणार नाही, याची काळजी घ्यावी.

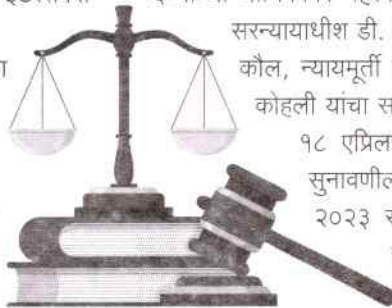
केंद्र आणि राज्य सरकारने समलैंगिकतेबाबत जागरूकता निर्माण करावी.

समलिंगीकडून घरच्याबाबत आणि इतर कुणाबाबतही काही तक्रार आल्यास त्यात पोलिसांनी जातीनं लक्ष देवून पडताळणी करावी.

**पाच न्यायमूर्तीकडून महत्त्वाचा निकाल**

पाच न्यायमूर्तींच्या खंडपीठाने समलैंगिक विवाहाला मान्यता देण्याच्या याचिकांवर महत्त्वाचा निकाल दिला. या खंडपीठामध्ये सरन्यायाधीश डी. वाय. चंद्रचूड, न्यायमूर्ती संजय किशन कौल, न्यायमूर्ती एस. रवींद्र भट्ट आणि न्यायमूर्ती हिमा कोहली यांचा समावेश आहे.

१८ एप्रिलपासून समलैंगिक विवाह प्रकरणाच्या सुनावणीला सुरुवात झाली. त्यानंतर २० मे २०२३ रोजी या प्रकरणाच्या सर्व याचिकांवर सुनावणी पूर्ण झाली.



## तुमच्या भविष्याला पत्र ...

- आदित्य जयसिंग पाटील LL.B II

खर सांगायचं झालं तर आपलं भविष्य जे असत त्याचं कधीच कोणी १००% भाकीत (predict) नाही करू शकत.

आपल्या आयुष्यात मागे काय घडले, सध्या आपण काय करतोय त्यानुसार प्रत्येकाला हे भविष्य अनेक विध रूपात दिसत असत, बस्स एवढंच !

आता स्वतःच्या भविष्यासाठी खुले पत्र लिहिणे म्हणजे काय ? तर तुम्हाला तुमचे पुढील आयुष्य कसे जगायचे आहे, म्हणजेच प्रत्येक जण ठरवत असतो की आज मी शिकतोय कारण उद्या मला खूप मोठा व्हायचा आहे, नाव- पैसा खूप काही कमवायच आहे. म्हणजे हे साध्य होण्यासाठी तुमची त्याप्रमाणे तयारी असण, बऱ्याच गोष्टींचा त्याग करण, अपयश जरी आल तरी त्या अपयशाकडून प्रेरणा घेऊन, आपल्या चुका सुधारून पुन्हा नव्यानं प्रयत्न करण. पण शेवटपर्यंत हार न मानता स्वःताच्या हातांनी आपल भविष्य स्वतः घडवण. आणि त्यावेळीचा क्षण जो की

आपल्या आयुष्यातील अविस्मरणीय क्षण असणारा असतो. तो आपण कधीच विसरू शकणार नसतो. त्यावेळी आपण केलेल्या प्रत्येक कष्टाचे सार्थक झाल्यासारखे वाटते. त्यावेळी आपले मन आतून गर्वाने म्हणत असत की - You made it (तू करून दाखवलसं). त्याचवेळी आपल्या वाटेला आलेले प्रत्येक अपयश हे व्यर्थ वाटत असत. आणि हाच तो दिवस असतो ज्याची प्रत्येक जण उत्सुकतेने वाट पाहत असतो. तर शेवटी मला असे सांगायचे आहे की प्रत्येकालाच एक चांगल भविष्य हव असत, जे की तुमच्या सध्याच्या कर्मावरून ते पुढे त्याच कर्माच्या स्वरूपात प्रकट होणारे असते. ज्याची प्रत्येक जण वाट पाहत असतो. आणि त्यासाठी भविष्याला पत्र लिहायची पण गरज नसते.

So, all the very best to all my friends for your future journey.

धन्यवाद...!

## आयुष्य

कुणाला आपला कंटाळा येईल

इतकं जवळ जाऊ नये

चांगुलपणाचे ओझे वाटेल

इतक चांगले वागू नये

कुणाला गरज नसेल आपली

तिथे रेंगळत राहू नये

नशिबाने जुळलेली नाती जपावी

पण स्वतः हून तोडू नये

गोड बोलणे गोड वागणे

कुणास अवघड वाटू नये

जवळपणाचे बंधन होईल

इतके जवळचे होऊच नये

सहजच विसरून जावे सारे

छळ मनात जपू नये

नकोसे होऊ आपण

इतके आयुष्य जगूच नये

हवे हवेसे असतो तेव्हाच

पटकन दूर निघून जावे

आपले नाव दुसऱ्याच्या ओठी

राहील इतकेच करून जावे

- प्रतीक्षा भीमराव शिंदे LLB - I





## युवा पर्व

- प्रिती प्रमोद लोळगे - III NLC

सरदार वल्लभभाई पटेल खूप सुंदर सांगतात, आपला देश स्वतंत्र आहे आणि आपल्या देशाच्या स्वातंत्र्याचे रक्षण करणं हे आपलं कर्तव्य आहे, याची जाणीव असणं ही प्रत्येक नागरिकाची 'आद्य' जबाबदारी आहे आपण भारतीय आहोत आणि या देशात त्याला प्रत्येक गोष्टीचा अधिकार आहे पण जोडीला काही कर्तव्य ही आहेत हे प्रत्येक नागरिकांनी लक्षात ठेवायला पाहिजे. आपला भारत देश आणि देशाची विजयगाथा फार मोठी आहे.

पोर्तुगीज, डच, फ्रेंच, इंग्रज ते अगदी सध्याच्या म्हणजे एकविसाव्या शतकात होत असणाऱ्या सामाजिक, राजकीय, शैक्षणिक, आर्थिक, धुमाकुळींचा, आक्रमणांचा भारत हा साक्षीदार आहे.

आपल्या विजयाची यशोगाथा पदोपदी तो नागरिकांना सांगत चालला आहे मी निर्भीडपणे लढलो आहे, कित्येक हुतात्म्यांच्या साथीने आज आपला भारत देश हा जगातील सर्वात जास्त तरुण लोकसंख्येचा देश म्हणून ओळखला जातो.

चीन, रशिया सारख्या ताकदीने बलाढ्य असणाऱ्या देशांशी बरोबरी करताना आपला देश पाहायला मिळतो, आपला भारत देश अनेक धर्मांची आख्यायिका सांगतो परंपरेने नटलेला आणि त्या परंपरेचा आदर करणे आणि ती परंपरा जोपासणे आपली प्राथमिक जबाबदारी आहे आणि हे सर्व टिकवणे आणि ते दिमाखात जगासमोर मांडणे आणि सर्वात महत्वाचं म्हणजे आपल्या भारत देशाला जगातील सर्व संपन्न देश बनवणं हे आजच्या युवकांकडे आहे.

कारण 'भारताची युवाशक्ती नव्या भारताचा भक्कम आधारस्तंभ आहे'

देशातील युवक आज विविध क्षेत्रांमध्ये उत्तम कामगिरी करत आहेत आणि देशाच्या प्रगतीत योगदान

देत आहेत.

स्वामी विवेकानंद म्हणतात, तुमच्या आत सगळ्या शक्ती आहेत त्या बाहेर येऊ द्या प्रकट करण्यावर विश्वास ठेवा की तुम्ही काहीही करू शकता आणि म्हणूनचं स्वतःवर ठेवलेला हा विश्वास आणि असाध्य वाटणाऱ्या गोष्टी साध्य करण्याचा संदेश आजही युवकांसाठी तेवढाच प्रासंगिक आहे.

आज नवनवीन संशोधन इंक्युबेशन, स्टार्टअप अशा नव्या कंपन्यांचे नेतृत्व आज भारतातील तरुण करत आहेत.

या सगळ्यांमुळेच भारत एक अब्ज डॉलर पेक्षा अधिक मूल्यांच्या कंपन्या बनवणारा जगातला तिसरा देश बनला आहे. 'आधुनिक भारताच्या उभारणीसाठी युवकांची भूमिका सर्वात महत्वाची आहे' आणि हे विधान मन की बात या कार्यक्रमातून पंतप्रधानांनी व्यक्त केलं आहे.

एपीजे अब्दुल कलाम यांच्या स्वप्नातला भारत साकारण्यासाठी आणि जातीय अस्थिरता, सामाजिक इतर भेदभाव दूर करून आणि सर्वात महत्वाचं म्हणजे शैक्षणिक क्षेत्रातील नवे बदल करण्यासाठी युवकांनी प्रयत्न करायचे आहेत!

भारत देशाचा इतिहास समजावून घेऊन त्या इतिहासाची आदरयुक्त भीती बाळगून नवा प्रगत भारत देश युवकांना उभा करायचा आहे आणि म्हणून भारत देशाचा युवक या नात्याने आपल्या जबाबदारीची जाणीव करणं ती जबाबदारी काटेकोरपणे पार पाडणं, समाजातील अनिष्ट चालीरीती यांना आळा घालणं, शिक्षणाचे महत्व अजाणत्या लोकांना समजावून सांगणं, देशातील कायदे देशातील घटनांचं आकलन समाजाला करून देणे, आणि सगळ्यात महत्वाचं म्हणजे देशातील प्रत्येक बाबीचा विकास करणे हे आजच्या तरुण पिढीची प्रामाणिक जबाबदारी आहे.



माणसाने कितीही प्रयत्न केले तरी अंधारात सावली,  
म्हातारपणात शरीर आणि आयुष्याच्या शेवटच्या काळात पैसा कधीच साथ देत नाही,  
साथ देतात ती फक्त आपण जोडलेली जवळची माणसं.

- पार्थ कदम



## पण अर्जुन मात्र बघतच राहिला पुरुषार्थाच्या अस्ताने...

- सुहास विमल नामदेव गोरुले - एल.एल.बी. १

(संदर्भ: मणिपूर हिंसाचार आणि महिलेची नग्न धिंड)  
 उलूपीची धिंड निघाली अरेरे रस्ताने,  
 द्रौपदी सुध्दा असहाय्य ती निर्वस्त्राने,  
 कुंती माताच घुसमटली त्या शिरस्त्याने,

रुक्मिणी सुध्दा भटकत राहिली त्या जळत्या वस्त्याने,  
 गांधारी ती राहिली आंधळी नसताने,  
 माधवानेच मग पाळला सखाधर्म पांघरून चिंधूक हस्ताने,  
 पण अर्जुन मात्र बघतच राहिला पुरुषार्थाच्या अस्ताने.

## हेच शिकवं हो जिजाऊ ह्या पोराना

- सुहास विमल नामदेव गोरुले - एल.एल.बी. १

(संदर्भ : वन अधिकारी म्हणून उत्तीर्ण झालेल्या दर्शना पवार  
 हिने लग्नला नकार दिल्यामुळे मित्राकडून हत्या)

राजगडाची ती गर्द झाडी, कड्याकपाऱ्या, अवघड वाटा आणि  
 दृष्टिखालचा चौफेर मैदानी मुलुख म्हणून छत्रपती शिवरायांनी  
 सुरुवातीची राजधानी म्हणून राजगडाची निवड केली. फिरलोक्य  
 मी सुद्धा राजगड कधी काळी अवघड अशा निसरड्या पावसाळी  
 वाटांसोबत, बेधुंद वाऱ्याच्या सोबतीने, काटयाकुटयांच्या  
 रक्ताळलेल्या पायसवे, घेऊन तीच बोचरी थंडी उराशी घट्ट.  
 पण दर्शनाची बातमी वाचून मन मात्र सुन्न, छीन्न ठिकऱ्या  
 उडालेल्या त्याच पायरीच्या दगडासारख निपचित पडून. शिवरायांचे  
 सईबाईवरील प्रेम आपल्याला हेच शिकवते काय? गडावरील राणी  
 सईबाईची समाधी एका महापुरुषांच्या अर्धवट म्हणाव्या अशा  
 प्रेमाच्या कहाणीची दास्तानच म्हणावी की, अशा राजगडाच्या  
 पायथ्याशी गर्द, घनदाट वनात एका वन अधिकारी म्हणून  
 निवड झालेल्या स्त्रीचा कुजलेल्या अवस्थेतील मृतदेह मिळावा  
 हे महाराजांच्या शिकवणीचा बळीच म्हणायचा नाही का? राजानं  
 परस्त्रीला रक्षिण्यासाठीची नैतिकता बाळगली, त्याच राजाच्या  
 लाडक्या राणीच्या समधिगडाच्या पायथ्याशी अशी क्रूरता घडावी,

हे नरजातीस कलंकच म्हणावं असं. नेमक आपण चुकतोय कुठ?  
 लहानग्यांना नुसतंच दरडवण्यात रमतोय, पौंगडाना होतात चुका  
 म्हणून दुर्लक्षण्यात गुंतलोय, तरुणांना संसार वाटाच मळवण्यात  
 झुंजवतोय की जरापणाच्या त्याच त्याच भ्रमात रूंदतोय, विचार  
 करण्यासारखी गोष्ट आहे.

वासनांच्या लखतरांनी निर्भया कधीचीच कायदे-निधीमध्ये  
 समर्पित झाली. श्रद्धांची जंगलांनी कधीचीच माती करुन टाकली,  
 सरस्वती सुध्दा अन्नपूर्णेसाठी कूकरच्या शिट्ट्यासहित कधीचीचं  
 हवेत विरुन गेली, बिल्कीस सुध्दा गुंडाळत सुटलीय मिळेल ते  
 चिंधुक अंगाला त्याच त्यांच्या परत येण्याच्या भीतीने. लव्ह जिहादने  
 तर हद्दच गाठली, म्हणत राहायचं आपण मात्र वर्तमानपत्र वाचत  
 आणि मोबाईलची कळ दाबताच विसरायचं ते शिर भंज्याळलेल  
 त्या रेडिओ लहरींच्या लाटेत. अधूनमधून थिरकत राहायचं  
 शिवरायांच्या, रामाच्या, हनुमानाच्या जन्म सोहळ्यांसाठी अखंड  
 क्षीण येईपर्यंत विवेकाला. मात्र नाही राहिल्या कधी राणी सईबाई  
 सोबतीला तर शिवराय म्हणून आपण निस्सीमपणे जगत राहायचं,  
 हेच शिकवं हो जिजाऊ ह्या पोराना तुझ्या गर्भातल्या नाळेसकट.



## आई म्हणजे काय असते

आई, म्हणजे काय असते,  
देवाचं दुसरं रूप असते,  
लहानग्याचि माय असते,  
तर वासराची गाय असते,  
आपण स्वतः उपाशी राहत असते,  
पण लेकराला उपाशी ठेवत नसते,  
म्हणून ती आई असते,

पण तिच्या चेह-यावरचे स्मीतहास्य,  
हीच प्रेरणा माझी कायम असते  
म्हणून ती आई असते

कधी भटकलो या जिवनाच्या  
भल्यामोठ्या रस्त्यावर तर तीच योग्य मार्ग  
मला दाखवत असते म्हणून ती आई असते,  
पण सगळ जग जरी मला सोडून  
जात असलं तरीही पाठीशी भक्कम तीच उभी असते  
म्हणून ती आई असते

म्हणून मला असे वाटते ईश्वर अल्लाह  
सगळ नंतर करायचं असते  
पहिल्यांदा आपल्या आईला देव म्हणायचे असते  
पहिल्यांदा आपल्या आईला देव म्हणायचे असते !

- यशराज संभाजी माळी  
I NLC

## पाहतो मी मजला माझ्याच अंतरी ....

पाहतो मी जेव्हा मजला माझ्याच अंतरी,  
गुंतून मी जातो एका विहंगमय मायानगरी.

स्वप्नांचा कल्लोळ तो बैचेन करतो गाढ त्या झोपेला,  
मग अचानकपणेच जाणवू लागतो एकांत निशांत त्या रात्रीला.

एकांतात हृदयाच्या ठोक्यांची धडधड आता हळूहळू वाढू लागते,  
आयुष्यात कुठेतरी स्वतःला पोरके असल्याची नकळत जाणीव  
करून देते.

पोरकेपणाची असणारी ती उणीव भरून काढण्यास  
मन आता इकडे तिकडे सैरावैरा धावू लागते,  
मात्र, इतके करूनसुद्धा आपली उणीव भरून काढण्यास  
कोणालाच वेळ नाही हे शेवटी त्याला कळून येते.

गुंतलेल्या प्रसंगात त्या बाहेरून एक आवाज कानी येतो,  
अन झोपी असलेल्या त्या मनाला दचकन जागे करून जातो.

जागे झालेले मन आता थोडे अस्वस्थच झाले होते,  
आयुष्यात येणाऱ्या प्रत्येक प्रसंगाना स्वतःच स्वतःला सावरायच हे  
त्याला आता नकळत कळून आले होते.

- आदित्य ज. पाटील  
LL.B - II

### Relevant Rare Quotes :

"The measure of a civilization is how it treats its weakest members." - Mahatma Gandhi



## भरारी

पुस्तकांच्या रम्य कल्पनांतून,  
खरं जग पहायचे नसते,  
स्वतः जगलेल्या अनुभवांतून,  
सत्य कथा बनवायची असते ...

नेहमीच जिंकायची इच्छा ठेवून,  
वेळेचा बांधिल राहायचे नसते,  
जीवन वाटेवर हसत - खेळत  
सत्यासौबत रमायचे असते ...

मोहमायेच्या रंग स्वप्नांमधून,  
किमती जीवन जाळायचं नसत  
धीर्य , कर्तृत्वाच्या स्वबळावर  
उद्याचे आयुष्य जिंकायचे असते ...

मनातल्या भव्य - दिव्य स्वप्नांना  
भिऊन जाऊन पुरायचं नसतं,  
कौलमडलेल्या स्व - आयुष्याला,  
वादळासंगे सावरायचं असत ....

सुख स्वप्नांच्या प्रवासात मिळे,  
साथ तव सप्तसंगी भावनांची,  
जीवनाच्या वाटेवर न खचता,  
झेप घ्यावी उंच उंच गगनाची.....

- प्रतीक्षा  
भीमराव शिंदे  
प्रथम वर्ष विधी



## भेट

भेट तुझी माझी सहा महिन्यांनी नी होते,  
एकदा झाली की ती दोनदा होते,  
समोर तु असताना होते,  
गुंतलेल्या मनाला तु साथ (साद) देते  
पहावसं वाटतं पण मन नकार देते  
अजुन हि तु माझ्या समोर मिरवतेस (असं मला वाटत)  
कळत न कळत मला लाजवतेस  
समजत नाहिये तु बंधनात आहेस की मी  
कि आपनच आपल्याला लादलेल्या बंधनात आहे  
मला असं वाटतं की आपण मन मोकळे मनाने बोलावे  
असेल एकादि खंत तर तिला संथ गतीन दूर करावे  
तुटलेल्या प्रत्येक गोष्टीला / मनाला जोडता येत नाहि  
राहिलेली खाच अंतर दर्शवत असते  
आयुष्यात शेवटी आठवणीच राहत असते  
तु तशीच आहेस जशी होतीस  
मी तसाच आहे जसा होतो  
परिस्थिती मात्र दोघांची वेगळी आहे  
अजून ही तुझा तिथे गंध आहे  
अजून ही तुच माझा छंद आहे

- संकेत कांबळे  
Pre Law - I



## Abol जीवो का स्वजन...

मोहब्बत जो मिल गयी ना मिलेगी दोबारा  
हवाओ में भी जलता रहे हर दिया तुम्हारा  
ये जिंदगी जो मिल गयी ना मिलेगी दोबारा  
कैसे करे हम शुक्रिया तुम्हारा



ना खाने को खाना था  
ना रहने को ठिकाना था  
सबकुछ देकर मन भर दिया हमारा  
कैसे करे हम शुक्रिया तुम्हारा

लुफ्त दावतो के ना कभी उठाये  
बैठे रहे हमेशा यूँ ही सिर झुकाये  
पर जब से जिंदगी में तुम कही से आये  
लजीज दावतों के हर रोज हम उठाये



हम बेघरो के तुम ही सहारे  
और दूजा कोई नही तुम ही हमारे हो  
इतनी मोहब्बत का सोचा न था  
हम अब ब हम नही तुम बहुत प्यारे हो  
वो ख्याब जो हमने रेत में मिलाया हैं  
वो फिर से स्वजन ने दिखलाया हैं  
हम PANJARPOL SANSTHA की  
दाद देते हैं  
जो हम जैसो का साथ देते हैं

Digvijay Patil (LLB II)



## सपने

सपने तो आखिर  
सपने ही होते हैं ।  
फिर भी न जाने क्यों ,  
हम उन्ही के लिये जिते हैं ।

हर एक को कहाँ जिंदगी में  
मंजिले नशीब होती है ।  
लेकिन सपने ही तो,  
हर एक का सहारा होते हैं ।

यदी सपने ना होते  
तो जाने की उम्मीदे ना होती ,  
मरने के सिवा ओर कोई  
मंजिल ना होती ।

पता नहीं सपने हमें  
या हम सपनों को जिंदा रखते हैं ।  
लेकीन यकीनन यह सच है ,  
की सपने ही जिंदगी हैं । ....

- प्रतीक्षा भीमराव शिंदे  
LLB.I

### Farewell Ceremony LL.B. - III Batch 2021 to 2024



### Traditional Day



### Environmental Study Tour at Parpoli, Butterfly Village.



### Relevant Rare Quotes :

."Law and justice are not always the same." - Gloria Steinem



## List of Staff

### Teaching Staff

#### Full Time Faculty

Sr. No	Name	Edu. Qualification
1	Dr. Praveen B. Patil	M.A., LL.M., NET, Ph.D., DCS., PGDHR.
2	Dr. Savita R. Rasam	M.A., LL.M., Ph.D.
3	Dr. Moula C. Shaikh	B.Sc., LL.M., NET., ADR., DCL., Ph.D., MBA.
4	Prof. Suhas V. Patki	B.Com., LL.M., NET.
5	Dr. Asmita P. Patil	BSL., LL.M., NET, SET, Ph.D.
6	Dr. Atul S. Jadhav	M.A., LL.M., NET., Ph.D.
7	Dr. Suchita R. Suragihalli	M.A., SET, Ph.D.

#### Consolidated Faculty

1	Dr. Swati P. Gavade	B.S.L.LL.B., LL.M., SET, PGCADR, PGDHR., Ph.D.
2	Smt. Deepti M. Patil	B.Sc., LL.M., NET, Diploma in Hotel Management., Diploma in Information Technology.
3	Smt. Aishwarya B. Kate	M.A. (History)
4	Smt. Kirti K. Pawar	B.S.L., LL.B., LL.M., M.A., MBA., PGCADR.
5	Ms. Samina S. Jamadar	M. A. (Economic)
6	Ms. Sadiya S. Mulla	B.S.L, LL.B., LL.M.
7	Ms. Shweta M. Gundale	M.A. (Political Science)
8	Shri. Abhijeet Kamat	B.S.L. LL.B., MBA., LL.M. (UK)
9	Shri. Sandeep S. Chate	B.Sc., LL.B., LL.M., ADR.
10	Ms. Pranav M. Gurav	B.S.L., LL.B., LL.M., NET, SET.
11	Ms. Megha M. Thombare	B.Com., LL.M., Journalism., ADR.
12	Ms. Kalyani Pawar	B.S.L LL.B., LL.M., SET.
13	Shri. Vikram V. Iarle	LL.M., NET., SET.
14	Ms. Fatima R. Mulla	B.S.L LL.B., LL.M.
15	Shri. Shivbhushan Jadhav	M.A., B.Ed., (English)
16	Dr. R.G. Panhalkar	M.A., LL.M., Ph.D.
17	Ms. Peenaz Sanadi/Sayyad	B.S.L LL.B., LL.M., DCL., ADR.
18	Smt. Shruti Yadnyopavit	B.S.L., LL.B., LL.M.



<b>Visiting Faculty</b>		
19	Adv. Dr. Santosh Shah	B.A., LL.M., Ph.D.
20	Adv. Sou. Neelam Gandhi	B.A., LL.M.
21	Adv. Swanil Chile	B.S.L. LL.B., LL.M., NET.
<b>Librarian</b>		
1	Shri. Kailas R. Pawar	MA, Master of Library and Information Science, NET

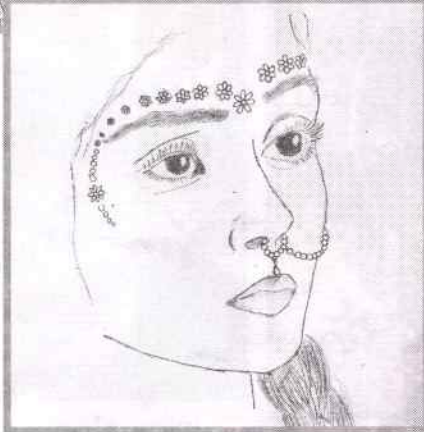
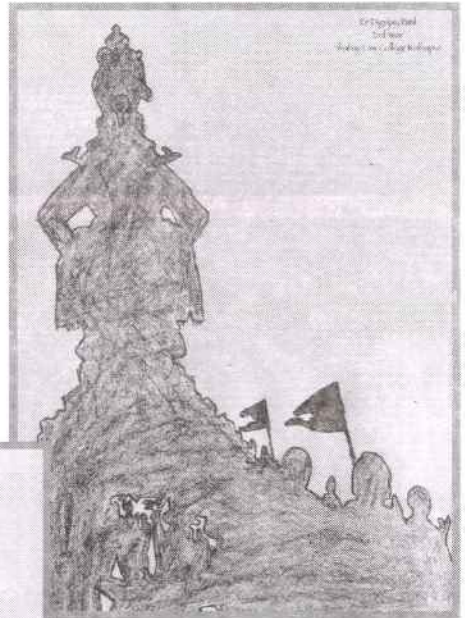
### Administrative Staff

1	Dr. A. B. Waghware	M. Com., M. Phil., MBA, Ph. D., SET, LL.B.	Office Superintendent
2	Shri. K. V. Makote	M. Com., G.D.C. &A.	Senior Clerk
3	Shri. S. D. Joshi	B. Com.	Junior Clerk
4	Shri. N. P. Kumbhar	M.A., M.S.W	Junior Clerk
5	Mrs. M. S. Dokare	M. Com., G.D.C. &A.	Junior Clerk ( Non-Grant)
6	Shri. S. S. Kamble	B.C.A.	Junior Clerk ( Non-Grant)
7	Shri. A. A. Shrawasti	M.A., MS. CIT,	Junior Clerk ( Non-Grant)
8	Shri. S. D. Nikam	B. A.	Library Attendant
9	Shri. S. S. Harali	B. A.	Library Attendant
10	Shri. R. M. Pandat	B. Com.	Peon
11	Shri. O. V. Khot	10 <sup>th</sup>	Peon (Non-Grant)
12	Shri. V. R. Taralekar	M.A.	Peon (Non-Grant)
13	Shri. G.G. Kamble	10 <sup>th</sup>	Peon (Non-Grant)





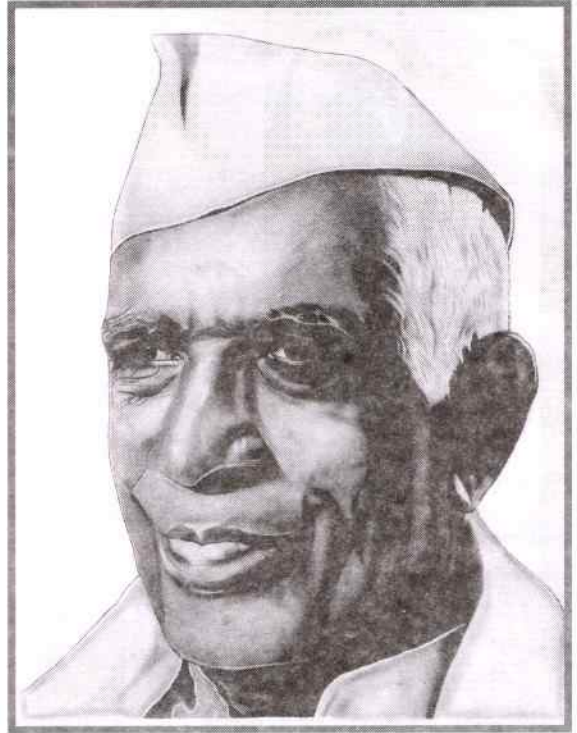
### Hand Sketch by Students



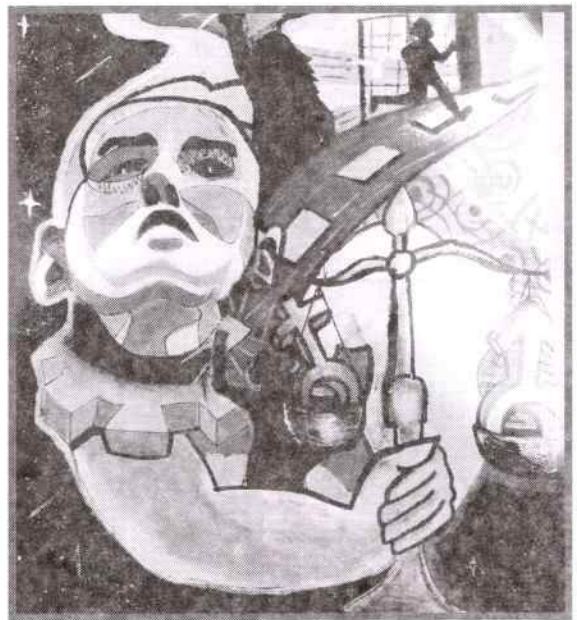
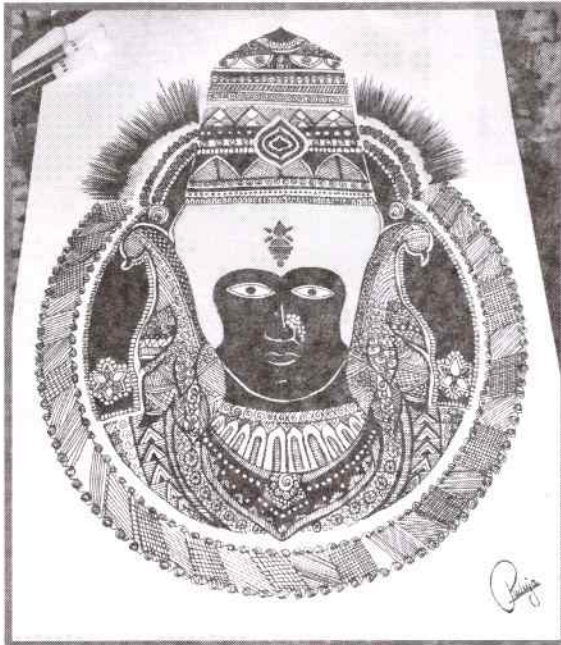
- Digvijay Patil (LLB - II)



### Hand Sketch by Students



Ashutosh Sudhakar Buddhe - LLB II



Anupriya Narpatsingh Rajpurohit - Pre Law II



## Shahaji Law College, Kolhapur

### Gymkhana Report 2023-2024

By

**Professor Dr.M.C. SHEIKH**

**Gymkhana Chairman**

Sr.No.	Date	ACTIVITIES
1	10/07/2023	Memorandum of Understanding and Functional MOU Bank of Baroda. Interactive session with the staff of Bank of Baroda
2	12/08/2023	Library Day
3	20/08/2023	One day Workshop on "Entrepreneur Skill"
4	21/08/2023	Tree Plantation Activity
5	29/08/2023	One day Workshop on Revised Assessment and Accreditation of NAAC : Challenges and Changes
6	06/09/2023	Celebration of Teacher's Day
7	08/09/2023	Workshop on Evaluation Process during Peer team visit.
8	14/09/2023	MCQ Legal Quiz Competition
9	14/09/2023	Debate Competition on account of "International Democracy Day" and "Vishva Hindi Divas"
10	15/09/2023	114 <sup>th</sup> Birth Anniversary of Deshbhakt Dr. Ratnappa Kumbhar
11	29/09/2023	Tree Plantation
12	2/10/2023	Nimshirgao -Legal Aid and Tree Plantation
13	5/10/2023	Induction program for I LLB
14	8/10/2023	Free Health Chekup Camp
15	09/10/2023	De-addiction campaign in college through Prajapita Bramhakumari, Kolhapur
16	10/10/2023	International Girl Child Day – Research Paper Writing Competition
17	12/10/2023	Andha Shraddha Nirmulan Divas
18	14/10/2023	Vachan Prerana Din
19	16/10/2023	World Food Day
20	18/10/2023	Beti Bachao
21	19/10/2023	Workshop on Self Defense
22	21/10/2023 – 23/10/2023	Environmental Study Tour
23	28/10/2023	Workshop on Reservation Policy in Constitutional Perspective
24	2/11/2023	One day Workshop on Digital Literacy for Staff
25	7/11/2023	Guest Lecture on Local Self Government and Social Media Day
26	8/11/2023	Legal Aid Awareness Program
27	10/11/2023	Deepotsav in the premises of the College



28	01/12/2023	Guest Lecture on “Indian Constitution and Social Justice”
29	2/12/2023	Guest Lecture on “Career Opportunities in Political Consultancy and Shaping Elections”
30	4/12/2023	Celebration of International Day of Disability and Awareness Drive.
31	6/12/2023	Celebration of Dr. B.R. Ambedkar Jayanti
32	7/12/2023	Guest Lecture on NPS
33	9/12/2023	Elocution Competition on account of “International Day of Human Rights”.
34	12/12/2023	Guest Lecture on “Career Opportunities in CS Profession”
35	14/12/2023	Health Camp
36	23/12/2023	Blood Donation on account of Smritidin of Deshbhakt Dr. Ratnappa Kumbhar.
37	3/1/2024	Empower Her: A Legal Awareness Program for Women’s Rights.
38	12/1/2024	Celebration of Rajmata Jijamata Jayanti and Vivekananda Jayanti.
39	26/1/2024	Republic Day Celebration
40	3/2/2024	Guest Lecture by Adv. Madhav Acharya on the Fundamentals of DPC
41	9/2/2024	Poster Making and Slogan Making Organised by the Election Literacy Club.
42	10/2/2024	Apte Vyakhyan Mala
43	15/2/2024	DIT Study Visit to GST Bhavan, Kolhapur.
44	16/2/2024	Training of EVM
45	19/2/2024	Celebration on account of Chh. Shivaji Maharaj Jayanti.
46	21/2/2024	Poster Making Competition
47	22/2/2024	Annual Sports Day
48	22/2/2024	Orientation on Attendance App for the Faculty.
49	27/2/2024 – 28/2/2024	Visit to Cyber Police Station.
50	29/2/2024 – 2/3/2024	Moot Court Competition
51	6/3/2024	Women Empowerment Program
52	9/3/2024	A guest lecture of Adv. Madhav Acharya on “ Role of Advocate in the Legal Profession ”
53	11/3/2024	Indian Traditional Day
54	15/3/2024	Lead college activity on Geographical Indications.
55	11/05/24	Annual Prize Distribution Function
56	20/05/24	Farewell Function for Final Year Students
57	05/06/24	Tree Plantation on account of world Environment Day
58	08/06/24	Workshop for Police Personnel - on Bharatiya Nyaya Sanhita 2023 & Bhartiya Nagrik Suraksha Sanhita 2023



## RESEARCH PUBLICATION 2023-24

Dr M C Sheikh, Professor	The Impacts of Trends in Law Education: Enhancing Learning Outcomes, Employability and Diversity	Education and Society p.111	UGC Care Listed ISSN 2278-6864
Dr. Savita R. Rasam, Associate Professor	An Analytical Study of Manodhairya : Prospect for Women Empowerment	Education and Society p.142	UGC Care Listed ISSN 2278-6864
Dr Swati Prithviraj Gavade, Asst. Prof.	A Child trafficking in India:Course to humanity	International Interdisciplinary Research Journal	Peer Reviewed
Dr. Swati Prithviraj Gavade, Asst.Prof.	A National Education Policy 2023: A new vision to the education system	International Interdisciplinary Research Journal	Peer Reviewed
Dr Swati Prithviraj Gavade, Asst. Prof.	A Quest on the women's entrepreneurship in India	Page no 43-46	ISBN 978-81- 965950-1-2
Ms. Deepti Madan Patil, Asst. Prof	“ Government Health Schemes for Women in India: An Overview “	Book titled - National Seminar on Women Empowerment Schemes in 21st Century sponsored by ICSSR, page number 29 to 32	ISBN - 978-81- 965950-1-2
Ms. Deepti M. Patil, Asst Prof.	“National Education Policy 2020 : A Vision to Transform Education Policy in India”	Navjyot International Interdisciplinary Research Journal (High impact factor peer reviewed journal), June 2023, page number 46 to 50	ISSN - 2277- 8063



<p>Mr. Vikram Irale, Asst Prof. and Ms. Kiranmayi Pednekar student</p>	<p>Recognition of same sex marriages in India: Need of expansion of personal liberty in the light of constitutional morality.</p>	<p>Journal of Constitutional Law and Jurisprudence</p>	<p>ISSN-2583-388X</p>
<p>Ms. Kalyani Pawar, Asst Prof.</p>	<p>Women Empowerment Through #METOO: An Expression Tool</p>	<p>ICSSR Sponsored One Day National Seminar on Women Empowerment Schemes in 21st Century. (Page no. 95 - 100)</p>	<p>ISBN 978-81-965950-1-2</p>
<p>Ms. Kirti Kuldeep Pawar</p>	<p>Health Care of the Citizens: Role of the Government</p>	<p>International Journal of Advance and Applied Research Page 380</p>	<p>ISSN – 2347-7075</p>
<p>Shivbhusan Vidyanand Jadhav</p>	<p>The role of Interdisciplinary Communication &amp; Collaboration in Academic and techniques to foster it.</p>	<p>Bridging Boundaries: Multidisciplinary Research in Science, Commerce &amp; Humanities</p>	<p>UGC Care Listed</p>
<p>Sadiya Sharif Mulla</p>	<p>Women Empowerment: A critical analysis</p>	<p>Women Empowerment Schemes in 21st Century</p>	<p>ISBN 978-81-965950-1-2</p>
<p>Asst. Prof Shruti Yadnyopavit</p>	<p>Government Health Scheme for Women</p>	<p>Women Empowerment Schemes in 21st Century</p>	<p>ISBN 978-81-965950-1-2</p>
<p>Student Research</p>	<p>Student from IV NLC Unaided Class - Saniya Makhamalla has won Second Prize in Research Paper Writing Competition held at Shankarrao Chavan Law College, Pune and awarded with Certificate and Cash prize of 2000/- in June 24.</p>		





## Achievements in Moot Court Competitions



**KakaSaheb Thobde Memorial 1st State Moot Court Competition DGB Dayanand Law Collage, Solapur 1st Prize**  
Best Speaker - Kiranmayi Pednekar



**LateJustice P.B. Gagendragodkar Memorial 10th State Level Moot Court Competition at Ismail Saheb Mulla Law College, Satara - Winner**  
Best Advocate - Prajakta Bhilugade



**9th All India Moot Court Competition, ADR and Vidhi-Mela 2024**  
Runner up - Moot Court Competition Best Mooter - Maheshwari Gundewadi & Winner - ADR Competition



**8th National Moot Court Competition 2024 VIDHIGYAAN 24 M.K.E.S Law College, Mumbai - Runner up**



**16th Late Advocate D.T. Jaibhave Memorial National Moot-Trial & Judgment Writing Competition 2023-24**  
Best Advocate - Vaibhav Kotekar



**Late Justice P.B. Sawant Tenth National Moot Court Competition, Pune - Runner Up**



**Intra-University Moot Court Competition in Vernacular Language 2024 - 1st Prize**  
Best Speaker - Harshada Porlekar



१ जुलै पासून भारतीय सुरक्षा संहिता आणि भारतीय नागरिक सुरक्षा संहिता २०२३ या नवीन कायद्यांबाबत प्राचार्य डॉ.प्रविण पाटील आणि अॅड.एस.एस.चाटे यांचे पोलिस विभागांकरिता प्रशिक्षण



Parents Meet



Workshop on 'Agricultural Labour Law & Reforms' Dr. B. T. Naik



दीपोत्सव २०२३



Health Check-up Camp