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News



Police failed to prove charges against the accused of Delhi blast

Incident took place before 12 years, about 67 people lost their lives due to three serial blast that shocked the entire capital of the country Delhi, Police said they unable to prove the charges against the accused, additional judge

Retest Singh in a judgment running into 140 pages, said investigating is not properly verified before reaching a conclusion. Prosecution is unable to prove any link between Dar, Fazli and Shah ,the mastermind of the serial blast. Accused awarded with 10 years imprisonment by the court.

Dar is found guilty of the offence under section 38,39 of UAPA, however Dar awarded with more than 10 years of imprisonment he had been in jail for 2 years.

Anti Sikh riot cases submitted to supreme court.



Special investigation team was setup on 12 February 2015 by the home ministry-appointed justice(retd) GP Mathur committee, to reinvestigate the serial criminal cases filed in Delhi related to 1984 riots. A total of 3325 people was killed in the 1984 riots in which Delhi alone accounted for 2733 deaths, while the rest lies in Uttar Pradesh, Haryana, Madhya Pradesh .

Around 650 cases registered in connection with anti Sikh riots in Delhi.

Out of which Delhi police closed 241 cases citing lack of evidence. About 4 cases were recommended to reopen by justice Nanavati commission.



Triple talaq is a mandatory issue.

The most controversial issue that INDIA has now is triple talaq .supreme court asked all parties to submit a written submission of their views and hand it over to attorney general of India.

By mere words a man gives divorce to her wife,by saying talaq, talaq, talaq,as per the muslim personal law.one of the petitioner 35 years old shayara has challenged the triple talaq ,the challenges the polygamy, nikah halal in which she has to consummate another marriage to return to her old marriage.

Earlier the Bhartiya Muslim Mahila Andolan also pporched to abolishing of triple talaq practice,but there may be confusion between uniform code issue ,it was realized that both are separate issues.

New record made by ISRO- satellites launches.



Space agency ISRO successfully launches 104 satellites and made its record, by using single rocket, India's international space research organization(ISRO)proves to dominate the international space ,beginning starts with Arayabhata satellite in 1975. As 104 satellites launches 101 belongs to other countries including us(96), the Netherlands(1),Switzerland(1), Israel(1), Kazakhstan(1), the UAE(1) Earlier the record of 37 satellites on a single rocket was made by Russia ,again in 2015 ISRO previous record was 23 Satellites .



New nominees selected for Supreme Court judges

New Judges of Supreme Court has been appointed by the president, there are total 5 judges including the chief justice of high court.

The names are Madras High Court Chief Justice sanjay kishan kaul, Rajasthan high court chief justice naveen sinha, Kerala high court chief justice moham m shantanagouder, Chattisgarh hc chief justice dipak gupta and Karnataka hc judge s abdul nazeer. Now the member of the supreme court family sifted to 28 ,before it was 23 ,the total strength of the apex court should be 31. Justice JS Khehar, Justice Pinki Chandra ghose and justice prafulla Chandra pant will be retiring from supreme court soon.



No need to stand in the mid of the film, for national anthem SC.

Supreme court ordered that it is not compulsory to stand for national anthem if played in between the story title or script or documentary, complains have been filed that

people are being bullied and beaten by the mob if they disrespect the National Anthem when played in between. So the order by the Supreme court as stated on November 30,2016 made compulsory to stand up for the national anthem before the screening of the film and it is compulsory for all as per the constitutional patriotism to national anthem Justice Dipak Misra and R. Banumathi said.

In between the movie people are beaten and bullied by the others for not standing during the national anthem played in the movie Amir khan starer Dangal



Ganster-turned-politician mohammad shahabuddin moved to tihar jail ..

The supreme court order Bihar government to shift this gangster-turned-politician to tihar jail for free and fair trial.

The four time RJD MP from siwan Is currently in siwan jain after the supreme court canceled the bail granted by the Patnahigh court wit the connection of killing the two brothers and poring acid on them.

Mohammad 50 years of age encounters with 45 criminal cases against him, the petition was filed by Asha ranjan who'shusband murdered and chandrakeshwar Prasad whose two sons allegedly killed by murder.

Supreme court enquires that the trial will be cinducted through video conferencing from tihar jail.

If a girl says no its is a wider term.

The high court says that if the girl says no it means that she is not giving her consent for sexual intercourse, then the person must be liable under section 375 of rape. Which clearly emphasis on even if the girl is highly intoxicated her consent matters in "yes or no" consent of girl. if not its termed as rape.

Such as case arrised in pune .a girl filed a suit against the three man who raped her when she was highly intoxicated all three man have sexual intercourse with the girl one by one. Abhinay of the man was the friend in her office, he asked the girl to join her for party, later on the girl was intoxicated and he dropped the girl to his flat, when the girl wake up



she found herself in worst situation and listen to the chit chat of the friends about last night. then she asked about the incident ,abinay replied she was gang raped . Later she told the incident to his father and brother they filed a suit in the court. the accused lawyer stated that girl cooked a story in order to defame the character of this accused. although the court rejected the main accused bail application, it was held that it was no prima facie evidence against the other two accused, only a statement by the victims that the main accused has stated the others were also involved. Bail is granted to the other two accused.

If minor girl is raped the man convicted ,sentenced to death.



Madhya Pradesh high court stated that if a minor girl is being raped and murder then the convicted person is termed to life time imprisonment and sentenced to death. The man rape and murdered his minor daughter falls do not falls in rarest of the rare category. The case shows that the man send to gallows is not a hard core criminal or threat to society, prosecution fails to prove that the appellant is incapable of being reformed as he is the father. So there may be the chances to send him in rehabilitation centre for treatment.

Around 138 countries abolished death sentences where as in India and 59 countries retained death sentences. The court cited the details fro the apex court.

According to justice S K Gangele and justice SP singh said he is liable for the punishment but the case does not falls within rarest of the rare cases.



FROM CAVEAT EMPTOR TO CAVEAT VENDITOR FOR BUILDERS:

Giving a big shock to builders who leave consumers at their mercy, the Supreme court today directed the Delhi based Unitech to pay a fine of 14 per cent per annum of the principal amount deposited by 39 buyers, retroactive of 2010, in addition to returning the principal amount. The apex court ordered the company to repay the amount as the buyers they had refused to rely on the assurance possession by 2017. Earlier the Delhi High Court had stayed the court proceedings against Unitech following a petition by over a hundred buyers seeking the return of their money. The buyers had complained that they did not receive flats on time. After which they went to the Supreme Court for a decision against Unitech.



INDIA DISCUSSES VISA ISSUES WITH US LAWMAKERS

India today discussed several issues including proposed restrictions on American work visa and intellectual property rights with US lawmakers. The issues were deliberated upon

during a 45 minute long meeting between commerce and industry minister Nirmala Sitharaman and the eight member US delegation here. While India raised its concern regarding the H-1B visa restrictions, which will have adverse bearing on the Indian IT industry, the US flagged the IPR and copyright related matters. The US delegation was led by Bob Goodlatte, chairman, Judiciary committee, House of Representatives.



THE IPL AUCTION

Ben Stokes stole the show as he was snapped up by Rising Pune Supergiant for Rs. 14.5 crore, a record price for an overseas player. Even Tymal Mills was snapped up for 12 crore

by Royal Challengers Bangalore. It was a jolly time for pace bowlers with Trent Boult and Kagiso Rabada going for a good price. For India, Karn Sharma was the most expensive buy with Rs. 3.2 crore while T. Natarajan got for Rs. 2 crore.



Tcs board approves the biggest buyback in india

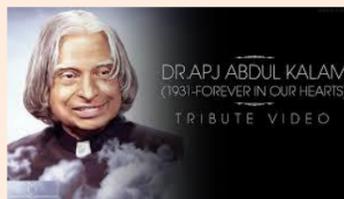
The IT giant TCS on Monday approved to buy back upto 5.6 percent of equity shares at a price not exceeding Rs.2,850 , aggregating to Rs. 16,000 crore. The decision comes at a time when India's largest service provider is under pressure of losing revenue from its clients in the US, which accounts for te 65 per cent of the \$155 billion industry, under President Donald Trump's protectionist measures. The share buyback, if successful will be India's biggest, surpassing Reliance industries' 2012 share repurchase of Rs. 10,400 crore.

GOOD READS

Salman Rushdie's The Golden House to release in September



"The Golden House is about where we were before 26/11, where we are today and how we got here. Here is a book that asks us -- in a post-truth world -- if facts and authenticity are necessarily the same thing, while never ceasing to be both resonant and entertaining," the publishing house said in a statement. The book will be published in India by Penguin Random House which acquired the subcontinent rights from the Wylie Agency.



Remembering People's President: Dr APJ Abdul Kalam, you still live in our hearts

The author, SM Khan, acquaints us with lesser known facts and stories which went towards making the great Dr Kalam the 'People's President'. SM Khan was press secretary to the late APJ Abdul Kalam and shared a unique relationship with the unusual President. The first state visit made by Dr Kalam in 2002 after swearing in as President was to Gujrat where he was received at the airport by the then Chief Minister and now Prime Minister of India, Mr. Narendra Modi. Together they visited nine riot-torn areas and three relief camps. Details of this visit as well as those to the other states in India and various trips abroad in the course of his Presidency are captured in this book in a manner that is engaging and informative.



Book on Veerappan to portray him for the villain and Robin Hood he's said to be

The Union Home Minister Rajnath Singh released the book titled 'Veerappan, Chasing the Brigand', written by K Vijay Kumar, Senior Security Adviser, Ministry of Home Affairs, at a function he Sharing his thoughts on the occasion, Vijay Kumar said the success of the 'Operation Cocoon' resulting in the killing of Veerappan taught him that the Jungle does not discriminate; - it is equally harsh and punitive for both the foot soldier and the commanders' national capital.

FACTS

- ✓ Home Delivery Of Alcoholic Beverage Is Illegal But Home Delivery Of Beer And Wine Legal In Delhi.
- ✓ To Become A Motor Vehicle Inspector In Andhra Pradesh You Need Good Teeth
- ✓ Surgeons who grew up playing video games make 37% fewer mistakes.
- ✓ The structure of your brain changes every time that you learn something new .

- ✓ The first president of Zimbabwe was called president Banana.
- ✓ The total weight of all ants on earth is greater than the total weight of all humans. Blows my mind!
- ✓ Dynamite is made with peanuts.
- ✓ In France it is illegal to publish photographs of a person in handcuffs who has not been convicted of a crime.
- ✓ In 2005, the Georgian President the entire traffic police force in an attempt to reduce corruption.
- ✓ When hippos are upset the sweat turns red.
- ✓ Soteriophobia is a psychological condition which causes a person to refuse depending on others out of fear of being disappointed.

Current Affairs

1. Report Finds India as the World's Largest Arms Importer in the Last Four Years

According to a report released by Stockholm International Peace Research Institute (SIPRI) on February 20, 2017, India emerged as the world's largest importer of major arms during 2012–16.

2. Scientists claim discovery of Zealandia a submerged continent in Pacific Ocean
zealandia-mu Geologists have claimed discovery of new geological continent named Zealandia submerged beneath the south-west Pacific Ocean. Zealandia is around 4.5-million square km land mass and is 94% under water.

3. Barren Island: India's only live volcano active again
Volcanic eruptions According to scientists from Goa based National Institute of Oceanography (NIO), India's only live volcano at Barren Island in the Andaman and Nicobar has become active again. After lying dormant for 150 years, Barren Island volcano had erupted in 1991 and since then it is showing sporadic activity. Now it is erupting in small episodes of five to 10 minutes. Key Facts According to scientists, the active Barren island volcano is spewing smoke, ash and lava once again

4. GST council approves law to compensate states for revenue loss
GST The GST Council has approved a law to compensate states for any loss of revenue from the implementation of the new nationwide indirect taxation regime. The meeting was held in Udaipur, Rajasthan first time outside national capital. It was headed by Union Finance Minister and attended by representatives from all states. Key Facts GST is a consumption based indirect tax levied on sale, manufacture and consumption on goods and services at a national level. It will replace a plethora of central and state indirect taxes.

5. Former Chief Justice of India Altamas Kabir Dies at the age of 68
Former Chief Justice of India (CJI) Altamas Kabir passed away on February 19, 2017 in Kolkata at Apollo Hospital after suffering from kidney ailment. He was 68. He was the 39th Chief Justice of India who held office from September 29, 2012 to July 18, 2013.

6. ISRO successfully tests largest cryogenic engine for GSLV Mark III rocket
GSLV Mark III engine Indian Space Research Organisation (ISRO) has successfully ground tested India's largest indigenously developed Cryogenic Upper Stage engine for GSLV Mark III. It was tested for full 10 minutes at ISRO's Liquid Propulsion Complex (ILPC) at Mahendragiri in Tirunelveli district of Tamil Nadu. So far, the cryogenic engine consisting very complex technology has been developed only by Russia, US, France, China, Japan and India.

7. Scientists develop high-quality graphene from soybean February 18, 2017
Scientists from Australia's Commonwealth Scientific and Industrial Research Organisation (CSIRO) have made world's strongest material graphene commercially more viable by using soybean. They have developed a novel "GraphAir technology" which transforms soybean oil, a renewable, natural material into graphene films in a

single step. Background Earlier, graphene was produced in a highly-controlled environment with explosive compressed gases that required long hours of operation at high temperatures and extensive vacuum processing. This production process was costly and was major roadblock in its commercialisation.

This unique technology makes graphene fabrication fast, simple, safe, potentially scalable and integration friendly. Graphene is a carbon material that is one atom thick. It is the world's strongest and lightest known material derived from carbon. It has high conductivity and excellent electronic, mechanical, thermal and optical properties

8. 2017 National Women's Parliament held in Andhra Pradesh
In a first of its kind initiative, National Women's Parliament was organized by the Andhra Pradesh Legislative Assembly in association with MAEER's MIT School of Governance at Pavithra Sangamam in Amravati, Andhra Pradesh with an aim to empower women.

The three day conclave that began on February 10, 2017 was based on the theme: 'Empowering Women — Strengthening Democracy'.

The conclave was inaugurated by Prime Minister Narendra Modi via video conference in the presence of AP Chief Minister N Chandrababu Naidu and Speaker of Bangladesh Parliament, Shirin Sharmin Chaudhury.

The National Women's Parliament saw over 10,000 higher secondary girls connecting with 401 women legislators, 91 women Members of Parliament and 300 social and corporate women leaders of India and overseas.

Through this interaction the conference aimed to make young girls realize their potential and enable them to take leadership roles in all sectors of life.

The NWP focused to generate new ideas, concepts, theories and ideologies for women empowerment. An 'International Woman Icon of the World' award and 12 best young achievers awards for women in different fields were presented. Awards were also given to Best Student Speakers and each participants were awarded with the Certificates of Participation.

9. Hindi Scholar and writer Surendra Verma selected for 2016 Vyas Samman award
Surendra Verma Renowned Hindi Scholar, litterateur and playwright Surendra Verma (75) was selected for the prestigious Vyas Samman 2016. He was chosen for this award for his novel Kaatna Shami Ka Vriksha : Padma Pankhuri Ki Dhar Se, published in 2010. About Surendra Verma Born on September 7, 1941 in Jhansi, Uttar Pradesh He had started his career as a teacher and later writing stories About Vyas Samman award

The Vyas Samman award was instituted by the K.K. Birla Foundation in 1991. It is awarded annually to outstanding literary work in Hindi authored and published in past 10 years by an Indian citizen. The award carries monetary award of 2.5 lakh rupees, a citation and a plaque

10. SC introduces Middle Income Group Scheme
supreme-court The Supreme Court has introduced Middle Income Group Scheme, (MIGS) a self-supporting scheme for providing legal services to the middle and relatively lower income groups. Under this scheme, middle class people who cannot afford the expensive litigation in the apex can avail the services of the society for a nominal amount. Key Facts MIGS is a self-supporting scheme that will provide legal services to the middle income group citizens whose gross income does not exceed Rs.60, 000 per month or Rs. 7, 50, 000 per annum. A case will be registered under the MIG Legal Aid Scheme and forwarded to Advocate-on-Record/ Senior Counsel/Arguing Counsel on the panel for their opinion.

11. IMF opens technical assistance and training centre SARTTAC in New Delhi
IMF reforms The International Monetary Fund (IMF) has opened a first-of-its-kind South Asia Training and Technical Assistance Centre (SARTTAC) in New Delhi for economic capacity building in South Asia. It will work to support local member countries of South Asia viz. India, Bangladesh, Bhutan, Maldives, Nepal and Sri Lanka to build human and institutional capacity and implement policies for growth and poverty reduction. About SARTTAC SARTTAC is financed mainly by its six member South Asia countries (mentioned above) with additional support from Australia, South Korea, European Union and United Kingdom.

In 2016, IMF Managing Director Christine Lagarde and Union Finance Minister Arun Jaitley had signed a Memorandum of Understanding (MOU) to establish a capacity development centre for South Asia. The opening of SARTTAC is part of the MoU and marks a major milestone in the partnership between the IMF and its member countries in the region.

Article

Being a lawman

I still remember the day I was asked what I wanted to do after I finished schooling. I was slightly scared and nervous but completely sure that I wanted to pursue law. And here I am studying at a law school. And on being asked what I love and hate about law, well there are many things I love and as every coin has a flip side there are some downsides to it too.

I believe that the best part of being in this profession is the money, because honestly, somewhere in all of us is the desire to amass a good name and also the wealth that accompanies it. It is said that if you possess skill as a lawman you are certain to earn quite well. Set the money aside this profession earns an individual a respectable place in the eyes of the society, as the saviour of justice. People tend to ask people in the field of law for advice and counsel and such advice is given priority over the other such is the value of the thoughts of a rational, practical and realistic mind.

Then there also is the fact that people are often scared of lawmen for the simple reason that if they offend lawmen the repercussions could be varied levels of dangerous, which is awfully funny but, hey! I don't see a need to be complaining because due to this irrational fear people often tend to treat lawmen better and always befriend them which works well for us.

The flip-side that I mentioned earlier comes into play in the profession itself; the profession deals with politics from the core and throughout, mind games and manipulations are an integral part of the profession. It is safe to say that a professional in this field deals with a lot of stress, although it pays really well it also takes a toll on their minds. This also means that the profession often affects the social life of the individual.

This profession demands of an individual to always keep up with all the happenings around the globe, it is all about opportunities, if you don't update you will get replaced, but then that's true for most every profession these days. Keeping up with the new as well as the old can often be deemed tedious but, we lawyers are proud of having this ability to balance and amass knowledge as we grow.

A lawyer's library is a sacred place. It is that place where he works to shape his career. There also is this amusing theory which insists on the fact that we lawmen are a quarrelsome lot and often lose patience, which is pretty petty considering that advocates are the most patient people when it comes to interacting with judges and withstanding all the grilling with not so much as an expression to give away their personal emotions.

I would say lawmen are different, and as for hating or loving the profession, Let's just say that it is the passion for serving the society that surpasses all other emotions. Also, there is a reason we form a class apart. What's different is often considered weird and unacceptable. But we are proud of who we are!!! And will be standing confident and serving the society to the best of our capabilities!!!!



-Vithika Chaudhary (Law Student)

Article 370 Of The Constitution Of India, 1950 & The Security Interest Act, 2002

Constitutional Set-up

The Constitution of India, 1950 was based on the Westminster Model i.e. bicameral legislative bodies at the centre and unicameral/bicameral legislatures in the states, like the most post war constitution. The Constitution of India has federal structure and works on the principle of rule of law and of legality and ensures equality before law and equal protection of laws within the boundary of India which prohibits the place of arbitrariness. The federal structure has broadly discussed in Part XI of the Constitution of India, 1950, which is the idea of Government Act, 1935. Every state has a High Court (some share a common High Court) and the court subordinate to it which is under an administrative and judicial control of concerned High Court of the state. All are accountable to the Apex Court and the law declared by the Apex Court i.e. Supreme Court in India is binding on all the courts.

Article 370 of the Constitution of India, 1950: The Indian Constitution says India is Union of States under Article 1 of Indian Constitution, 1950. According to Constitution of Jammu Kashmir, 1956 The State of J&K is an integral part of the Union of India this is said in the **Section 3** of their Constitution. **Section 147** of the J&K constitution, 1956 states that, no Bill or Amendment seeking to make any change in the provision of section 3 of the constitution shall be introduced or moved in either House of Legislature of the State of J&K, the State of J&K chronologically enjoy the special treatment within the framework of Indian Constitution. Amendment that are made to Indian Constitution, 1950 can only be made in the Constitution of J&K if President, with the concurrence of the state government applies such amendment to the state of J&K. The distribution of power between the Union of India and State of J&K is concerned, it is observed according to the matters, if the matter is of national importance in which uniform policy is considered necessary the same rests with Union of India and the matter of local interest remain with the state of J&K. The Constitution of J&K, 1956 is subordinate to the constitution of India, 1950 and hence there is no vestige and evidence of sovereignty can be traced over Constitution of India, 1950. The Preamble of the Constitution of J&K is deprived of the words, 'Sovereign Socialist Secular Democratic Republic,' as they appear in the Preamble of the Constitution of India, 1950.

The SARFAESI Act, 2002: The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 empowers the banks to enforce their security interest outside the court's process by moving under section 13 SARFAESI Act to take possession of secured asset of the borrower

12. Alok Kumar Verma Appointed the Director of CBI

Delhi Police Commissioner Alok Kumar Verma was appointed as the new Director of the Central Bureau of Investigation (CBI) on January 19, 2017 by a three member committee headed by Prime Minister Narendra Modi with Chief Justice of India Jagdish Singh Khehar and Congress leader in Lok Sabha Mallikarjun Kharge as members.

Alok Kumar Verma will replace the interim director Rakesh Asthana who was appointed since the post was lying vacant after the former director Anil Sinha retired on December 2, 2016.

About Central Bureau of Investigation (CBI)

The Central Bureau of Investigation is the domestic intelligence and security service of India which serves as India's prime federal law enforcement agency. It operates under the jurisdiction of the Government of India.

- The CBI was established in 1941 as the Special Police Establishment for domestic security. It was renamed the Central Bureau of Investigation on 1 April 1963.
- It is the official Interpol agency in India with the Motto of "Industry, Impartiality, Integrity". The agency is headquartered in New Delhi.

13. India's first floating elementary school inaugurated on Manipur's Loktak Lake

Floating elementary school India's first floating elementary school named Loktak Elementary Floating School was inaugurated at Langolsabi Leikai of Champu Khangpok floating village on Loktak Lake in Manipur. The first of its kind school aims to provide education to drop outs students as well as illiterate adults. Currently it will provide education to around 40 children from Class I-III by engaging two local teachers. It was opened under the initiative undertaken by All Loktak Lake Fisherman's Union with the support of an NGO People Resources Development Association (PRDA).

14. INS Sarvekshak becomes India's first ship to go green

INS Sarvekshak Indian Navy's survey vessel INS Sarvekshak, based at the Southern Naval Command in Kochi became the first naval ship to go green by installing a solar power system on board. It has innovatively deployed the zero-maintenance solar power system, capable of generating 5.4KW electricity and replacing the ship's traditional 4.4KW emergency diesel alternator. Key Facts The solar power generating system has been installed by customising and installing 'razor-thin, flexible' solar panels on the canopy of its telescopic (retractable) helicopter deck.

15. India to host counter-radicalisation conference with ASEAN

India-ASEAN India is planning to host a conference on counter-radicalisation with the Association of Southeast Asian Nations (ASEAN) in October 2017. It will provide common platform to countries for sharing experiences and ideas on prevention of radicalisation amid rise of Islamic State and other extremist ideologies

About Association of South East Asian Nations (ASEAN)

ASEAN is a group of 10 South Asian nations is a regional organisation comprising that aims to promote intergovernmental cooperation and facilitates economic integration amongst its members. It came into existence on August 8, 1967 after ASEAN declaration (also known as Bangkok declaration). Motto: "One Vision, One Identity, One Community". Headquarters: Jakarta, Indonesia. 10 Members: Malaysia, Indonesia, Singapore, Philippines and Thailand were founder countries. Later 5 more countries Brunei Darussalam, Lao PDR, Cambodia, Myanmar and Vietnam were added. Cambodia was the last entrant added in the group in 1999.

16. Senior IAS officer Ajay Tyagi appointed as SEBI Chairman

Ajay Tyagi The Appointments Committee of the Cabinet (ACC) has appointed senior bureaucrat Ajay Tyagi (58) as the new chairman of the Securities and Exchange Board of India (SEBI). Mr. Tyagi will have tenure of 5 years or till the age of 65 years or until further orders. He will succeed UK Sinha whose term ends on March 1, 2017. His name was recommended by the search-cum-selection panel headed by the cabinet secretary along with some other candidates. About Ajay Tyagi Ajay Tyagi is 1984 batch IAS (Indian Administrative Services) officer of Himachal Pradesh cadre. About Securities and Exchange Board of India (SEBI) SEBI is the statutory regulator for the securities market in India established in 1988. It was given statutory powers through the SEBI Act, 1992. Mandate: Protect the interests of investors in securities, promote the development of securities market and to regulate the securities market. SEBI has is responsive to needs of three groups, which constitute the market, issuers of securities, investors and market intermediaries. It has three functions: quasi-legislative (drafts regulations in its legislative capacity), quasi-judicial (passes rulings and orders in its judicial capacity) and quasi-executive (conducts investigation and enforcement action in its executive function). Headquarters: Mumbai, Maharashtra.

and sell them outside the court process. The Preamble of the SARFAESI Act states that, it is an Act to regulate securitization and reconstruction of financial asset and enforcement of security interest and for matters connected therewith or incidental there to. Section 1(2) of the SARFAESI Act, categorically states that, it will extend to the whole of India. The key provisions of SARFAESI Act are **Section 13(4)** and **Section 1**.

Under Section 13(2) of the SARFAESI Act where any borrower, who is under a liability to secured creditor under a security agreement, makes any default in repayment of a secured debt, and his account in respect of such debt is classified as a non performing asset by the secured creditor within 60 days from the date of such notice, failing which the secured creditor shall be entitled to exercise all or any of the right as provided for the secured creditor under Section 13(4) of the SARFAESI Act. Section 17 of the SARFAESI Act confer a right to appeal to any person, including the borrower, if that person is aggrieved by any of the measure referred to in section 13(4) of the SARFAESI Act taken by the secured creditor. **State bank of India v. Santosh Gupta & Anr.** Leading case under the SARFAESI Act as the supreme court extend its application to the State of J&K and held that the SARFAESI Act in pith and substance is identifiable with the entry 95 of list 1 of the seventh schedule to the constitution of India, 1950.

The other cases which can be referred for the importance of SARFAESI Act are **Union of India Delhi High Court Bar Association (2002)**, **Central Bank of India v. State of Kerala (2009)** and the recent case of **UCO Bank & Dipak Debbarma & Ors.** Inter alia in every case the Supreme court held that the SARFAESI Act is relatable to the entry of "banking" which is included in list I of the seventh schedule; sale of mortgaged property by a bank is an inseparable and integral part of the business of banking.

Lastly, the entire gamut controversy can be diluted by taking into consideration the following points of relevance:

The SARFAESI Act is relatable to entry 45 read with entry 95 of the list I of the seventh schedule to the constitution of India, 1950.

Provision of the SARFAESI Act are not conflict with Section 140 of the TPA Act of J&K, 1920, the necessary emphasis must be supplied to the proviso annexed to rule 8(5) of SARFAESI Rule, 2002;

List II is frozen, so far as its applicability to the state of J&K is concerned



The Constitution of J&K, 1956 is subordinate to the Constitution of India, 1950. The state of J&K has no vestige of sovereignty outside the Constitution of India, 1950.

Ujjwal Tiwari

B.B.A.L.L.B (Hon's)

LEGAL EAGLE

UJJWAL NIKAM was born in Jalgaon, Maharashtra, to Marathi parents. His father, Deoraoji Nikam, was a judge and barrister, and his mother was a housewife. After receiving his Bachelor of Science degree, he earned a law degree from the K.C.E. Society's S. S. Maniyar Law College in Jalgaon. Nikam began his career as a district prosecutor in Jalgaon and worked his way up to state and national trials. In a 30-year career, he has secured 628 life imprisonments and 37 death penalties. Because of his involvement in high-profile trials, he has been provided with Z-plus security by the Government of India. Ujjwal Nikam is known for taking very tough cases like 1993 Blasts of Mumbai, Gulshan Kumar Murder Case, 2008 Mumbai Attacks and Pramod Mahajan murder case, among others. And, in all cases, he showed how a lawyer can serve the nation. He brought the truth and helped India to make a positive image in the International arena.



In the history of India's legal system, the name of Ujjwal Nikam will always be written in golden words. He is not just a lawyer, a public prosecutor, but he is a man with lion heart. He has the acumen and necessary qualities to become the top most lawyer of India, but the lion in him always asked him to serve the nation. Ujjwal basically belongs to Jalgaon, Maharashtra. His father **Deoraoji Nikam** was a well-known lawyer who later became a judge. People of Jalgaon still remember the honesty and integrity of Deoraoji, who inculcated values of standing against all ills to Ujjwal.

ANISH KAPOOR was born in Mumbai, India in 1954 and lives and works in London.



He studied at Hornsey College of Art, London, UK (1973-77) followed by postgraduate studies at Chelsea School of Art, London, UK (1977-78). Anish Kapoor is one of the most influential sculptors of his generation. Perhaps most famous for public sculptures that are both adventures in form and feats of engineering, he manoeuvres between vastly different scales, across numerous series of work. Forms turn themselves inside out, womb-like, and materials are not painted but impregnated with colour, as if to negate the idea of an outer surface, inviting the viewer to the inner reaches of the imagination. Kapoor's geometric forms from the early 1980s, for example, rise up from the floor and appear to be made of pure pigment, while the viscous, blood-red wax sculptures from the last ten years. Recent major solo exhibitions include Museo Universitario Arte Contemporáneo (MUAC), Mexico City, Mexico (2016); Couvent de la Tourette. He represented Britain at the 44th Venice Biennale in 1990 with *Void Field* (1989), for which he was awarded the Premio Duemila for Best Young Artist. Kapoor won the Turner Prize in 1991 and has honorary fellowships from the University of Wolverhampton. Anish Kapoor was awarded a CBE in 2003 and a Knighthood in 2013 for services to visual arts. Large scale public projects include *Cloud Gate* (2004) in Millennium Park, Chicago, USA and *ArcelorMittal Orbit* (2012) in the Queen Elizabeth Olympic Park, London, UK. **Anish Kapoor**, who has emerged as a champion of Syrian **refugees'** rights, on Tuesday won Israel's prestigious one million dollar **Genesis** Prize for his commitment to Jewish values.

Government Policies

1. Make in India

The Make in India initiative was launched by Prime Minister in September 2014 as part of a wider set of nation-building initiatives. Devised to transform India into a global design and manufacturing hub, Make in India was a timely response to a critical situation: by 2013, the much-hyped emerging markets bubble had burst, and India's growth rate had fallen to its lowest level in a decade. To facilitate investment, boost research & development (R&D), ensure product originality and create skill-based jobs by establishing industrial sector; major national programme was started by Narendra Modi. Modi has reached out to the world with his idea of 'Make in India' and it has generated positive response from foreign companies. Key Labour Law reform in the pipeline will boost manufacturing industry and foreign investment in India.

2. Swachh Bharat Abhiyan (Clean India Campaign)

Swachh Bharat Abhiyan **Swachh Bharat Abhiyan** is a campaign by the Government of India to clean the streets, roads and infrastructure of the country's 4,041 statutory cities and towns.

Clean India campaign was launched on 2 Oct 2014 by Modi. Filth is considered one of the major problems in India and Modi gave the issue its due importance by launching a nationwide campaign. Many called it a masterstroke from Modi as it put him at par with Mahatma Gandhi in public perception and also gave people the message to act on hygiene and civic sense. Modi nominated notable personalities from film industry, sports, media, business and other celebrities to promote the initiative.

3. Creation of NITI Aayog to Replace Planning Commission

On 1 Jan 2015, Modi formed National Institution of Transforming India (NITI) Aayog, which is a policy think-tank of Government of India that replaced Planning Commission. The panel was abolished along with GOMs and EGOMs which caused policy paralysis under UPA rule. NITI Aayog is headed by PM Modi and its members include top-notch economists, consultants and advisers along the lines of US think-tanks.

4. Jan Dhan Yojana

On 15 August 2014, Modi announced Jan Dhan Yojana. Pradhan Mantri Jan-Dhan Yojana (PMJDY) is National Mission for Financial Inclusion to ensure access to financial services, namely, Banking/ Savings & Deposit Accounts, Remittance, Credit, Insurance, Pension in an affordable manner. Over 15 crore bank accounts were opened in last one year. Main focus has been on reaching every household to provide credit facility, pension and insurance to account holders.

5. Economic Reforms and Policy Implementation

Modi-led NDA government's primary focus is on reviving Indian economy through major reforms in manufacturing and export sector. Government has not only increased the limits of FDI in Railways, Insurance and Defence but also encouraged privatisation of loss-making public sector companies.

--{All Suggestions Are Welcome}