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4th Edition of NEFIAN | 2022-24

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### VIDHIKA

 $4^{th}$  Edition of NEFIAN | 2022-24



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VIDHIKA

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### PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens: JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation; IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

NEF Law College established in 2006, is one of the finest centre for the promotion of Legal Education in the entire North Eastern region. It has a dynamic motive to fulfill the long standing need and dream of a "Law College of Excellence" in this part of the country in uniformity with other reputed National and International Law Colleges. The College has undertaken the uphill task of promoting Legal education in this region, with an aim of developing new genre of efficient and new-generation legal professionals.

The College is recognized by University Grants Commission (UGC) under section 2(f) of UGC Act, 1956 and is a minority educational Institute u/s 2(g) of NCMEI Act, 2004. The College is promoted and run by National Education Foundation (NEF) Trust, a pioneer Non-Government Organization in the North Eastern region engaged in promoting and popularizing professional education.

### RECOGNITION

NEF Law College is affiliated to Gauhati University and approved by the Bar Council of India (BCI), New Delhi. It is duly approved by the Deptt. of Higher Education, Govt. of Assam. The College is recognised u/s 2(f) of UGC Act, 1956.

## INTRODUCING NEF LAW COLLEGE

### **OUR VISION**

The vision of NEF Law College is to disseminate and promote justice – oriented legal education and to transmit the values enshrined in the Constitution of India and thereby

- To develop professional skills among the law students to empower them to contribute the society with utter commitment.
- To advance the legal education in a decent and dignified way to generate the law as an effective instrument of social development.
- To activate a path breaking legal research to germinate innovative ideas and legal knowledge to meet the challenges in a way responsive to the needs and demands of the society.

### **OUR OBJECTIVE**

- a) to advance and disseminate learning and knowledge of law and legal processes
- b) to develop in the students a sense of responsibility to serve society in the field of law by developing skills in regard to advocacy, legal services, legislation, parliamentary practice, law reforms and such other matters; and
- c) to make law and legal processes efficient instruments of social development..





GAUHATI HIGH COURT (High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh) Guwahati-781001, Assam 0361-2735866/2735877 (O), 2735955 (Fax) e-mail : hcjsecreariat@yahoo.in

27th May, 2024

I am very happy to learn that the NEF Law College, Guwahati is going to publish the 4th Edition of its Annual College Magazine "VIDHIKA" in the year 2024.

I have learnt that "VIDHIKA" is a multidisciplinary magazine, which is a compilation of editorials, legal issues, poems, short stories, articles etc.,



written in different languages. I am sure that the magazine will provide a sound platform to the students as well as teachers to share their views about various relevant legal and social issues, and I hope that the write-ups will immensely benefit the readers in expanding their awareness and sensitivity towards those issues.

I am confident that the NEF Law College will continue to impart quality legal education to the students so that they can effectively carry out their duties not only in the legal field but also as responsible citizens.

I congratulate the editorial board for their sincere and dedicated effort in preparing and publishing the annual magazine and convey my best wishes to the NEF Law College in its journey ahead.

> (Vijay Bishnoi) Chief Justice Gauhati High Court



Anandnagar, Christianbasti 25th October, 2024

Dear Students, Faculty & Alumni,

As we continue on our journey to excel in legal education, I am delighted to introduce the 4th Edition of our NEF Law College Magazine "*VIDHIKA*". This publication showcases the outstanding achievements, research, and experiences of our vibrant College community.



I am proud of the progress we've made, from innovative curriculum updates to meaningful community outreach initiatives. Our students' exceptional academic performance, mooting successes and dedication to social justice are truly inspiring.

The *VIDHIKA* highlights our commitment to fostering a culture of critical thinking, intellectual curiosity, and social responsibility. I extend my gratitude to our faculty, staff, and students for their tireless efforts in making our college a hub of excellence.

I hope you enjoy reading about our accomplishments and reflections. Your contributions, feedback, and support are invaluable to us.

Thank you.

Low Colle

"The root of education is bitter, but the fruit is sweet." – Aristotle

(Dr (akir Hussain Director NEF Law College



Anandnagar, Christianbasti 25th October, 2024

It is my pleasure to congratulate the editorial board, students, and contributors on the successful release of the 4th edition of Vidhika. This magazine is a testament to the intellectual vibrancy and dedication of our students and staff, who continue to inspire through their insightful contributions. It serves as a reflection of the

SST.



vibrant intellectual culture within our college, showcasing the talent and commitment of our students and faculty.

NEF Law College remains dedicated to nurturing legal minds who not only excel in the field but also work to uphold justice and contribute meaningfully to society. By fostering critical thinking and ethical values, we aim to make a lasting impact on the legal landscape and the community at large.

My best wishes to the entire team for their hard work and dedication, and I look forward to seeing *Vidhika* continue to grow in excellence.

Warm regards,

Law Col

(**Mrs. Farhana Ahmed**) Assistant Director NEF Law College

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Anandnagar, Christianbasti 25th October, 2024

Dear Students, Faculty Members and Alumni,

As we advance on our journey to relentlessly cultivate responsible, knowledgeable, and committed legal professionals, I am extremely delighted to introduce the 4th Edition of our NEF Law College Magazine "VIDHIKA".



This Edition embodies the intellectual vigor, creativity, and achievements of our College community which ranges from scholarly articles to personal reflections, and highlights our steadfast commitment to excellence in legal education.

I wholeheartedly extend my gratitude to the editorial team, contributors, and everyone involved in making this magazine a grand success.

With best regards

NEF Law Col

anashi Kalita

(**Dr. Manashi Kalita**) Principal NEF Law College

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# EDITORIAL



The editorial team is thrilled to present to you our college magazine, VIDHIKA, which celebrates the tenacity, adaptability and brilliance that define us. The magazine provides a wealth of contribution from students and faculty members in the form of useful and interesting write-ups and other material. VIDHIKA is an illuminating chronicle of our college that provides an insight into the ethos of the college and entails in capturing the exhilarating flashback of the inception of the college, its illustrious journey marked with diligence and aspirations and accolades earned. This edition shines a light on the vibrancy, creativity and diversity that acknowledges the creative expressions and academic achievements of the students. It also showcases and applauds the phenomenal journey of our mentors, enriching events, activities and celebrations held in the precincts of our college. The editorial team appreciate and thank everyone for contributing to the VIDHIKA and those associated with the magazine for rendering their unending support, love and hope. In this respect, we express our heartfelt and genuine gratitude to Dr. Zakir Hussain, Director, NEF Group of Institutions, whose inspiration has achieved form in the shape of this magazine. We express our thanks to Mrs. Farhana Ahmed, Assistant Director, NEF Group of Institutions and Dr. Manashi Kalita, Principalin-charge, NEF Law College, for their creative and inavaluable inputs that guided and navigated us in the fruition of the



magazine. We also express our thanks to faculty members for their thorough support and guidance that acted as a stimulant in bringing out the best in the students. Special appreciation to Kaman Rai, Office Staff, NEF Law College and College Magazine Students' Editorial Board who has endeavoured to the hilt to the task at hand for days to ensure that VIDHIKA stays current and vibrant. May Vidhika live long with the same enthusiasm of each and everyone directly or indirectly associated with it.

-Editorial Team



## AN ANALYSIS OF VICARIOUS LIABILITY – SPECIAL REFERENCE TO STATE'S LIABILITY

### • Ujjaini Borthakur

B.A. LL.B. (Hons.) 9th Semester

"Vicarious liability, a legal symphony where accountability harmonizes with relationships, teaches us that the echoes of one's actions resonate not only within the individual but reverberate through the corridors of shared responsibility."

Vicarious liability, a fundamental concept in the realm of tort law, assumes paramount importance in legal frameworks, particularly in the context of employer-employee relationships. This study delves into the nuanced understanding of vicarious liability, elucidating its core principles and legal implications. Derived from Latin maxims like "qui facit per se per alium facit per se" and "respondeat superior," It holds individuals accountable for the acts of others under specific relationships. Notable examples include the association between employer and employee, principal and agent, or partners in a firm. The crux of vicarious liability lies in the occurrence of a wrongful act during the course of employment, with a discernible link to the established relationship. For instance, if an employee, A, commits an act of harassment or discrimination during employment, and this act is related to the employer, C, both A and C are held liable. The Latin maxim "Respondeat superior" succinctly captures the essence, emphasizing that the principal (employer) is responsible for the actions of the agent (employee).

Two pivotal factors form the basis for proving vicarious liability. *Firstly*, there must exist a specific relationship between the parties involved, such as master and servant or principal and agent. *Secondly*, validation of the wrongful act must occur, either through explicit authorization or subsequent acceptance of responsibility. The concept of "course of employment" becomes crucial, where an act is deemed within the employment period if authorized by the employer.

Lord Chelmsford's assertion reinforces the legal precedent that a master is liable for any damage caused by a servant's negligence or lack of skill during employment. This principle stems from viewing every act of the servant in the course of duty as if done by the master's order, equating it to the master's own act. In the broader legal landscape, vicarious liability is not confined to

traditional employment structures, It extends to various relationships, acknowledging the diverse ways individuals contribute to an organization.

Imposition of vicarious liability stems from various considerations. Firstly, the employer, often possessing significant capital and resources through insured entities, holds indirect control over the employee's wealth. This linkage leads to legal principles that make the employer liable. Secondly, vicarious liability is imposed to prevent mishaps by aligning the employer's financial interest with the promotion of employee safety. Thirdly, as the employer benefits from the employees' profits, they should also be accountable for any losses incurred.

Distinguishing between a servant and an independent contractor is crucial. A servant operates under the control and direction of the master, while an independent contractor assumes charge of a task without direct employer oversight. The master is generally responsible for the wrongful acts of a servant but not for those of an independent contractor. The relationship nuances are evident in scenarios like a personal driver (servant) versus a hired taxi driver (independent contractor). Various views on the employeremployee relationship exist. The conventional approach emphasizes control, where the master not only dictates the work's end result but also guides the process. This is encapsulated in the four ideals of a contract of services, including the master's authority to select, reward, authorize the nature of work, and act as the ultimate authority. However, modern perspectives reject this direct control requirement, acknowledging that in professional settings, employees may regulate



their work more independently.

In India, vicarious liability holds significance in the context of the state or government. The state can be held liable for torts committed by its servants or employees. Article 300(1) of the Indian Constitution outlines the liability framework, allowing citizens to sue or be sued in matters of state infringement. The evolution of vicarious liability in India can be traced back to the East India Company, distinguishing between sovereign and non-sovereign functions.Comparing state liability in England and India, historical perspectives reveal England's initial favoritism towards the king's immunity, later overturned by the Crown Proceedings Act 1947. In India, Article 300(1) of the Constitution governs vicarious liability, allowing citizens to sue the Union of India or the Union of the State for infringements.Judicial precedents, such as P&O Steam Navigation Co. v. Secretary of State and State of Rajasthan v. Vidyawati, highlight the principles of sovereign and non-sovereign functions and the state's vicarious liability. While India rejects the notion of crown immunity, evolving legal perspectives ensure accountability in modern professional settings. The vicarious liability framework serves to regulate wrongful acts, striking a balance between employer responsibility and employee autonomy.

It remains a crucial legal concept with ongoing relevance in contemporary society, reflecting evolving trends in legal frameworks and the nature of employer-employee relationships. Understanding its contemporary significance involves examining recent developments and emerging perspectives.

It endures relevance in contemporary legal frameworks, adapting to the evolving landscape



of employer-employee relationships. In recent times, the nature of employment has undergone significant transformations, marked by the rise of gig work and freelancing. This departure from traditional employment structures challenges the conventional understanding of control and supervision. Courts and legal systems have responded by reevaluating the criteria for imposing vicarious liability, recognizing that wrongful acts can occur even without direct supervision.

The scope of employment has expanded to encompass a broader interpretation, moving beyond the traditional emphasis on control and direct instructions. Modern courts are inclined to consider whether a wrongful act falls within the broader "course of employment," acknowledging that employees may engage in such acts without direct supervision. This shift reflects an understanding that the employer should be held liable for acts related to the job, even if they occur outside traditional parameters. Moreover, the inclusivity of non-employees within the scope of vicarious liability has become a notable trend. This expansion recognizes the diverse ways individuals contribute to an organization, extending liability beyond the traditional employer-employee relationship. Volunteers, freelancers, and non-traditional workers are now considered within the purview of vicarious liability. Preventive measures have gained prominence as organizations seek to avoid vicarious liability claims. There is an increased emphasis on establishing robust training programs, implementing safety protocols, and fostering a culture of responsibility. Proactive measures not only mitigate legal risks but also contribute to a safer working environment, aligning with broader trends in promoting workplace safety. In the digital age, issues related to cybersecurity and data protection have become central to vicarious liability considerations. Employers are now held vicariously liable for data breaches and cybercrimes committed by their employees. This underscores the growing importance of protecting sensitive information, with employers bearing responsibility for lapses in cybersecurity measures. Corporate social responsibility has also influenced the application of vicarious liability. Modern organizations are held accountable not only for the actions of their employees but also for broader societal concerns. Courts may impose vicarious liability in cases involving environmental harm, human rights violations, or other societal issues, reflecting a broader trend towards ethical business practices. The complexity of contractual relationships, particularly in cases of outsourcing and subcontracting, has necessitated nuanced considerations of vicarious liability. Determining the degree of control and the nature of the relationship between different entities becomes critical in allocating liability for wrongful acts. As the nature of work continues to evolve, the legal concept of vicarious liability is likely to undergo further refinements to maintain its effectiveness and fairness in holding employers accountable for the acts of their agents in the modern workplace.



### WHERE'S THE WOKE?

• Neichunlu Phaomei 6th Semester, BA LLB

We live in a society where people are still confused about the difference between sex, gender and sexual orientation. So, to make the concept clear;

Sex refers to a set of biological attributes in humans and animals. It is primarily associated with physical and physiological features including chromosomes, gene expression, hormone levels and function, and reproductive/sexual anatomy.

Gender refers to the socially constructed roles, behaviours, expressions and identities of girls, women, boys, men, and gender diverse people. It influences how people perceive themselves and each other, how they act and interact.

Sexual orientation is about who you're attracted to and want to have relationships with. Sexual orientations include gay, lesbian, straight, bisexual, and asexual.

It's ironic how the world has come to a stage where people have walked on moon, has climbed Mount Everest and developed vaccines for countless of diseases and yet cannot accept homosexuality and LGBT community as a whole.

What people don't realise is homosexuality exist in every living being since time immemorial. It's not something which has been discovered recently, it has been there since ancient time. Religion is one of the strong reasons why some are still reluctant to accept it, which is okay. We live in a country where we have freedom to freely profess, practice and propagate religion. But we should also not forget that biology exists and sexual orientation is one of the many biological phenomena which is natural and inherent in an individual and is controlled by neurological and biological factors. The science of sexuality has theorized that an individual exerts little or no control over who he/she gets attracted to. Any discrimination on the basis of one's sexual orientation would lead to violation of the fundamental right of freedom of expression.

Let me give some examples of the existence of the LGBT community in our society since ancient times. A temple in Chhatarpur district of Madhya Pradesh called Khajuraho temples is famous for their erotic sculptures which contain several depictions or homosexual activity. These



temples were built between 885 CE and 1000 CE. From this we can tell that Indian society did not criminalise same-sex relationships nor did it view such relations as immoral or sinful. Another example can be taken from Hinduism. a religion that acknowledges a third gender. In Mahabharata there have been characters like Shikhandi, a born female but identifies as male and eventually marries a woman. Sanskrit text such as Naradasmrti and Sushruta Samhita declares homosexuality to be unchangeable and also forbid homosexuals from marrying a partner of opposite sex. Another Sanskrit text, Kama Sutra, a text in human sexual behaviour mentions men with homosexual desires and describes their practices (Tritiya-prakriti), lesbians (Svairini), bisexuals (Kami or Paksha), transgender and intersex people.

If people back then were so woken and open about it so why didn't it stay like that? If we look back ten or twenty years back, we see how LGBT community was discriminated and were not given any rights. They were matter of fact not even treated as human beings. We have come a long way since then. A question may arise why now? Why are they suddenly appearing? The reason is that it's high time their voices are heard and they are validated. It's high time they get equal rights and opportunity as any one of us. It's high time they are treated as human beings.

But we cannot deny the fact that the LGBT community has indeed gained acceptance in the recent times but there are still many whose attitude is not at all welcoming. Why is it so hard to accept something that is different from us? Because we're scared? Or because of some superiority complex? In India homosexuality has been decriminalised since 2018 under unnatural offences, Section 377 of IPC after a long fight for it and there has been many other reforms for the upliftment of LGBT community like The Transgender Persons (Protection of Rights) Act, 2019. LGBT rights in India have been evolving rapidly in recent years and hopefully it continues to do so.

But even with such legislations we are still very much behind. Gay marriage is still a dream which is far from reality, years has passed but people are still sceptical about two people in love marrying. The irony here is the law allows a gay couple to live under a same roof but won't give them the status of a married couple. India being a country where marriage is one of the most important institutions does not give the same opportunity to homosexual like the heterosexual get.

Another fact is that a gay couple is not entitled to adopt a child. Why is it so? What's so bad about a child getting a family? An orphan getting a new home?

In a nutshell, people are still living under a rock and are either too laid back or just uninterested in making a change. Of course, I find people who are very supportive and stand for the LGBT community. Notable persons like Anjali Gopalan, Shrushti Chavan, Shravani Chavan and Celina Jaitly who are not LGBT persons but their efforts made the Indian Government to decriminalize Section 377 of IPC. But I also find people who claims they are an ally but are very much passive about it. So, this is me voicing out and asking you a very genuine question, what have you done to contribute towards a change? What have you done to make a difference? Because if not now, when?



### **ROLE OF JUDICIARY IN PROTECTION OF CHILD RIGHTS**

Manas Pratim Deka
 LLM 2nd semester

Since time immemorial when the formation of the universe was in progress, several uncountable dust particles gathered and lead to the gigantic creation of the galaxy and simultaneously it led to the formation of several smaller and larger planets where after millions of years through such accumulation of the dust particles and water bodies finally our Planet Earth was created. As science in the past few years has developed in such a rapid pace it has revealed many of the secrets of these planets and their atmospheric conditions. Only our planet



Earth has been gifted and blessed with certain exceptional conditions which makes it suitable for the sustenance of life. Earth is the only planet as demonstrated by the scientists and experts that has favourable and sufficient means for the sustenance of life such as air, water and a habitable ecosystem. But the major question that arises here is whether this sustenance of life will persist for many more years to come; the answer is still doubtful. Creation of life on Earth has been possible only when such small dust particles and droplets of water are allowed to evolve resulting into the formation of large water bodies that enhances the validity of sustainable environment.

Similarly, children are those small droplets of water which if taken care of would evolve into a better human being that could skyrocket the entire human race into different dimension of prosperity, productivity and skilled individuals and therefore would create history. Rules of nature has always been persistent until it has



been disturbed by the human interference. Law of nature are very stringent and rigid as their actions are based on certain patterns. This law of nature has already been elaborately explained in Newton's Third law of Motion which states that "Every Action Has an Equal and Opposite Reaction" which can be simplified by saying that every deed of human beings is either affecting or contributing to the society at large and vice versa. Therefore, it is the duty of every single individual to make such contributions to the society that could make the society a better place to live in. From time immemorial, Men has been taking care and protecting their children and women from all kinds of danger. However, with the passage of time this protection was guaranteed to the suppressed and depressed class of the society with the introduction of some of the laws especially for the women and children. The Britishers ruled India for almost 600 years where many of the laws, regulations and guidelines has been introduced and developed by them especially for the care and protection of women and children. Though after Independence the leaders of our country gradually realized that Children are those seeds of the plants that if they are taken care of would provide the fruits of legacy as they possess immense potential to transform a weak and backward society into a developed nation and simultaneously various child rights had been introduced in the parliament and also various necessary amendments has also been made in the cabinet meetings till date. Judiciary that is considered as the third pillar of democracy has been playing a pivotal role and as a constitutional organ of the Government it has provided effective supervision and monitoring

in protecting the child rights as the children are recognized as a vulnerable section of the society requiring special protection and care.

The judiciary acts as a guardian of child rights by interpreting and enforcing laws, addressing cases of child abuse, neglect, exploitation and ensuring the overall well-being and development of children. Article 15(3) of the constitution of India prohibits discrimination against children based on grounds of religion, race, caste, sex or place of birth. Article 21A of the constitution of India guarantees the right to education for children from the age group of 6 to 14 years, making it a fundamental right. Additionally, the Protection of Children from Sexual Offences (POCSO) Act, 2012 was enacted to address the growing problem of Child sexual abuse and to protect and safeguard the children from various forms of exploitations. The issue of child marriage has long been prevalent in India, denying children their right to education, health and development. The case of Independent Thought Vs Union of India led the Supreme court to declare that sexual intercourse with a minor wife would be considered rape even if the husband was not prosecuted. Finally the court struck down exception 2 to section 375 of IPC, which had previously protected the husband from rape charges and allowed him to have sexual intercourse with his wife with or without her consent as long as she was over the age of 15 years .In this Judgment the court acknowledged everyone's right to privacy, including unrighteous women, while taking into account the right to physical integrity and reproductive choice and therefore recognized the importance of protecting children from early marriages and emphasized

the need to uphold their rights to safety, health, and education. In recent years, the judiciary has also been vocal in addressing child rights such as child trafficking. In **Bachpan Bachao Andolan Vs Union of India**, the Supreme court of India emphasized the need to combat child trafficking, rescue trafficked children and provide them with appropriate rehabilitation and reintegration services. This decision of the Apex Court of our nation highlighted the importance of protecting vulnerable children from the clutches of traffickers and ensuring their well-being.

The Judiciary also acts as a custodian of child rights by providing remedies and redressal for violations. In the case of **Sampurna Behrua Vs Union of India**, the Supreme court issued guidelines to address the issue of child sexual abuse within the family, emphasizing the importance of reporting such cases, preventing secondary victimization of child survivors, and ensuring their access to justice and further the court directed the State level child protection societies and the District level child protection units as they have enormous responsibility in ensuring that Juvenile Justice Care and Protection Act (2015) is effectively implemented and Child Care Institutions are managed and maintained



in a manner that is conducive to the wellbeing of children in all respects including nutrition, education, medical benefits, skill development and general living conditions. Overall, the judiciary plays a crucial role in the protection of child rights, ensuring that children are protected from abuse, exploitation and discrimination. Through its judgments and guidelines, the judiciary provides a legal framework for the prevention and remedy of child rights violations. The landmark judgments passed by the Hon'ble judges of the Apex court of our country have paved the way for the protection of child rights in India, inspiring legislative reforms and effective implementation of laws. The judiciary's unwavering commitment to upholding child rights is crucial in shaping a just and inclusive society for children. Therefore, the contribution of judiciary for the development of the society can be seen through these landmark judgments and hence the trust of the society towards the temple of justice has been increasing day by day which will also encourage every stakeholder including the government machineries and all statutory bodies to work in coordination and cooperation with judiciary making the planet earth a better place to live in.

Reference-

<sup>1.</sup> Independent Thought Vs union of India (2017) 10 SCC 800; Ref: Indian kanoon

<sup>2.</sup> Bachpan Bacaho Andolan Vs Union of India & others (2011)5 SCC 1; Ref: Indian Kanoon

<sup>3.</sup> Sampurna Behrua Vs Union of India (2018) 4 SCC 433; Ref: Indian Kanoon



• Shegufta Parveen BA.LLB(H) 9th Sem Sec A

We go through various crime headlines through our newspapers or scroll down a crime headline just by giving a look over it. But, have we ever thought to go deep into a crime story? Probably not! Even if we try to know the whole story, we end up blindly cursing the criminal without even giving a minute to read the news story from both the sides of the coins. On this note a question comes in my mind; "Are CRIMINALS BORN CRIMINALS? DOES A CRIMINAL MIND REALLY EXISTS?"

Studies have been conducted to ascertain the meaning of crime and unearth how criminals operate, behave and why they do so? The most important question one would ask is whether there is anything like a criminal mind? Some scholars have advanced various arguments that the criminal mind does exist, while others have criticized these beliefs focusing on the actual crime at hand rather than connecting it to the historical past.

Analysis of the evidence required to establish this may be provided as follows.

WHAT IS CRIMINAL MIND?



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"In MP girl accused her father of rape.", "Unidentified miscreants murder 93-year-old priest in Rajasthan», "Father killed and disposed of his daughter>s body in Andhra Pradesh", etc. such statements frequently grace our newspaper headlines in today>s society. Are there any explanations for these crimes happening so frequently? Do theories formulated to explain them justify the increasing criminal behaviour? Or is there anything like a criminal mind?

At the age of 4, 5, 8 or 15, few parents may be in opposition to predict that their baby whom they adore would one day become a terrorist, serial killer, rapist etc. However, with the help of hindsight, some parents of criminal offenders have the ability to reflect on the life of the children and recall certain behavioural acts as well as attitude that may have been seen as predictors of future trouble with the son or daughter. Like a mathematician and a social critic from middle class America had developed some unusual behaviour during his childhood that could have signalled some warning signs of Maladaptive development. Mother stated that childhood life and upbringing may have contributed to his criminal act, she stated that he started developing some solitary lifestyle, devoid of friends and was defiant towards systems and always criticized routines even failing to do assignments given to him. Theory states that a person's criminal mind may be analysed and judged according to his upbringing and childhood activities.

### CRIMINAL MIND DOES NOT EXIST : RATIONAL CHOICE THEORY

How would one explain a person who kills due to revenge or anger? It is important to note here that the criminal was offended and got



angered by the event. Thus, it states that the act of killing is not entrenched in a person's mind, but was provoked by a particularly unpleasant scenario. According to Choice Theory, a criminal offender is aware of his or her sense, therefore the act is done voluntarily rather than reflex. Some of these may be caused by a person being pushed by a particular need or situation in life. But how would one categorize a serial killer with no express reason to kill? Just criminologists have developed certain theories to explain criminal activities such as murder. Choice Theory is considered to be one of the most acknowledged theories of all times and is seen as the best way to explain the decision of an individual to engage in criminal activity. Criminologists have stated that the only way to prevent criminal activities is to make sanctions dreadful to the offenders. It is also believed that a person who fixes bombs in his body is not going to be afraid of severe punishments if he has himself put in the danger of being dead. Thus, it follows that the simple way to control such criminal activities would be to carry out legislation that would reduce the gap between the have and have nots, to establish a just society with social, political and economic resources equally shared among the actors.

### **PERSONALITY AND CRIME -**

The concern about increases in criminal activities drew many scholars to develop theories of criminal psychology. Empirical studies focused a lot on genetics and individual differences and believed that habitual criminal conducts are products of genetic orientations of individual criminals. Study of prisoners review that criminals are affected by defects in their intelligence which is considered a hereditary



factor. Other studies believe and connect crime to emotional connections with parents and assert that parental deprivation which leads to emotional impact on a child is likely to persist the delinquency even in adulthood.

According to Hans Eysenck, crime is linked to the personality of an individual, a product of interaction between particular conditions in an environment a person has been exposed to. The common belief within this perspective is that criminals born with criminal minds are bound to be criminals as it is in their Genetic makeup reinforced with various interplays between physical and psychological conditions they encounter. This is referred to as Trait Theory.

However, how would one then explain individuals who rejoice in committing crimes? Is it a choice or a psychological conditioning? In Sigmund Freud's view, criminal activity is a residue of the most significant emotional attachments of our children. On this, the act of committing crime is based on three main Concepts the I & d, Ego and Super Ego. It is the part of a person that is considered the less developed one, but when exaggerated it may overshadow the super age section which controls the model judgment of an individual. If it happens, an individual's urge to seek pleasure is heightened, thus overlooking the need to observe other people's needs and demands. A combination of the three would control how we eat, sleep and our primary Instinct that guide our daily behaviour and conduct. A lot more theories have been developed to identify and give analysis to the factors which influence a

person to commit a crime including physical, psychological, emotional factors. Thus, clear presentation of an answer to the question "Does Criminal Mind Exist?': Not be followed as there are certain multilevel influence of factors that control human behaviour which apparently lead to criminal activities.

As a conclusion it can be opined that, while some researchers have argued that criminal mind does not exist it is apparent that the reasons put forward to justify the stand are less exhaustive. Also, such reasoning cannot exhaustedly explain why an individual would decide to kill himself or herself in suicide bombing or why in individual would find pleasure in mass shooting of innocent individuals, why a serial sexual offender would repeat the same and immediately after completing his term, why 12 years old would maim or even kill his playmates and see nothing wrong in it. Is noticeable that some criminal activities are even instigated while it is possible to state and justify the fact that even if a person is Provoked the inability to restrain from criminal activity would be linked to some social and psychological or rather genetic orientation. Criminal activities can be learnt and that one can always watch people in his environment aggressively and adopt the same. For Example, when a child beats anyone in the presence of much younger siblings without any express reasons, the later would develop Criminal mind through observation. To conclude, Criminal mind exists but with a series of multiple factors that may have developed over several years of social psychological and environmental orientation.



### FUTURE OF A.I. IN THE LEGAL PROFESSION

### • Mohsin Ahmed BA.LLB (H), 10th Semester

Artificial Intelligence, often abbreviated as AI, stands as one of the most transformative and fascinating technologies of our era. Its roots trace back to the mid-20th century when a group of visionary scientists and mathematicians dared to dream of machines that could mimic human intelligence. The concept of A.I. was first coined by John McCarthy in 1956 during a seminal workshop at Dartmouth College, marking the inception of this remarkable field. McCarthy, along with pioneers like Alan Turing, Marvin Minsky, and Herbert A. Simon, laid the foundational theories and algorithms that kick-started the A.I.'s evolution.

Over the decades, AI has grown from an academic pursuit to a practical reality, thanks to advancements in computing power, data availability, and algorithmic innovations. It now permeates various aspects of our lives, from virtual personal assistants to self-driving cars and healthcare diagnostics.

We have experienced several moments that have opened our eyes to technology's ability to fundamentally change how we access and



generate information. The internet marked one of those moments, helping us to imagine how easy it would soon be to find information and share it with the world. Google's search engine offered another inflexion point, revealing a markedly new and improved method for finding what we needed on the internet and navigating the online world.

In the legal field, Artificial Intelligence tools like ChatGPT may signify an even more crucial shift than the arrival of the internet. A significant part of lawyers' work takes the form of written words—in motions, briefs, complaints, responses, emails, memos and transactional documents of all kinds. Although existing technology has made the generation of these words easier in some respects, such as by allowing us to use templates and automated document assembly tools, these tools have changed most lawyers' work in relatively modest ways. AI tools like ChatGPT hold the promise of altering how we generate a much wider range of legal documents and information.

While AI can provide general information and guidance, it's important to understand the differences between legal advice provided by a lawyer and that provided by AI. Lawyers undergo extensive education and training to obtain their legal expertise. They have in-depth knowledge of the law, legal procedures, and case precedents. Their experience allows them to analyse complex situations, provide personalized advice, and navigate the intricacies of the legal system. On the other hand, AI relies on algorithms and data analysis to provide information. While AI can process vast amounts of legal data and provide general guidance, it lacks the human experience and judgment that lawyers possess.

Lawyers provide personalized advice based

on the specific circumstances of each client. They take into account individual needs, goals, and legal rights. This personalized approach helps clients understand their options, make informed decisions, and navigate legal complexities effectively. While AI, can offer general information and answer common legal questions. However, it cannot fully understand the unique distinctions of each case or provide personalized advice based on individual circumstances.

The law is not always black and white. It often requires interpretation and analysis of various factors, including case law, statutes, and regulations. Lawyers can apply legal principles to specific situations, taking into account the context and potential implications. AI, on the other hand, relies on programmed algorithms and data analysis. While it can provide general legal information, it may not always consider the full context or nuances of a particular situation.

Legal issues can be emotionally challenging, and lawyers are trained to provide support and guidance during these times. They can empathize with their clients, offer reassurance, and advocate on their behalf. AI lacks the emotional intelligence and empathy that a human lawyer can provide. While AI can provide information and guidance, it cannot offer the same level of emotional support or understanding.

While AI can be a valuable tool for accessing general legal information, it cannot replace the expertise, experience, and personalized guidance that a lawyer provides. When facing legal issues, it is crucial to consult with a qualified and practising Advocate who can provide professional advice, navigate complex legal systems, and offer the necessary support.

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### CHILDREN SHOULDN'T WORK IN FIELDS BUT ON DREAMS!

• Kasturi Chakravarty

BA LLB (Hons) 9th Semester

Is it fate or just another normal day of a child chosen by someone else's fate? A child should not be peeping through the tiny hole of rays piercing through the dungeon, rather it must be soaking all the goodness and tangerine of the yellow sun that shining bright outside for the world. There have been innumerable changes in the Indian legal system which has helped it change shoes and match steps with the new age India. Yet, this century old plight has still remained untouched and denied.

The plight of child labour is disastrous yet it is an undeniable and a never ending saga of today's society. From the young house help in the neighbourhood to the ones working in the bangle making factory at Firozabad, it pains my heart to see delicate hands getting wrinkled in the firm years. In my 12<sup>th</sup> grade, we had a lesson in our English Literature called "Lost Spring- Stories of stolen childhood". There we encountered 'Saheb'- the Rag-picker and 'Mukesh'- the worker in the glass factory. The incidents described by Anne Jung in that chapter is clear to cut out the bleak future of those children, but one thing that attracted the readers most was their never ending dreams and hopes.

It is definitely not their fault, rather, I feel, in a country like India; child labour has been one of the most significant by product of poverty. Despite hundreds of government schemes released over decades and millions of fund allocations, a major part still remain untouched and they are going through a plight which has put the future of even their next generation into dark.

Child as defined by the 'Child Labour (Prohibition and Regulation) Act, 1986 is a person who has not completed the age of fourteen years. The census of 2011 reveals a sad picture of the plight of child labour in the country. The total number of child labour in India amounts to 10.1 million, out of which 5.6 million are boys and 4.5 million are girls.

### CAUSES OF CHILD LABOUR

The vicious cycle of poverty drags most of the population of a developing nation into undesired employment of their children. It is a known fact that in India, where the poverty stricken population have no alternative other



than to employee their under aged children to raise the income of their low-income household. The inability of the poor parent's to pay for their children's education forces these innocents mind to get down to the harsh reality of life very soon.

With the Zamindari system which has been in rescue for the poverty stricken class since a very long time in India, the poor people go to these moneylenders in search of money and sometimes even mortgage their valuables. Later on with the stable income and increased interest it becomes difficult for them to repay. Thus this situation puts the parents into a dilemma and they are bound to add more hands into their income by making their children take part in various activities. In such case it is not a shock that some children are even sold for slavery. In India, there is a culture in some of the working spaces that it requires child labour. The example of Mukesh which I stated before is one such victim. It is mostly the bangle making factory where a child's hand is required to do intricate work and hence they are often employed for such dangerous work with glass.

It is pity on us as a society or the destiny of such a poor child that in some cases they are not left with any alternative as to what if not work? Unavailability of suitable alternatives as to affordable schools for education, have forced brilliant minds to blunt labour. Schools are either too far or too expensive to reach or the quality of education is often questionable by the parents and hence leaves no other options for the children then to work.

Illiteracy which has fuelled the economic and social incompetency of the backward class has added to the plight. No doubt

the government has devised a number of plans to eradicate poverty as well as it's by products such as child labour, but illiteracy has been acting as a drawback since forever. Most parents are unaware of the schemes and programmes of children's education. Hence these factors have fostered child labour for centuries now. On top of this the Zamindari system's feudal remains have destroyed the little ray of hope that might have grown in the minds of the children.

In a culturally rich country like India where traditions are all that some families behold, chances of child labour are more. In most household of the lower middle class strata, children follow the footsteps of their parents in case of choosing their profession. Hence they get involved with the business from a very young age.

One big problem of the under privileged class of India is that the education of a girl child is undervalued. They are often debarred from education as it is believed in many societies still that the ultimate fate of a girl child is a household chore. They considered as being weaker than boys and so are seen alongside their parents in households that are labourers.

Indian market is famous around the world for the availability of cheap labour and hence so in the homeland too the factory, businesses and small shop owners hire child labour out of this desire. They are employed to do as much work as an adult labourer in only a half payment.

### GOVERNMENT'S INTITIATIVE TO MITIGATE THE ISSUE OF CHILD LABOUR

Child labour in India has been a household practice since decades but probably the intensity was not known to the mainstream. But with the advancement of technology in the 20<sup>th</sup> century



the news of factory hazards and mis happenings came to forefront and hence a strong rule for the eradication of this mal practice was very much seemed required. The government thus framed legislations condemning and prohibiting child labour. The important legislations are as follows:

The Factories Act of 1948 : This act prohibits the employment of children below the age of 14 years in any factory. This legislation also provides rules stating proper guidelines for preadults aged 15-18 years employed in any factory.

The Mines Act of 1952 : This act straightforwardly bans the employment of children below 18 years of age in a mine. Mining is one of the most dangerous occupations and hence child labour is strictly prohibited in this case.

The Child Labour (Prohibition and Regulation) Act of 1986 : This act prohibits the employment of children under the age of 14 years in hazardous occupations as mentioned in the list which have been reiterated from time to time.

The Juvenile Justice (Care and Protection) of Children Act of 2000 : This act makes it punishable for anyone who tries to procure or employ a child in any hazardous employment or in bondage. Any person non-complying with the above mentioned acts, is punishable with imprisonment for a term mentioned in the act.

The Right of Children to Free and Compulsory Education Act of 2009 : This law is a game changer which has mandated free and compulsory education to all children aged 6 to 14 year. This law has also addressed a, revolutionary issue and made it compulsory for every private school to allocate 25% of its seat to the underprivileged group and physically challenged children.

INTERNATIONAL LEGAL FRAME-



### WORK ON CHILD LABOUR

The United Nations since its inception have worked for the upliftment of the downtrodden with the help of its organisations that it had formed. For maintaining international labour standards ILO or the International Labour Organisation is one of the primary organisations of the UN. ILO has been working to set international labour standards in the form of conventions and recommendations. They amount to 8 core conventions but the two most important are as follows:

- The Minimum Age Convention, 1973 (No. 138): This convention came into force in June 1976. It sets a minimum age for entering into work and employment and asks the nations to implement national strategies for the eradication of child labour. The minimum age according to this convention is set at 15. However this is subject to changes which may be made by the nations for a limited period of time and reduced to 14. The convention permits younger children (below the age of 15) to engage in light labour.
- Worst Forms of Child Labour Convention 1999 (No. 182) : This convention along with Recommendation No. 190 was adopted by the ILO in the 87<sup>th</sup> Session at Geneva in June 1999. This convention specifically states that, it would apply to child below the age of 18 years. Worst forms of labour for the purpose of this convention have been listed as follows - slavery and any kind of similar practices; the use and procuring of child for prostitution, production of pornography or for pornographic performances; the

use, procuring or offering of a child for illicit activities, in particular of production and trafficking of drugs; and work which by its nature or the circumstances in which it is carried out is likely to harm the health, safety or morals of the children.

It is not only the government or the social agencies that are responsible for the eradication of this mal practice but it must be the magic of the joint efforts of everyone. The organisations even if they are working in some other strata of social issue must give importance and spread awareness regarding the issue of child labour.

The association of child labour with poverty is evident and the policymakers must keep in mind to eradicate the widening gap between the wealthy and poor before devising any legislation.

The community awareness on the importance of education must be raised and then only the school enrolment will increase. The importance of education as a key to develop a child's cognitive, emotional as well as social shell must be taught to parents. We as a community at large have to adhere to guidelines which would largely make child labour intolerant.

As child labour has been a problem which have roots in the under developed or rather the unprivileged section of society which normally hails from the villages, it is significantly the work of the grass root level governance organisations such as the Gram Panchayats to work from the very base in spreading awareness about the ill effects of engaging ones children in child labour.

It is saddening to see how poverty has galloped the innocent minds of children stole their childhood and merged them with the inconveniences of the elder folks.



### AN ANALYSIS OF MICROFINANCE SECTOR AND ITS RELEVANCY IN INDIA

• Nimisha Sharma Finance & Accounts Officer, NEF

### **INTRODUCTION:**

Microfinance in today's world is a familiar term and an emerging sector in the Indian economy. Microfinance is a simple solution to eradicate poverty, unemployment and women empowerment targeting the lower income fraction of population on a larger base. Microfinance history can be traced back in the year 1976, founded by Mohammad Yunus in Bangladesh. Muhammad Yunus was an economist and also the founder of Grameen Bank (an institution which provided loans to poor without any collateral offering financial support). Prof. Yunus has dedicated most of his work life towards solving social issues and to find solutions to eradicate poverty. It was then when the actual term 'micro financing' was first used, during the development of Grameen Bank of Bangladesh. In 2006 Yunus Sir was awarded Nobel Peace Prize, US Presidential Medal of Freedom in 2009 and US Congressional Media in 2010 for his remarkable contribution toward poverty alleviation, self-employment and women empowerment.

### SCOPE OF MICROFINANCE:

Microfinance also termed as microcredit allows individual to avail loans on a reasonable rate of interest and in a hassle-free manner unlike other private fund lending institutions. Microfinance offers a broad range of financial services such as deposits, loans, payment services for the under privileged section of the society willing to be financially independent and without involving high amount of risk or security and also help them save from the clutches of the harsh moneylenders. It is an essential form of rural finance supporting women participation, diversified livelihood opportunities, increase income and savings and reduces financial stress and creating self-employment opportunities at large. They also offer social intermediation services such as training programs and skill development activities for the benefit of the people in need.

# GROWTH OF MICROFINANCE IN INDIA:

Microfinance in India has started to evolve in the early 1980s with an effort of



forming informal SHGs to provide access to financial services to the needy population. In the 70s Mrs. Ela Bhatt started Self -Employed Women's Association (SEWA) in Gujarat. She formed an urban co-operative bank with the main objective of offering banking services to unemployed women of unorganized sector in the state of Ahmedabad and Gujarat. SEWAs membership has grown at a steady pace across India bringing together poor, self-employed women working in different trades belonging to different castes and religions. In India MFIs operate through: (1) SHG - Bank (Self-Help Groups) linkage model (2) Microfinance institutions model (MFIs). (3) Regional Rural Banks (RRBs) and (4) Co-operatives. SHGs were bank led microfinance initiated by NABARD in 1992 with women in villages to form group of 10-20 members for a homogenous class of poor people which prompted savings among members and used these resources for meeting their credit needs. The vital feature of this model is that it consists of members belonging to same community and having same economic goal. NABARD (National Bank for Agriculture and Rural Development) was established as

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an apex rural development in 1982 through an Act of Parliament. MFI model in India exists in various forms societies registered under Society Registration Act, 1860; trusts registered under Indian Trust Act, 1882; non – banking financial companies registered under section 25 of the Companies Act, 1956 NBFCs registered with RBI. Microfinance institutions (MFIs) in India are regulated by the Reserve Bank of India (RBI). RBI has defined microfinance loan as a 'collateral free' loan granted to a household with an annual household income of up to Rs.3 Lacs. Previously, the urban household limit was Rs. 2 Lacs while the rural limit was Rs. 1.6 Lacs But, according to new rules all collateral free loans offered to low-income household are considered as microfinance loans. In 2022,

RBI has also allowed microfinance lenders to fix interest on loans with a rider that it should not be exorbitant for the borrowers. This framework for

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MFIs will help in strengthening microcredit and encouraging healthy competition in the country. One of the important features of microfinance it provided access for build capital without resorting to any kind of borrowing from either family or friends or anybody.

### MICROFINANCE & ITS RELEVANCY IN INDIA:

Microfinance is one the highest growth sector in India. Microfinance loans in the country grew nearly by 11% to Rs. 71,916 crores during the second quarter of the FY 2022-23. India's microfinance sector has recorded an overall portfolio growth of 21% during 2022-23, as per data from industry body SA-DHAN (Association of Community Development Financial Institutions). SA-DHAN has about 220 members working in all the states and union territories over 600 districts which includes both for profit and nonprofit MFIs, SHG promoting institutions, banks, rating agencies, capacity building institutions, etc. SA-DHAN is also recognized as a National Support Organization (NSO) by National Rural Livelihood Mission. As per the quarterly report of SA-DHAN, there has been an across-the-board growth among all kinds of microfinance players in FY23. In an article published by the 'Times of India, July 2023' it said that microfinance is a macro success in Tamil Nadu which is also the first state to recover from the state of pandemic and regularize its repayment. Collateral-free microcredit to low income individual or groups in Tamil Nadu is elevating the interests of many. It not only arrests the dependence on private money lenders but also provides access to higher loans from other institutions without any CIBIL score.

### CHALLENGES FACED MICROFINANCE:

MFIs in India have seen a significant development during the last two decades in terms of geographical penetration and outreach through their wide range of services and products credit delivery terms and lending processes thereby contributing to the Indian financial system. However, the high growth of MF industry has encountered serious setback due to adverse situation in the state of Andhra Pradesh (AP). The quantum of bank loans given to SHGs was the highest for Andhra Pradesh by the end of March 2013. The SHGs model was introduced and promoted by the state government and it ensured that people were familiar with the concept of microfinance and group liability but eventually due to significant increase in the number of loans and maximum number of SHGs in the state of AP. trouble started emerging in the year 2010. The state faced huge crisis which came to be known as 'Krishna Crisis' named after the district where it took place. This occurred when the AP government shut down almost 50 branches of two large MFIs functioning namely - Share and Spandana accusing that those organizations charge exorbitant rates of interest from the borrowers followed by abusive loan recovery practices. Reports of mistreatment practices by the recovery agents which led to suicides due to inability to repay the loans came to light. Even though on a later phase penalties and other restrictions were imposed like non issuing of multiple loans to existing borrowers, capping the limit of total interest charged on the clients MFIs this crisis had dwindled the confidence of the common population (clients



and investors) over MFIs. Subsequently, people ended up going back to the same lenders to meet their financial crisis. This also led RBI to introduce specific regulations in functioning of MFIs within the country. MFIs operating in India face challenges that prevent them from adopting financial innovations despite being beneficial for both lenders and borrowers. The constraints limit the incentives and abilities of MFIs to prioritize designing and implementing innovative financial products as published in an article by *India Development Review* the following could be identified:

### 1. Technological constraints

High default rates among MFI customers, where they fail to make payments for a long time, translate into poor financial health and risky business outcomes for the MFIs. Recent technology advancements in screening, record keeping, communication, and cashless repayment may help mitigate risk of customer default, and offer new opportunities for MFIs to provide contract innovation. However, there are at least two barriers that prevent MFIs from adopting such technologies.

First, for smaller MFIs in particular, developing and integrating these tools in their operations remains expensive given their relatively small customer base. Second, adopting these technologies may lead to a weakening of the in-person relationship between bankers and lenders, which can exacerbate free-riding behaviours.

### 2. Regulatory barriers

In March 2022, the Reserve Bank of India announced less stringent lending requirements for MFIs, which allowed these financial institutions to offer larger ticket-size loans and mortgage loans. However, insufficient collateral from customers prevents MFIs from extending these financial products, calling for the need to revise the regulation on collateral requirements among low-income borrowers. Additionally, the support and relief launched by the Government of India, such as the credit guarantee scheme, restructuring of loans, and short-term loans, helped micro entrepreneurs navigate the pandemic. Such schemes presented an opportunity to make repayment flexibility a standard feature of microfinance contracts. These schemes paused interest accumulation and repayments (moratorium), and enabled MFIs to keep appropriate lending rates without incurring losses.

#### 3. Customer demand

Micro and small entrepreneurs are increasingly interested in flexible contracts to meet their business needs. Recent evidence suggests that customers' demand for flexible loans can be as high as 30 percent. MFIs' close connections with its customer base are one of its main strengths. However, given

that customers are willing to opt for innovative products, and there is availability of such products, it is questionable whether MFIs will be able to retain their clients in the long run. To ensure high demand for their products, MFIs will have to make adequate marketing efforts and introduce protocols to explain the details of more complex products to a diverse customer base. One of the biggest challenges for the microfinance sector in the near future will be its ability to incorporate technological and financial innovations within its operations. A limited set of product and technology innovations have been introduced in the past, so their scalability is still under question. This is partly due to MFIs' lack of incentives because of regulation, technology, and market competition.

### WOMEN EMPOWERMENT:

Women empowerment is a core concept crucial for the progress of the society and the economy as a whole. It focuses on equipping women with the sufficient quantum of resources and providing opportunities to unleash their potentials to uplift their living standard. The term 'Women Empowerment' can be defined as the authority or the power offered to the women in ways of liberalization of the female population from the restrictions of the society as a whole. Women are known for delivering multiple roles effortlessly per day, and thus, they are considered the backbone of every society. The best part is that they fit perfectly in every role. Women empowerment is a fundamental notion to provide a shape towards economic and overall growth of any nation. To empower women effectively, focus on education, gender equality, economic opportunities, health care access, legal reforms



and supportive work environment has equal contribution, emphasizing on all these areas help towards prosperous future for all. The rise of female entrepreneurs is also captured in various industry reports. Though there are several factors affecting women empowerment such as gender discrimination, education, lack of capital and knowledge, lack of access to financial services etc.

MICROFINANCE AND WOMEN EMPOWERMENT:

When it comes to microfinance and women empowerment: Microfinance programs and schemes plays a significant role in building the economy. The number of women entrepreneurs has considerably increased over a period of time. It is with the help of MF that women are exposed to many opportunities ideas to utilize their skills and increase their income and savings thereof. Microfinance works effectively in empowering women by increasing their courage and selfesteem and helps avail the formation of different networks with those of other women in their community. It also improves their decisionmaking capability in their household. It helps them get economic gain in terms of higher consumption rates, good nutrition, asset accumulation, and also more enrolments in various schools. Many MFIs especially target female clients. Microfinance services led to women empowerment by positively influencing women's decision-making power and enhancing their overall socio –economic status. Since more than half of the population is women hence these institutions target females, also mostly women are popular as reliable borrowers compared to men as they have higher loan repayment rates. Women, on the other hand, get loans and invest



their money in various economic activities. It helps them get more income for their children. As per NASSCOM, India registered an uptick from 8% to 13% of women-led startups between 2014-19. Also, a recent survey said that the number of women-owned businesses in India increased by over 20% in the last five years which is higher than the growth of men-owned businesses (TOI).

### **CONCLUSION:**

Micro finance is necessary to overcome exploitation, create confidence for economic self-reliance of the rural poor, particularly among rural women who are mostly invisible in the social structure. Studies conducted at various levels show different conclusions. Rapid progress in SHG formation has now turned into an empowerment movement among women across the country. Economic empowerment results in women's ability to influence or make decision, increased self-confidence, better status and role in household etc. It can be summarized MF offers every way to make women independent through all sorts of customized services they provide with an aim to eradicate poverty, employment generation and assist the needy population in building self-confidence and socio-economic upliftment of the society as whole.



### CHILD SEXUAL ABUSE

Sultana Nessa LL.B. 5th Semester

Sexual abuse is an act of violence involving non-consensual sexual behavior or acts forced upon a woman, man, or child. It is perpetrated deliberately with the intention of controlling and humiliating the victim, rather than stemming from an uncontrollable sex drive. This form of abuse encompasses a range of actions, including unwanted touching, rape, sodomy, coerced nudity, and explicit sexual photographing. Child Sexual Abuse (CSA) specifically pertains to any act compelling or coercing a child into participating in sexual activities. Importantly, sexual abuse can occur without physical contact; actions that induce

sexual arousal in another person due to a child's

behavior or actions are also considered abusive. The World Health Organization (WHO) defines child sexual abuse as the exploitation of a child in a sexual act they do not fully comprehend, cannot consent to, and are not developmentally prepared for, resulting in severe physical or psychological harm.

In a society where children are regarded as the future architects and their well-being requires a nurturing and secure environment to safeguard their rights, it is distressing to note that approximately 40 million children aged zero to fourteen are currently experiencing abuse or

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neglect. The definition underscores the traumatic nature of child sexual abuse, as children may lack understanding, cannot provide consent, and are not developmentally equipped to cope with such situations. Child abuse, being a form of trauma, leads to significant impairments in a child's psychological, physical, mental, and emotional development. The enduring effects of abuse permeate throughout a child's life, damaging their sense of self, impacting future relationships, fostering trust issues, and influencing their ability to function at home, work, and school.

The issue of child sexual abuse is a distressing reality in Indian society. In a country where social and cultural norms carry significant weight, discussing sexual abuse remains a challenging topic, especially for parents addressing it with their children. Historically, child sexual abuse has been a concealed problem in India, often overlooked in public discourse. The prevalence of such crimes is widespread, serious, and has been persistently growing, particularly involving perpetrators known to the victims, such as neighbors, relatives, and family friends, with instances of abuse by strangers being relatively low. The fear of social stigma and concerns about family honor often hinder victims from reporting cases, prompting the government to enact various acts to address the issue. Despite these initiatives, many cases remain undisclosed due to a lack of awareness about the activities constituting child sexual abuse.

Child sexual abuse has emerged as a rapidly growing menace in contemporary India. The nation, home to one-third of the world's children, faces a grave situation where 11% of its children have experienced severe sexual abuse, and half have been subjected to some form of sexual abuse. The National Crime Record Bureau (NCRB) reported 1,49,404 cases of crimes against children in 2021, with 36.05% falling under the Protection of Children from Sexual Offences (POCSO) Act. Disturbingly, Sikkim has the highest rate of sexual offenses against children, followed by Kerala, Meghalaya, and Mizoram. The overall data indicated a 16.2% increase in child abuse cases in 2021, with 140 children raped and murdered, the majority of which occurred in Uttar Pradesh. Despite government efforts, the incidence of this heinous crime continues to escalate.

A recent report from the WeProtect Global Alliance, titled the Global Threat Assessment Report 2021, highlighted the exacerbation of child sexual exploitation and abuse online during the Covid-19 pandemic. The National Center for Missing and Exploited Children (NCMEC) reported a 106% increase in suspected child sexual exploitation cases to its global Cyber Tipline during the pandemic. Disturbingly, India witnessed a 90% surge in searches for child sexual abuse material during the Covid-19 lockdown. The isolation imposed by the pandemic provided perpetrators with increased access to children, who were compelled to use electronic devices for online classes. Moreover, limited support networks made it challenging for victims to seek help or escape. Shockingly, many perpetrators are identified as relatives, family members, or acquaintances.

In light of these alarming trends, it is evident that despite governmental efforts, the prevalence of child sexual abuse continues

to escalate, necessitating urgent and effective interventions. The surge in child sexual abuse (CSA) is a troubling phenomenon, affecting millions of girls and boys worldwide each year. Reports indicate that approximately 90% of children who experience forced sex or sexual abuse identify their initial perpetrator as someone known to them. In India, where social and cultural norms play a significant role, 80-85% of child rape cases involve infants and newborns. Researchers globally are actively investigating the reasons behind the escalating rates of CSA. Some studies suggest that the issue has persisted in India for a long time, with armed conflicts, natural disasters, and humanitarian emergencies making women and children particularly vulnerable to sexual violence. Harmful traditional practices, such as child marriage, caste-based discrimination, child labor, and Devdasi, have also contributed to making children susceptible to abuse. The records indicate a consistent rise in crimes against children, attributed to factors such as poverty, lack of sexual education, the presence of explicit materials, and even found in affluent communities. Victims often do not report assaults due to fear of public humiliation, shame, and societal prestige, especially when the perpetrator is a family member. The consequences of CSA are extensive, affecting victims both psychologically and mentally. Children, unaware that they are being wronged, exhibit signs such as fear, despair, suicide attempts, aggressiveness, defiance, and loss of self-confidence. Parents must remain vigilant and identify these indicators to protect their children.

The legal framework adopted by the Indian government includes provisions in the constitution, such as Articles 14, 15, 15(3), 19(1)



(a), 21, 21(A), 23, 24, 39(e), and 39(f), aimed at safeguarding the rights and well-being of all citizens, including children. The Protection of Children from Sexual Offences (POCSO) Act of 2012 specifically addresses sexual assault, harassment, pornography and involving children. Additional government initiatives, like the POCSO e-Box, National Commission for Protection of Child Rights (NCPR), Juvenile Justice Act, Integrated Child Protection Scheme, and Operation Smile, aim to enhance child protection. Despite these efforts, the prevalence of CSA remains pervasive in India. Initiatives, particularly after the enactment of the POCSO Act, have led to an increase in reported cases, but the stigma attached to these crimes continues to result in underreporting. Since 2001, there has been a steady rise in recorded incidents of sexual abuse. The Covid-19 lockdown in India revealed an alarming surge in CSA cases. Increased reporting may be attributed to greater public education and a more sensitive criminal justice response. The grim reality is that India, home to 430 million youngsters, witnesses one in every five children below the age of eighteen experiencing sexual abuse. Infants and newborns, even girls, fall victim to this inhumane act.

In conclusion, addressing the substantial problem of child sexual abuse in India requires innovative and comprehensive solutions. The government, researchers, and experts must think beyond conventional approaches, considering root causes and implementing effective actions. Worldwide, a collective effort is needed to prevent and respond to CSA, focusing on raising awareness, building empathy, and promoting healthy societal norms to protect children.

# **CRIES OF A WOMAN, THE FIRES OF HELL**

### • Shehnaz Ahmed BA 1st Semester, Sec A

My womanhood at stake, in an unsafe world. And on this earthly soil that we bury, their souls roam and their spirits roar.

Every woman's femininity at stake, burning us for sati and for being witches.

In the land of men and gods there are girls with their feathers chipped, trapped in a cage... voices in the air but never in deeds.

Men protecting us from men. Teaching us how to save ourselves from rape rather than teaching men not to try.

We weren't taught to learn. You say we aren't meant for books so you fought wars in a language we couldn't speak. Why? Were you afraid we'd take over because of all the logic you kept us away from. Because if we wanted to, we could. If all the women decided to, it'll be the end of humanity, it'll cease to exist.

God is not a woman but every woman is a God. And perhaps death is kinder than your hands in this world as a girl.

I tried to be a joyful feminist, as in Agnès Varda's words but I was angry too. There's no way one could be when every time you go out there's all these eyes all over you from across the street, all the four corners. Just a girl on the road regardless of her age, will have the dirty eyes from men regardless of their age too.

Sons of mothers, the wombs they were carried in, go on to destroy the same womb of yet another girl.

And you say it's enough. You say we're doing too much. You try convincing us we got what we wanted. But we'd stop when we're not treated as some alien object for pleasure. We'd stop when we're treated just like another gender alongside men. When every girl has the right to speak up, when they are seen in classrooms, when upon hearing about the birth of a girl child there are smiles across the room on the father's side, when the minds of the society are done suppressing women's rights, and there's no such thing as misogyny. We'd stop when it's equal. So before you tell us to stop fighting for our rights, try understanding what we want to achieve.

Because if we had the rights we wouldn't fight, if we had our voices heard the world would be a better place for us to be.



# FROM BENCH TO BOOKS : EMBRACING THE LEGACY OF MY RETIRED GRANDFATHER

• Piyush More BBA. LL.B 1st Sem, Sec A

In a twist of fate that seems almost poetic, my journey into the world of law has led me to walk in the footsteps of an extraordinary individual—my grandfather, a retired High Court Judge. As I embark on my own legal education in my first year, his life story unfolds as a guiding light, inspiring me to follow his legacy while forging my own path.

The tales of my grandfather's illustrious career as a judge are woven into the very fabric of my family's history. His courtroom prowess and deep-rooted commitment to justice have left an indelible mark on our lineage. However, it's his post-retirement life that has unveiled a new dimension of his character—one that serves as an invaluable lesson to a budding law student like me.

While he might have traded the judge's robes for the serenity of retired life, his enthusiasm for the law remains undiminished. With each anecdote he shares, he imparts not only legal wisdom but also the intangible virtues that make a great lawyer: integrity, empathy, and the unwavering pursuit of truth.

As a first-year law student, I find myself at

the cusp of a journey that holds both excitement and uncertainty. Yet, I draw strength from my grandfather's experiences. His transition from the bench to retirement exemplifies the importance of a lifelong commitment to learning. His shelves brimming with legal volumes stand as a testament to his ceaseless hunger for knowledge—a trait I am determined to emulate.

One can hardly overlook the camaraderie he has nurtured with his peers and juniors alike. His stories of legal discourse are intertwined with laughter, illustrating the significance of fostering relationships within the legal community. This invaluable lesson speaks volumes about the power of collaboration and mutual respect in the pursuit of justice.

Perhaps the most striking revelation from my grandfather's post-retirement life is his dedication to advocacy beyond the courtroom. His involvement in community service projects and pro bono work underscores the idea that a lawyer's duty goes beyond winning cases—it's about advocating for justice in all spheres of society.

As I juggle textbooks and case studies in



my first year, I am reminded that this journey isn't merely about acing exams; it's about embracing the essence of the law and applying it to shape a just society. My grandfather's life story underscores that the law isn't confined to statutes—it's a living entity that thrives through those who uphold its values.

In my pursuit of a legal education and eventually a legal career, I am blessed to have a living example of excellence within my own family. My grandfather's journey serves as a

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beacon of inspiration, reminding me that the law isn't just a profession; it's a lifelong commitment to justice, learning, and making a positive impact on the world.

As I continue my studies, I carry forward the torch lit by my grandfather—the retired High Court Judge—and with each step, I am committed to not only honouring his legacy but also contributing to the legacy of justice, integrity, and compassion that he so fervently represents.

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# FROM DESPAIR TO HOPE : STORY OF A CHILD FROM A WAR-TORN COUNTRY

#### • Ojaswi Gupta

BA.LLB (H), 10th semester, Sec. A

*"Wars are poor chisels for carving out peaceful tomorrows."* 

#### -Martin Luther King Jr

A young girl crouched with her family in a corner of their deteriorating house as bombs fell all around them in the Syrian village. As she heard the screams of her neighbours and the steady boom of explosions, she could not hold back her tears. The conflict has been going on for years, and it didn't look like it was going to finish any time soon. The young lady's name was Fatima, and she had no idea how many times she had been forced to sneak out of her house in the middle of the night, abandoning all of her belongings as well as the memories she had associated with them.

Fatima's parents were just human, therefore there was a limit to how much they could do to safeguard their children, which included Fatima and her sister. However, they did their best to protect both of their children. A bomb went off nearby, taking Fatima's father's life as he sat with the rest of Fatima's family in the bakery where they were eating. She held many happy recollections of her father and thought the days she spent with him were among the most memorable of her life. They mourned for two years, and by the end of that time, there was very little joy left in their life. However, they were given the impression by their mother that life may return to normal and that there is still hope in the world. She moved the children to a different location, which was much more secure. They decided to remain there for two years, during which time they were free to come and go as they pleased.

The civil conflict in Syria has been responsible for the deaths of thousands of people and the greatest population shift in the history of the human race. The Syrian people have been subjected to extensive damage and instability, and as a result, there is a sense of desperation among them along with a sense of exhaustion. The prevalent sentiment is that the majority of people are prepared to cling to whatever scrap of positivity or optimism that they can find. They want the bombardment and the air attacks to cease immediately because they are desperate for peace, security, and stability.

Fatima used to peep the war-like scenario through a small hole in her temporary shelter. The hole was a result of the shelling of the bombs and a faint white light popped through it. Even though she was only eight years old, she had already been through more suffering and agony than the rest of the world. She had given up on the idea that there



may be a better future, that there might be a life that was not filled with violence and strife. But despite the hopelessness that pervaded her environment, Fatima did not give up on her dreams. She was well aware that if she did not cling to the glimmer of optimism that was still flickering inside her, she would inevitably find herself in a condition of complete despondency. Therefore, she exerted the most effort possible to keep hold of it.

Fatima and her family (her sister, and her mother) were forced to evacuate once more one day following a particularly severe attack on their community. This time, they were unable to return home. They walked for many days straight, bringing nothing but a few modest necessities to support them. Fatima's mother entertained her by regaling her with tales of a distant place in which there was no conflict and the inhabitants enjoyed a life of tranquillity. Fatima thought it sounded more like a fairy tale, but she listened closely nevertheless in the hopes that she might one day be able to visit this location for herself.

They had been on the road for weeks before reaching their destination, which was a refugee camp on the border between Syria and Turkey. Even though it was a harsh and brutal location, at least they were protected from the violence by being there. Life in the camp was challenging for everyone, including Fatima's mother, who tried everything she could to provide for their children. There was not much food available, and there was neither power nor running water. Fatima and her sister spent their days huddling together in their little tent, doing their best to maintain their body heat and avoid getting wet.

Fatima's spirit remained unbroken despite the trying circumstances that she was subjected to. She was aware that she needed to keep her composure for the sake of her family, and she did all in her power to assist in any way that she could. She helped set up camp by fetching water, gathering firewood, and performing any other miscellaneous tasks that arose. Fatima matured with the passing of the years, becoming stronger as she did so. She became fluent in the language of the nation in which they were staying and made friends with other youngsters who were also housed in the camp. She even started attending school, where she was a brilliant student and quickly rose through the ranks. Fatima had been a bright and happy child from the beginning of her life, but the persistent violence and devastation had a negative impact on her outlook on life.

One day, a group of people who were willing to help the migrants arrived at the camp to offer their services. They were there to help the civilians who had been impacted by the fighting by distributing food and medical supplies to them. At first, Fatima was nervous, but she soon worked up the bravery to go up to them and introduce herself. They saw Fatima's potential and made an offer of financial assistance for her to attend a college or university in the United States.

Fatima's mother persuaded her to seize the chance although she had first shown some reluctance. She would have the opportunity to live a better life and to make a difference in the world if she took advantage of this opportunity. Therefore, it was with a sad heart that Fatima bid her goodbyes to her family and embarked on her journey to the United States. As Fatima stood on the steps of the University where she was about to begin her studies, she couldn't help but feel thankful for the generosity and support of the humanitarian workers who had assisted her along the road. Fatima was ready to begin her studies in a few days. She was aware that their kindness and charity had been the deciding factor in her life, and as a result, she decided to "pay it forward" by lending a hand to those who were struggling.

She got her degree after putting a lot of work into her studies. As a result of her habit of paying close attention in class, she rose to the top of her

class at the university and became the instructor's favourite student. She made some loyal friends. Fatima's determination and hard work paid off, and she was ultimately able to graduate with a degree in International Relations. Despite the difficulty of the transition, Fatima was successful. Following the passage of several years, Fatima ultimately assumed the role of a diplomat and returned to the region where she was born. She was determined to work toward creating peace in the nation that had brought her a great deal of sorrow in the past. She felt it was her duty to do so. She exerted an extraordinary amount of effort to mediate peace agreements and assist individuals who required assistance.

She initially began aiding people in need by working as a volunteer for a non-governmental organisation (NGO), whose aid workers aided in delivering products and creating programs to assist those in need of assistance. She began doing this so that she could begin assisting those in need. As a consequence of the work that she undertook alongside the other volunteers at the organisation, Fatima gained a fresh viewpoint about life. She realized that even amid such immense difficulties, it was within her power to make a positive impact in the world. Even in the midst of such a huge struggle, she started helping others who were suffering catastrophise of the war, and as a result, she became a role model for other young people who were housed in the same camp as her.

The circumstances in Fatima's homeland began to gradually improve as years passed. As the violence died down, those who had been forced to flee their homes were finally free to go back. Fatima's family



returned to their hometown and immediately began the process of starting over. Fatima, who is now a young lady, continued to work for the relief group, applying the lessons she learned as a child refugee to the cause of assisting those who are in need. She ventured to other places that had been ravaged by violence to convey assistance and encouragement to those who had suffered tremendous losses.

Fatima never lost her willpower or her sense of optimism, despite the many challenges she had to overcome. She was confident that if she puts in the effort and keeps going, she could do anything. She was confident and had the support of the biggest person and that is herself. Her adamant nature to not give up even in the most difficult of circumstances made way to her success of being a Graduate and proved that there is always a way.

The circumstances in Syria have gradually become less dire as time has passed. After the battle was over, efforts were made to start putting the country back together. The war is just like a savage beast who has a sword or a spear in its hand and always moves forward to create destruction. Fatima was relieved that her family was safe and have a roof to stay on. But she misses her father, as she lost her dearest one in the war and was now left only with his memories. The hardest thing for a child is to lose either one or both parents, and war snatched one of them from her. But her desire and hope to live a good life along with providing relief care to refugees kept her going and she hoped for a better future.

*"It doesn't make a damned bit of difference who wins the war to someone who's dead."* 

-Joseph Heller

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# INDIA AND MYANMAR: SIBLINGS WITH GARGANTUAN CONTRASTS; A COMPARATIVE CONSTITUTIONAL ANALYSIS

• Joy Aditya Phookan BA, L.L.B( H)10th Semester

India and Myanmar both were colonized by the British, both were British Colonies, born as a result of Post-World War 2, financial restraints that the United Kingdom was going through, and hence was unable to administer their overseas colonies. Both the Countries got Independence during the same time and from the same landmass. However, both the countries were destined for different faiths.

India became a part of the British Raj in 1858 through the Government of India Act 1858, and after the failures of the First War of Indian Independence in 1857; while Myanmar became a part of the British Raj way back in 1824 through the Yandaboo Treaty after the Burmese defeat in the Anglo-Burmese Wars, 1824-26. Hence both became British colonies in the 19th Century. Both Myanmar and India were administered as part of the British India from 1858 to 1935. However, with the passage of the Government of India Act, 1935, Myanmar (then Burma) became an estranged sibling-like, the one sibling who is lost in a 'MELA' as depicted in the Bollywood Films reconciling after ages.

After Independence, the founding fathers of both the Nations left no stone unturned to integrate the reluctant Princely states into the Dominion of India and the Dominion of Burma respectively. In case of India, the British had signed various Subsidiary alliances and treaties of suzerainties with the princely states which were automatically repudiated once the Indian Independence Act, 1947 was passed by the British Parliament. The Indian Independence Act categorically states that all the existing treaties (Subsidiary alliances treaties and Treaties of Paramountcy & Suzerainty) signed by the British with the princely states will be terminated with effect from 15th of August, 1947. The princely states were provided with the options to either join the Dominion of India or the Dominion of Pakistan or to remain Independent state. This very provision of allowing the princely states to remain Independent sowed the seeds of Balkanisation of India. Former Secretary of Govt. of India V. P. Menon even called the British attitude towards leaving India chaotic as the greatest 'disservice'. However great Realist

Statesmen of our country and the 1st Deputy Prime Minister & Home Minister of India Sardar Patel took it as an opportunity and tactfully used the Chanakya Neeti of Sham (political reconciliation), Dam (monetary Inducement), Danda (force) and Bhed (split) to integrate the 565 princely states which was the only way to ensure the integrity of India and prevent its Balkanisation. Sardar Patel with the help of Secretary V.P. Menon drafted the instrument of accession - a legal document which by signing it, the Princely states would accede to India and become an Integral Part of the Dominion of India.

On the other hand, in Burma the independence movement was led by General Aung San, the legendary father of the legendary Nobel Laureate Aung San Suu Kyi who led the resistance movement against the Japanese with the help of the British. He on the contrary was an idealist. He failed to recognise and understand the British, US and Chinese interests in Myanmar and their machinations to further their interests. He failed to recognise his opponents especially the members of Communist Party of Burma which was a Chinese asset in Burma. The British here too in Burma sowed the seeds of Balkanisation of Burma as it did not properly administer the Excluded and Partially Excluded areas. The Excluded and the Partially excluded areas were the creation of the British as envisaged under the Government of India Act, 1935 where certain contiguous areas of Nagaland bordering Myanmar were kept out of reach of the so-called Mainland Inhabitants of India and Myanmar, thus preventing full integration with India or Myanmar, resulting in the birth of series of Insurgencies in the North-East of India and



the Hills of Myanmar. After the Independence of Burma (Myanmar) when the question of integration of these hill areas, partially excluded and Excluded areas and especially the Shan princely states, The Karreneni princely States, the Kachins, the Karens the Chins and the other minorities, Aung Sang with the help of Shan Princes called a Conference called the "Panglong Conference" where the representatives from the Shans, Karens, Karreneni's and the Chins gathered in Panglong and signed the 'Panglong Agreement' where they agreed to be part of the Union of Burma for 10 years with the Union of Burma recognising their autonomy. The 'Panglong Agreement' also had an exclusive clause recognising the right to "Self-Determination" of these Ethnic Minorities meaning that after 10 years of signing the agreement these Ethnic Minorities will have the choice of remaining with or coming out of the Union and becoming Independent Entities. This Panglong Agreement was passed by the Constituent Assembly of Burma and as a result it became a law. The Agreement added fuel to the fire towards the decades old civil war which still engulfs the Country. In its final form, the 1947 Burmese Constitution recognised special arrangements for certain ethnic groups. The Shan State and Kachin States were created. Kawthoolei (Karen) Region was given provisional arrangement, in anticipation that a commission would consider the creation of a Karen State. Karenni State was also formed (although at the time it was anticipated this may merge with Karen State). The Constitution also established the Chin Division. There was a constitutional option of secession after 10 years for some of these groups, a provision that





generated significant controversy at that time. This one word "Self-Determination" changed the entire course of history of Myanmar.

Simultaneously, not far from Myanmar but far from the mainland of India, the germ of another Secessionist agreement was taking its shape in the region of Naga Hills (now Nagaland) in the form of the Naga-Akbar Hydari Accord also famously called the Nine Point Agreement. The 9 Point Agreement was signed between the then Governor of Assam, Sir Muhammad Saleh Akbar Hydari and the representatives of the Naga National Council at Kohima after 3 days of intense discussions deliberations and debates on 28th June, 1947. Sir Akbar Hyadari had genuine interests in resolving the issues and addressing the grievances of the NNC. He was truly hopeful that the representatives of the NNC will appreciate the intricacies and nuances of the Pluralistic Democratic system of India and will willingly accept to be part of the Union of India. Little did he knew that this accord would lay the groundwork for decade's long insurgency. The 9th point of the Akbar-Hydari accord was contentious as it indirectly granted the right to self-determination to the Nagas after 10 years of passage of the accord, even though the word was not categorically mentioned. But the fate and destiny of India was in safe hands as the Naga-Hydari Accord was not ratified by the Constituent Assembly of India. The Founding Fathers and the makers of the Constitution of India were highly far-sighted as they could see that if the 9th point agreement was ratified, it would definitely lead the "Balkanisation" of India where taking the example of Naga Hills, the remaining provinces and the princely states will demand

similar accords to be signed with them and the enormous efforts of Sardar Patel to integrate the princely states would go in vain. With the Constituent Assembly not ratifying the 9 point agreement, the Naga people under the banner of the Naga National Convention led by moderate leaders like T.Sakhrie, Imkonliba Ao and John Bosco Jasokie demanded a 16 point agreement which was a culmination of policy changes from previous 3 agreements akin to the 16 point agreement. This 16-point agreement ensured the statehood of Nagaland in 1963 under the Constitution of India, protection of Customary rights social, cultural, political, administrative, land, and judicial rights of the Naga people. This agreement acted as a transitional phase from Self-Determination to Statehood and later greater autonomy within the ambit of the Indian Constitution. This 16 point agreement was the precursor of Article 371 (a) of the Constitution of India which gave "special permanent status" to the state of Nagaland and gave permanent Constitutional sanction to the talking Points of the 16 point agreement, the Shillong Accord, 1975, the 1997 Ceasefire Agreement and the 2015 Naga Framework Agreement. On the other hand Burma went through years of civil wars, secessionist movements, turmoil, too weak leaders, Army dictatorships, tens and thousands of armed ethnic groups be it the Kachins, Chins, Karens, Karenni, Wa, Arakanese, Rohingyas etc, followed by 10 years of nascent controversial democracy with army veto and marked by controversial Rohingya episode which followed the return of army dictatorship and now the recent takeover of Chin areas by the resistant forces.

Meanwhile in India the secessionist groups

be it the Northeast Insurgent groups have come to the table for discussions and have signed historic peace accords; be it the historic Mizo accord, which led to the creation of the State of Mizoram and completely ended the Mizo insurgency is a model peace accord to resolve insurgent conflicts around the world. Assam Accords which led to the end of 6 year long agitation of student groups of Assam and ensured greater participation of local people of Assam in the administrative functions. The special status given to several states under Article 371 further ensures the spirit of Greater Autonomy of States within the Indian Constitution and cements the concept of Cooperative and Competitive Federalism. Articles 371 and 371-A provide "special provisions" for specific states, often to give representation to certain religious and social groups and to allow these groups to exercise autonomy over their affairs without interference from the state and central governments be it the likes of Nagaland, Assam, Gujarat, Maharashtra, Manipur, Sikkim, Arunachal Pradesh, Karnataka, Andhra Pradesh etc. The Sixth Schedule of the Indian Constitution further gives constitutional, administrative, judicial, cultural, social, economical, land rights and protection to the Autonomous Districts of the states of Meghalaya, Assam Tripura and Mizoram by creating Autonomous Districts. The schedule 5 of the Constitution of India provides for the creation of



Tribal Advisory Councils in the tribal areas of the states of Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana have Fifth Schedule Areas. Recently, the Ladakhi people have also started demanding for the Inclusion of Ladakh in the Schedule 6 list as well as in the article 371 list through Constitutional and legal means. The irony is that the Nagas on the Burma side have not yet fully integrated with the Myanmar civil society while on the other hand the Indian Nagas have actively participated in the Indian political and administrative system and also with the civil society.

The one word that changed the course of history of the two estranged siblings is "Realpolitik Statesmanship". The leaders of India right from the Constituent Assembly to the current dispensation kept National Interest along with the aspirations of the people of India at the top pedestal and worked relentlessly to achieve that. Whenever it was the issue of National Interest, political parties irrespective of differences and contrasting ideologies have come together to work for National Unity and Integrity. But in the case of Myanmar, right from the day of signing of the Panglong Agreement until now no single entity has achieved to unite the people of Myanmar. Hence to summarize in one line - A single word, idea, decision, action and ideology can change the course of a Nation.

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# **IS INSURANCE AN ALTERNATIVE TO SOCIAL SECURITY?**

### • Dr. Pankaj Choudhury Assistant Professor

Humans are social animals who live in a society. Relationships, friends & family are one of the basic needs of humans. Society also has a role to play in an individual's life, one of which is providing protection to an individual from various threats. If anything, bad happens to an individual then, family, friends, relatives and people around are there to support that individual or its family. This is the benefit of being a part of society which provides social security and this kind of social security is essential for any individual.

But due to increasing urbanisation and such a lifestyle where we even do not know our neighbours, we are we are losing social security. People around are just the spectators even in a situation when a person lose his life on which the entire family is dependent.

Life Insurance emerged as an alternative to this kind of social security which we used to get from our society and is a solution where society is just a spectator. Life Insurance is a financial product offered by various insurance companies which provide financial support on the event of loss of life of insured person to its family which makes it a must have financial product for any individual.

Insurance is the service which provides social security during insurance period on payment of a nominal premium annually or monthly, which is also known as the *term insurance plan*. In case of a term insurance plan premium is so nominal that a normal person between 20years to 30years can buy insurance of ₹50 lakhs for just ₹6,000 to ₹10,000 annual premium, i.e. around ₹900 p.m. or ₹30 per day. Insured person gets nothing in return at the expiry of the insurance period if during the insurance period nothing happened to the insured person.

But with *endowment insurance plan*, insurance is becoming more famous as an investment alternative which promises an amount as a sum assured at the expiry of the insurance period in addition to the risk covered for life. Endowment plan is a very cleverly developed financial product which is a hybrid of term insurance and fixed deposit, offers lowest

rate of return to the investors. Under endowment insurance plan large amount of money per month is paid as a premium against not very big amount of sum assured but promise to return the premium paid with some return at the expiry of the insurance.

Let's say Mr. X purchased an endowment insurance plan for a premium of ₹5000 p.m. for a 20-year period offering life risk cover of ₹25 lakhs and sum assured value of ₹20 lakhs which insured will get at the expiry of the insurance.

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Under endowment plan the insurance premium Mr. X has paid, has two elements, first is insurance element and second is investment element. Insurance companies allocate merely ₹300 to ₹400 out of Mr X's ₹5000 per month premium towards ₹25 lakhs risk cover term insurance plan and rest is investment for which IRR would be around 5 to 6% only, for a sum assured value of ₹20lacs. A better alternative of this endowment plan is to buy a term insurance plan separately which will require only ₹300 to ₹900 per month for a life risk cover of ₹25 lakhs to



60 lakhs and rest out of ₹5000 should be invested in the Recurring Deposit (RD), SIP (Systematic Investment Plan) of Mutual Funds or any other investment dedicated alternative offering higher rate of return.

Though insured gets nothing in return at the expiry of the insurance period if during the insurance period nothing happens to the insured. This gives some people an excuse that their money would be wasted if nothing happened during insurance period and they will get nothing at the end for their hard-earned money.

I want to remind them that insurance is a very important service which we get in return of our premium paid which is intangible in nature exactly like we pay for expensive tickets of movie theatres for watching movies and come back home with nothing in hand but just entertainment in our mind. In exactly the same way by paying a nominal amount as an insurance premium we are buying peace of mind about financial safety of their family, which family will get from insurance company, which is an important element in insurance services. So, we can say that insurance serves as an alternative to social security and it should be used as a service and not as an investment.

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### **LEGISLATION OF ABORTION: HATS YOUR STANCE?**

• Stuti Pradhan B.A.LLB 3rd Sem, Sec B

"Abortion is murder." "Abortion will increase cases of female foeticide in India" "Abortion gives another chance to women" "Abortion saved lives of millions of women and girls." Abortion this, abortion that, but do we all actually understand the complexity of abortion? Is it a mere murder disguised as a help or there is more to that? Let's try to understand whether abortion is actually needed in our society or are people simply using it as a free pass to do whatever they please without having the fear of any repercussions?

Abortion, a word we frequently hear in our society. Some view it as a life saver whereas, some as life taker. Abortion is the expulsion of a foetus from the uterus before it has reached the stage of viability. The procedure can be done in two different ways which are:

1. Medical abortion also known as abortion with pills.

2. Procedural abortion also known as surgical method.

The topic of abortion still remains a hot topic globally, but what is the stance of India in

it? India before 1971 had criminalised abortion under sec 312 of the Indian Penal Code. It was a punishable offence and whoever voluntarily caused a woman with child to miscarriage, faced 3 years of imprisonment and/or fine. The woman availing of the service facing 7 years of imprisonment and/or fine, With the exception where abortion was carried out to save the life of the woman. It was in the year 1960s where Indian government initiated to bring about changes in the abortion laws in the country for which a special committee was initiated led by Shantilal Shah. The recommendations of this committee were later passed as Medical Termination of Pregnancy Act in the year 1971. In the year 2021 an amendment was made with regards to the said act, where the Supreme Court of India dropped the married clause, meaning now even the unmarried women can seek safe and legal abortions in the country. The gestation period too was increased from 12-20 weeks to 24 weeks. A conservative country like India coming up with such progressive laws was a remarkable achievement in itself.

However, the question that arises here is that just because something is legally correct, is it morally, correct? What are some stigmas related to abortion and why are some countries totally against it? And a conservative country like India seems to have come up with more progressive laws than the other well-known developed countries.

Many countries have gone through a lot of struggles for abortion rights to be recognised as a part of women's bodily autonomy and is still an ongoing struggle in many others. The debate over whether abortion should be a legal option or not has divided the people around the world in two groups, pro-choice and pro- life.

Having an abortion is a highly personal decision to a woman. A woman can seek abortion on various grounds and under various circumstances. A woman may have to opt for abortion due to health issues, the pregnancy may be life threatening to her or she may not be fit mentally and not be ready to have a child. Raising a child is not like raising kittens and puppies, humans are highly sensitive and emotional being. A quality life must be ensured to a kid where they get to emotionally bond with their parents. With the growing mental health awareness, we all are very well aware of the fact that how our childhood and relationship with our parents shapes us into who we become as an adult so having parents who are emotionally stable to raise a kid is extremely necessary.

Teenage pregnancies are not something unheard of. Lack of sex education or failure of contraceptive devices could lead to unwanted pregnancies where the woman or both the parties may feel overwhelmed and unfit to raise a kid. Financially strained teenagers may want to



opt for abortions. In many unmarried cases we see men running away from the responsibility of being a father and leaving the pregnant woman behind, in such cases to the woman may want to opt for abortions. Cases of rape are infamously common in the whole wide world and in some countries where the abortion rights are denied the women are forced to give birth to the child which was a result of such heinous act. Some women regardless of the law opts for under the table surgeries which are highly dangerous and can be life threatening to the women. Since they are denied safe and legal abortions many women lose their life during such surgeries since they are extremely desperate. When a man or the society forces a woman to give birth completely disregarding her stance it could highly affect a woman's mental health cause in the end its her who has to bear all the physical pain and also deal with postpartum depression. In some cases, the foetal health may be concerning which could be a genetic disorder or simply has a concerning health developed due to medications that harm foetal development so for the benefit of the foetus itself people opt for abortion.

Moreover, how do we define murder? Killing a foetus with an entire life ahead is justified? It hasn't even opened its eyes yet and people around it already wants to get rid of it. Why will an innocent have to pay for the complexities of adults' life or their negligence. Abortions would give men more freedom to run away from their responsibilities. How can we decide which life is more important, the mother's or the children? It would also make society more of an unethical place to live with normalisation of teenage pregnancies. Where are we even drawing



the line for murder? Is it okay for a woman with ambitions, dreams, hope to choose her life over a foetus with no sense? We cannot deny the existence of pre-marital affairs in our presentday society specifically amongst the teenagers, but can we let them pay such a high price and force them to give up on their entire life, their dreams and ambitions because of one mistake.

If all killings are wrong then why are

wars and self-

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defence justified, and not an abortion. If we were to consider social norms every time we tried to make new progressive laws, maybe sati and dowry would still not be criminalised in our society. Whether we want to accept it or not but not giving women full autonomy of their own body's roots from the deep-rooted patriarchy that still exists in our society. As stated by the chief justice of India, justice D.Y Chandrachud in his recent judgment on Medical Termination of Pregnancy (Amendment) Act,2021 "The law shouldn't decide the beneficiaries of a statute based on narrow patriarchal principles about constitutes permissible sex". So, what are your

Kriti Goenka, B.A. LL.B. 1st Sem.

views on it?

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### **MY BIRTH RIGHTS ARE NOT YET MINE**

• Akansha Sharma B.A.LL.B. 9th Semester

My life seems quite simple and reserved. But when it comes to being practical, it probably seems all dead. It isn't that I was born with qualities as such, but sometimes the plans God has for you can be completely exceptional and uncertain. People might think me to be antisocial, but they never have the willingness to know my part of the story. This is exactly what life is; people are so obsessed with making their own lives perfect that they would not want to lend a helping hand to the neediest of needy, with whose slightest help one could reach the destination he or she had been aiming for since forever.

I enjoy learning so much that in this closed space with just a window, my dog, Jojo, and a few of the books which I own are my only companions. My cousin, Tavishi, who is 16 years of age, probably about almost 8 years older than me, sometimes teaches me things which she learns in her school. Uncle and aunt don't like me; hence I'm always in this room full of darkness





with just a little ray of sunlight. Sometimes when guests arrive at our place, they even treat me like I'm a servant at their place. The only thing I wish for is probably if I could go to school like Tavishi does.

But my life completely changed on that one night of Christmas when my parents and I went out to dinner. It was a very melodious evening, and the city seemed all lightened up. After having dinner, we decided to return back home and sit around the bonfire and play a few games. We got into the car; my dad was driving the car, and my mom sat beside him. I was sitting at the back seat of the car, all happy and joyous about the festival, until a very whacking sound entered my ears. I was all shaken at the moment. I felt nervous, shivering with fear, and probably did not want to know what just happened. I kept sitting in the car until I could hear a few sirens continuously and some officers lending me a hand to get out of the car and stand in a corner. All I could see is my father's head rested on the steering wheel of the car, and my mom reclined on the window pane. My mom's eyes seemed wide open with a few hairs on her face. She looked beautiful. The window pane turned red with blood.

Some ambulances arrived at the location. My parents were taken out of the car and laid on a stretcher. This was the time I finally realized it was something very serious. I couldn't resist and rushed to them. I was sobbing with grief because I wasn't able to understand what exactly happened. I could see the left side of my mom's face filled with blood. My dad's face wasn't almost visible. I could see some deep injuries on his face. The police officer held me hard and asked me to get into the ambulance. Both my mom and dad were lying beside me. On the way to the hospital, all I was doing was chanting prayers to God for their well-being.

Finally, when we reached the hospital, I was made to sit on a bench. I didn't wish to talk at the moment. I was having no thoughts in my mind. I was numb, wanted to cry my heart out but didn't know whose shoulder I should exactly lean on. Suddenly, a very old man sat beside me, patted my head very softly. I looked up to him with eyes of sorrow. The man probably understood my emotions. I don't know, but I felt some cordiality in his eyes.

The old man asked, "So, what do your parents do?"

"My mom is a professor at The Edmund's University, and my dad is an Honorable Judge in the Court," I said.

With some curiosity, he turned towards me and asked, "Who are you closest to in your family, other than your parents?"

I replied, "My grandma was the kindest and the sweetest lady in our family. The affection we shared is probably the most important thing I miss in my life ever since she passed away. We also have a cook at our home. She takes care of me when momma-papa aren't around. I really admire the hard work she does for all of us. Currently, Jojo, my dog, is the one I spend most of my time with. We play around the house, run, sleep, and sometimes even bathe together. Mom says that I can find grandma in Jojo. During vacations, we even go to my uncle and aunt who are like a family to us. They treat us well. Tavishi, my cousin, teaches me new adventures and we enjoy a lot."

Just then, I saw uncle and aunt rushing into

the hospital. Seeing them, I became restless, held my aunt tight from her legs, and started sobbing. For the first time ever since I have known them, I felt some change in their behavior. She kind of pushed me backward and went to talk to the doctor. I couldn't understand anything they were talking about, but all I hoped was let my parents be all good.

Aunt came to me and said, "Your parents are no more. You lost them in the accident. And guess what? You, as a burden, have been left to us on our soul."

Maybe she wanted to continue more, but the grief my heart felt at that very moment was not bearable. I ran into the bathroom and cried for more than an hour. After some time, when I came out, the only thing I desired was to see my mom and dad. I asked one of the nurses whether I could go inside the ward where my parents were. She allowed me in. Both of them had a lot of band-aids on their body. My dad was even put on with an oxygen mask. Between the two beds on which they were lying, I stood silently, all shivering. I couldn't withstand and broke into tears with the fear of seeing them for that one last time and never seeing them again. I longed for only if my parents could lift me up again.

I wiped my face and came out and saw the old man still sitting on the bench and reading a newspaper. I sat beside him because I didn't want to sit with my uncle and aunt.

The old man kept the newspaper aside and inquired, "So, didn't your parents survive?"

My eyes filled with tears, having no strength to reply, kept myself numb.

"All that you are going through is all that God has chosen for you. If he has decided to give



you a life without your parents, he would have even decided to provide you a helping hand of his in any means. Just like we offer the most beautiful flower in our garden to God, in the same way possibly he is having the most beautiful parents in his arms today. Also, what you are going through cannot be thought about by anybody, my dear, because it is something very personal and beyond words and imagination. All I want to convey is that the love your parents shared was nothing less than the supreme happiness of even dying together at the same time. The two have become eternal," the man explained.

The old man's words worked as therapy for me that day. Today it has been completely 3 months since the day I lost my parents and am living with my uncle and aunt. I don't go to school, the place I loved the most. I'm always asked to clean the house, wash utensils, clean the garden, and do other stuff for them. My dad, since the day I started going to school, used to share his experiences from the courtroom. He used to build the cases into stories and teach me the wrongs and rights of life. So by now, I knew all that was happening with me was wrong. But the only knowledge I lacked was who I should tell about it.

I remember, at a certain evening, my dad was explaining to me about something called "Human Rights Violation." I was sure that he told me it is the basic fundamental right one has, and nobody could be denied the right to move freely, express themselves, have clear thoughts and opinions, and live with liberty. He even told me that The Universal Declaration of Human Rights, 1948 protects them and grants us our rights. The only question that strikes my mind is that if we do have such rights, then why am



I being kept inside the cage of my aunt's house? Is this right not given to us kids? Or when one doesn't have parents, do they not have rights as well? At times, I feel so much exhausted.

My mom has always taught me to be kind towards others and lend a helping hand to anybody who is in need. But how is this a help to somebody where only I'm the one who has to do the household work day in and out, and what all others do is either on the couch, watch TV, or do parties? Sometimes Tavishi tries to help me out since she feels bad for me, but just when aunt sees it, she starts scolding her and takes her away. If Tavishi isn't allowed to work, then why am I forcefully made to do so? I cry in corners in my room remembering the life mom and dad gave me, but all I'm left with is nothing.

Once, when I went to a restaurant with my parents, my dad saw a child of about 7-8 years working there, cleaning the tables and taking away the unclean dishes. Straight away, my dad waved a hand to him and called him near us. He made him sit with us and have lunch. He even asked him why he wasn't going to school. The boy, in order to help his parents, worked in the restaurant. He went to the hotel manager and had a talk with them. I don't know what it was all about, but on our way back home, he told me how among every 10 children, 1 child works in the same way as this boy was doing. It may be due to any minute reason, but the only thing was that it was completely illegal. The Child Labour Prohibition and Regulation prohibited the engagement of children up to 14 years in certain hazardous occupations and processes. The Government enacted the Child Labour Prohibition and Regulation Amendment Act in 2016 covering complete prohibition on employment of children below 14 years in all occupations and processes. If what dad said was true, does that apply only to children working outside their homes? Is there no law that could bring me out of the darkness I'm living in?

Tavishi says that she has learned in her school that The Right to Education Act, 2009 provides free and compulsory education to all children in the age group of six to fourteen years. It is a basic human right. Then why are my rights being violated? Just when I sit with my books around, either uncle or aunt would come up with some work.

Sometimes when I don't work for them, when I'm very tired, or sick, they would drag me and force me to do it. At times, I'm not even provided with a proper meal. Is that all what God has decided for me? If books say, cruelty to children is prohibited under Section 23 of the Juvenile Justice Care and Protection of Children Act, 2000, then where do I have access to such rights?

When I look outside the window of my room, I see children playing around treating me like some alien in their world. Few women even gossip about my life filled with sorrow. Some even laugh at the misery I'm living in. None of them wishes to just ask me for once and pull me out of this trap.

The only thing that stays in my mind each day are the words of the old man I met in the hospital, "All that you are going through is all what God has chosen for you. If he has decided to give you a life without your parents, he would have even decided to provide a helping hand of his in any means."

Probably one day, even I will be out of this web and live the life my parents planned for me.



### **MYSTERIES OF KUNDANBAGH : HAUNTED HOUSE TALES**

• Banani Adhikari Assistant professor of Law

Believing in God without tangible proof often leads to discussions about the existence of ghosts and supernatural phenomena. Such debates arise especially when delving into mysterious events, captivating some and leaving

others disinterested. One such chilling tale surrounds the Kundanbagh Haunted House in Hyderabad, making it a noteworthy haunted location in the city of Nizams.

In 2002, the Kundanbagh House gained notoriety, and to this day, it remains off-limits. While entry is restricted, the adjacent road witnesses' regular traffic, including garbage trucks stationed near the gate. Come evening, the street takes on an eerie atmosphere, appearing deserted and peculiar.

# The Unsolved Mystery of Kundanbagh Haunted House:

Once inhabited by a family of four – a mother, father, and two daughters – the Kundanbagh House took a dark turn. The father mysteriously vanished one day, never to return, leaving the fate of the family shrouded in uncertainty. Neighbours recall the mother and daughters engaging in peculiar behavior, with unsettling tales circulating.





Rumours suggest the daughters played outside with a bottle filled with blood, contributing to the eerie atmosphere surrounding the house. Reports emerged of strange sounds emanating from within the dwelling.

The story took a macabre twist when a thief entered the house, discovering three lifeless bodies. Upon arrest, the thief disclosed the grim find to the police. Astonishingly, the post-mortem report indicated that the deceased had been in that state for nearly six months. The mystery deepened as neighbors pondered the strange activities of the girls and the haunting songs sung by the lady of the house. In 2002, the news captured public attention, leading to the subsequent closure and abandonment of Kundanbagh House, now devoid of electricity.

Despite its locked doors, an unexplained light on the first floor emerges every night, adding an extra layer of intrigue to the enigma. No one knows the source, and entry is strictly prohibited.

Diverse Perspectives on Kundanbagh:

The narrative surrounding Kundanbagh

Haunted House remains a subject of heated debate. Some argue that the story was fabricated to dissuade potential buyers, asserting there is no paranormal activity. However, others claim to have encountered inexplicable incidents, contributing to the house's haunted reputation. An eyewitness described a bizarre incident involving a sudden malfunction of bike headlights near the Kundanbagh House gate, leading to a collision.

Despite conflicting views, curiosity persists, prompting occasional attempts to explore the property. Authorities, including the police, now monitor the area closely, deterring any unauthorized access.

Whether a mere property dispute or a genuinely haunted abode, the Kundanbagh Estate's mystique endures. The deserted house, surrounded by silence, overgrown trees, a looming gate, and a dimly lit street, maintains an air of mystery, solidifying its status as one of India's top haunted destinations.

The unsolved riddle of Kundanbagh House continues to captivate minds, leaving a haunting legacy in its wake.



# PERFECTION IN BEAUTY - THE CRAZE AROUND BEAUTY STANDARDS, POPULARITY AND BEING PERFECT

• Akansha Sharma B.A.LL.B. 9th Semester

In this world full of people with different backgrounds, ethnicities, cultures, etc., people tend to form quick opinions about others. This is how people create beauty standards. Usually, individuals find a person attractive when the other person behaves like someone they know or have a sense of familiarity with. However, this is not always a fact when it comes to looks. People may prefer someone different from their race or ethnicity based on looks.

Nonetheless, we are still, in some way, forced to follow the beauty standards of our respective countries. Beauty standards are fine when they are not forced onto anyone. When it is forced onto someone, it becomes toxic and makes the other person insecure, making them feel like they are not good enough for themselves. This is a huge problem in today's world as people on social media see other models with the so-called "perfect body" or the "perfect skin tone." For example, people in a certain part of the world have different preferences based on the stature and ethnicity of a particular person. This may be the exact opposite for

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of the world. Due to invasions and colonization's, people started developing superiority complexes. When the African community invented a music genre called 'hip-hop,' it led to a brand-new culture, and soon people from all over the world developed an affinity for it.

This way, people also start chasing perfection and popularity, so much to the point that people begin joining cults that promise them fame and riches. People also start asking fortune tellers or praying to God in the hope of being famous and rich. Nonetheless, we should start spreading body positivity on social media, banners, and wherever possible. We should protest to ban brands that sell "beauty products" that are harmful to us (most fairness and whitening products contain harmful chemicals that can also cause skin cancer), along with advertisements that make someone insecure.

Every morning, we should look at ourselves and say positive things, focusing on the good things about ourselves, and stop comparing ourselves to others as we are all unique. Share your insecurities with someone you trust and love; you can even share them on the internet to make people aware of how toxic beauty standards are becoming.

No matter who you are, where you are from, your caste, ethnicity, your religion, etc., love yourself.



# SOCIAL ENTREPRENEURSHIP : CHALLENGES AND OPPORTUNITIES IN ASSAM

• Rabbul Sharif Assistant Professor

The development of a specific region is depending on the commercial activities of the region. Nobody can deny the contribution of an entrepreneur in process of nation building. Entrepreneurship is that the process through which finding new ways to combining resources.

Entrepreneurs are innovative, largely motivated and demanding thinkers, when these attributes are joined together to interrupt a social problems, a social entrepreneur is born. India being a developing nation provides an enormous opportunity for social entrepreneurs. A social entrepreneur identifies practical solutions to social problems. There is an increasing number of Governments listening to entrepreneurship policy and are subsequently implementing strategies so as to reinforce the extent of entrepreneurial activity in their nations (Minniti, 2008). Assam, having an unequal society linked to numerous social problems, all of this cost huge burden to the society both in terms of the economic and also the quality of life of the people of Assam.

### Who are a Social Entrepreneurs?

Social entrepreneur is a person or an individual who explores business opportunities that have positive impact on his community, in society or in the world as well. For example Mohammad Younus of Bangladesh who start the initiative of micro finance among the rural peoples of Bangladesh through Gramin Bank. Social entrepreneurship is the process by which an individual, start- ups and entrepreneurs finds and develop the solutions that directly address





the social issues.

In India, social entrepreneur can be defined as a person, who can be the founder, co-founder or a top position Officer (may be chairman, clerk, treasurer, principal administrative officer, or president) of a social enterprise, or a Non-Profit, which generates finances services like fund caregiving events and community conditioning and sometimes products. Now days various non-profits and non-governmental associations, foundations, governments, and also an existent can play a part to establish, promote, fund, and advise social entrepreneurs around the world.

# Opportunities of Social Entrepreneurship in Assam

Social entrepreneurship could be a fast growing and a worldwide movement. The boundary of social services is now not limited to activism. Now a day there is a wide scope and opportunities for entrepreneurship in child welfare, education, community policing, healthcare, consultancy etc.

Waste Management: In Assam, particularly in Guwahati city solid and liquid waste management is undoubtly the corner stone for clean state. Hence it is clearly a spotlight area for social entrepreneurship.

Water management: Water is one amongst the important elements of life. Scarcity of good drinking water is common problems among the people of Assam particularly in urban areas like Guwahati, Dibrugarh etc. In Guwahati particularly accessing clean water is that the biggest achievement of the people. Hence the entrepreneur can look in to this area and find out the best possible solutions with their entrepreneurial skills. **Green Infrastructure:** Green infrastructure is a very important element in providing and connecting life support systems for urban environment. It includes parks and reserves, gardens, waterways and wetland, street and transport corridors, roof gardens and living walls etc. This space provides huge opportunity for the entrepreneurs of Assam.

Agricultural sector: The main source of livelihood of the people of Assam is Agriculture and its allied activities. The economy of the state is mainly based on the agricultural sectors. The people of Assam still use the traditional method of farming. Organic farming, value chain management, input and product management and agri-decision support system are the some opportunities of the agri-socio entrepreneurship in Assam.

Educational coaching institute: Students of Assam after completing their basic education go to the other states to avail coaching for competing competitive exams and for securing their seats in various filed like IIT, IIM, JEE, NEET etc. when Assam itself will provide good quality coaching to the needy students it will attract a large number of students from the every parts of Assam moreover from the rest of the states. Among the students of Assam and northeast, it is seen that there is a high aspiration to crack competitive exams like SSC RBI, Railway etc. people of this states has also a high inspiration to get themselves in the administrative field and to become a part of the administration of the country. The budget of Assam also set a substantial amount for education. Social entrepreneur can take this chance and might start their social entrepreneurship activities.

Health and pharmaceutical: This is one of the best sectors where social entrepreneur can begin their entrepreneurship. It is believed that "it is the health that is real wealth and not pieces of Gold and Silver". The Covid-19 outbreak has made most of the people of Assam to focus on their health. In fact many started taking good care of their health. Many start-ups are challenging the traditional business and also produced some successful entrepreneurs but it can be said that this sector has not touched its full potential. Social entrepreneurs can take it as a decent choice to touch.

# Challenges of Social Entrepreneurship in Assam

When social entrepreneurs endeavor to create a social change, they confront with various constraints. Social entrepreneurship is facing following challenges:

Lack of finance: for any activity finance is that the key factor. Finance is the life blood for the business activities. Entering into a new market a venture requires huge amount of funds to establish their business enterprises. For a non-profit organization it is quite difficult to pay a handsome salary to their employees and raise funds at high rate of interest from the local money lender.

**Social and cultural effect:** In Assam, the social and cultural perception of social entrepreneurship can act as a constraint for social entrepreneur in running their venture. Various social ventures was worked on the people about water causes diseases and the way they will be cured but still people were unaware



about how and why these organization provides purified water at such a low cost. This attitude shows the poor knowledge of the local people in distinguishing a social business from a standard profit oriented business.

Lack of skilled manpower: Social enterprises needs competent volunteers, labours and community participants for smooth functioning and to attain their future growth motives. But social enterprises needs training and development programme to those people as they are employ from the underprivileged sector or community of the society.

Lack of governmental support: The social entrepreneurs of Assam encountered the matter of tax burden, complicated regulations, etc. The government does not provide enough opportunity to determine their venture.

### Conclusions

Social entrepreneurship can change the business environment of the society in Assam and India as well. Social entrepreneurs are born to revolutionize the business environment. Their long run motive is to earn profit as well as social welfare. The boundary of social entrepreneurship is limited to only social activities; it also covered the education, consultancy, community service, healthcare etc. social entrepreneurship is a process geared towards business development with a greater social responsibility. The social entrepreneurs are encountered various problems in Assam in their business operations. Proper government policy, self-regulation, public private partnership can help in overcoming this obstacles.





# THE LIGHTER SIDE OF LAW : FUN MOMENTS IN INDIAN TORT LAW

Samudra Shaan Kashyap

B.Com LLB 6th Sem

Indian tort law might seem like a world filled with serious legal jargon and intense courtroom battles. But hidden beneath those heavy law books and dramatic trials, there's a lighter side filled with captivating cases and amusing legal quirks. Let's take a light-hearted journey through some of the fun moments in Indian tort law that remind us that even serious matters can sometimes bring a smile to our faces.

### 1. The Infamous "Samosa" Case:

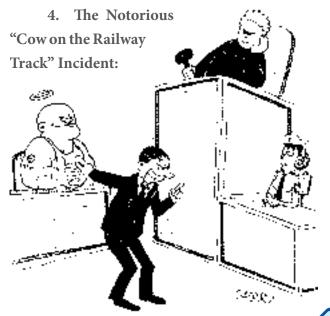
In a case that became famous for its unusual culinary twist, a man once sued a well-known sweet shop in Delhi. His complaint? He claimed they served him a samosa with a nun expected to fill a lizard! While this case highlighted food safety issues, it also added a touch of humour as the court pondered the intricacies of samosa preparation.

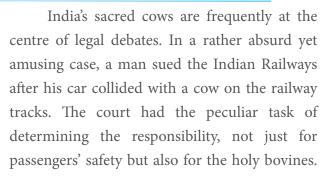
### 2. The Case of the Falling Coconuts:

In regions with abundant coconut trees, what happens when a coconut falls and causes an injury? It turns into a legal dispute! This common occurrence led to various cases where property owners were held responsible for damage caused by falling coconuts. The legal debates often took amusing turns, discussing nature's unexpected hazards.

### 3. The "Monkey Business" Lawsuit:

Monkeys in India are known for their mischievous antics, sometimes causing chaos. In one memorable case, a plaintiff in Ueda temple after a monkey allegedly snatched his glasses. The court's decision added a dash of humour to the proceedings, acknowledging the unpredictable nature of monkeys.



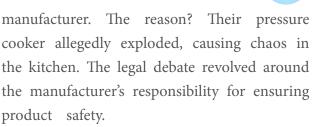


### 5. The "Slippery Situation" Lawsuits:

Slip and fall cases are not uncommon in tort law, but they can take a comical twist when everyday objects like bananas or marbles are involved. Indian courts have witnessed cases where plaintiffs sought compensation for injuries caused by slipping on banana peels or marbles left on the ground.

6. The Case of the Exploding Pressure Cooker:

In an unusual product liability case, a person sued a renowned kitchen appliance



While these examples showcase the lighter side of Indian tort law, it's important to remember that tort law serves a crucial role in compensating victims for injuries and losses. Despite the occasional humour, it plays a vital role in upholding accountability and fairness in society.

So, the next time you come across an eccentric tort case in India, take a moment to appreciate the unexpected humour in the world of law. It's a place where the pursuit of justice sometimes leads to amusing anecdotes and legal oddities, reminding us that even in the most serious fields, there's room for a good-natured chuckle.



# NATURE, MY HEALER

### • Sameerah Nisha Sultana

Alumni of NEF Law College (2018-2023 Batch)

I take a walk in the woods, to have some alone time, To clear the thoughts lingering inside my mind. The rain starts to fall, first in drops, Then like layered water falls. Crossing my arms and walking fast the path, The forest soaks itself in mist and a heavy bath. These days feels like the dawn brings with it a new presence, Something lurking just outside the corner of my vision. A clap of thunder rumbled above the sky, Rain seemed to get doubled and intensify. My heart fluttered a bit out of fear, A feeling that I strongly want to disappear. I slow down my pace and began to look around, Trees and trees everywhere with a heavy pouring sound. Below a grove, I take some shed, The pitter-patter finally comes to an end. I see the sun coming out from the shadow, Its light darting through the leaves of an old willow. The land begins to smell like cinnamon, honey, mint and pine; A sweet petrichor that is so hard to define. Inhaling the pleasant earthy scent, Begins to calm my anxiety with extreme content. This moment helped me to detach myself from the bothers of life, And this is how nature became my only friend, that made everything alright.



### **MY LIFE MY MOM**

• Gaurav Sarma B.A. LL.B 1st semester

You are the sunlight in my days You are the moon I see for away You are the one, who taught me life, How not to fight and what is right You are the words inside my song, You are my love My life my mom, Afraid of life but looking for love, I am blessed for God sent you from above You are my friend, my heart, my soul You are the one who cares for me, You are the eyes that help me see, You are the world inside my song You are my love... my life... my mom.

### **TONE OF LIFE**

### • Abhijnyan Choudhury BA, LLB (H) 4th Semester

The sunshine is colored by droplets in the sky. The yellow turned into 7 shades of life, Yet, I still stand here looking at the sky. Trying my best not to give up and strive The drop of red from my heart, Trickling down on my white shirt.

Trying to grab life from the air I see, What was painful to me, nobody ever cared. Yet, still I sit under the blue sky bright as ever, Trying not to give up. The Tragedy of life is the irony of my soul. Farewell dear Friend! The eyes go white, the body turns cold.



## FAR AWAY FROM HOME

# Albia Ahmed LLB 5th Semester

### WHIMS

• Dristi Choudhary BBA LLB (H) 3rd sem

One hundred and seven kilometers away I stay, Hoping to achieve my dream one day, Hurdles my father faces to pay, Shall return every inch in all possible way.

Daylight passes in the blink of an eye; Night is when I gaze all alone in the sky. My heart aches remembering my dear ones, Memories of the past when we all had sung.

Now, all alone in the city I roam, One hundred and seven kilometers away from home. I sat around the campfire With time, space, and my reflection And asked all three to reveal Their one true wish.

They're stood complete silence Flames crackled smoke and spark Towards the starry sky And just when I put another Log in the fire, they whispered

Time wished to be finite and to end One day like all things do, Space wished to be tangible Condensed into a single area Where it's entirety Could be seen and touched And my reflection wished To be free of all the judgment, Scrutiny, expectation and pressure I ferociously force on it every day.



# HER LOVE, MY HORIZON

• Bhavna Krishnatriya B.B.A.LL.B (H) 9th Semester

I was 8 years old Dada used to bring me barbie dolls. Told me I could play with them But I preferred only watching them... 18 I turned and I saw a real barbie. She came near me, held my hand... The feeling of holding a flower... So fresh and so pretty With her I never felt any lower. Went on multiple dates. Everything I do she motivates. She came near and hugged me. Told me she was never leaving. I closed my eyes and I bloomed... But suddenly there was a knock on the door... Mom saw us in the room... Tears and tears everywhere...

They dragged me out of the house... Said it's a disease and I am sick... Tell me to see a doctor... I turned, And saw Dada sitting in the corner... He made a gentle sound ... My poor kid! Wish I could make them Understand, How rare and how out of the box you stand. You are like the rainbow, You have all the colors... My poor kid! Wish I could make them understand, The disease they call it's not you, it's them...

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## **INSECURITIES**

• Albia Ahmed LLB 5th Semester

Twenty-three summers and twenty-three winters have gone by, Still your disheartening thoughts and opinions make me cry. All the fun and joke you made every day, Tears me apart in every single way.

Abandoned and frightened me thinks all day long, Was it my fault that it went all wrong? Creation of my body may not be perfect and the same, Can't you accept me the way I am?

Fear, stress and anxiety is all I get, Not sure if it would ever end. All I ask is just one question and nothing more, Hey WORLD, can you not make me feel insecure anymore?



## THE BEAUTY OF A POEM

• Rituparna Baruah BBA LLB (H) 3rd Sem

The beauty of a poem lies within it; It can't be expressed with words, but We can only feel it. The words of a poet, written down as phrases; Are not only merely a poem but Represent the poet's different faces.

Be it nature, an animal, or anything; The power of a poem glorifying it Is truly a great blessing.

Great poets come and go by; But their poems, a culmination of their heart and mind, Become immemorial in time.

As far as time will go; The thoughts and ideas of man from different times Will always continually flow.



## **SUMMER MIDNIGHT & OTHER POEM**

#### • Rukshana Habiba LLB (H) 3rd Sem

#### (1)

What if I could witness The winter morning in the summer night! And there's more I guess, I can have a snowfall moment in the Summer midnight. It feels like the sun is shining bright in the Night sky ... While the moon is waiting For the daytime to glow delight! The stars are paving their way to hide But singing a melody Just to keep mebeside.

#### (2)

#### THE MIRROR SELF

Better to disappear in the midst of dust,Longest roads careless journey,Where uncertainty sings lullaby.Hopeless walks carrying nothingness.With the passing time it becomes my favourite.A constant reminder you aren't at any heaven,

The constant shadows of void are dragging my soul to Give up on life.

Again, and again I just know how to encounter the Stuck self of mine.

Non to express but so much to consume from life. Endless try yet the mirror self says you Can't get back to life.

#### (3)

#### **BURDEN FOR FREE**

Longest roads careless journey, Hopeless walks carrying nothingness. A constant reminder you aren't at any heaven, Was it really necessary for being carefree? Then why seems everything a burden for free? Sudden dominance of carefulness is a threat. What if failure rules the destination, then, What's the point of this new path again?



## LIVE FOR YOURSELF

#### Kriti Goenka

B.A. LL.B (Hons) 1st Semester

You are smiling, just for a frame. You are dressed up. For false shimmer and impression. You quit your dreams, For fear of opposition and your own. Fear of an undefined future. If you decide to pursue your choice, You look yourself up and cry. So, as no one realise you're sad, You appear to be strong, Just to support your orphaned Young Broner.

And what about your own orphaned spirit and soul!! You are working, for pretty wage. When you can do some more. Look at yourself where you have come.

Live for yourself, and then you shall see It gives you pleasure. And you can even change the life, And give true happiness, for the ones you were living until now.







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# भ्रष्टाचार के विरुद्ध लड़ाई: एक नागरिक की भूमिका

#### • कमन राय एडमिनिष्ट्राटिव ष्टाफ

भ्रष्टाचार हमारे समाज की एक गंभीर समस्या है, जो हमारे देश की प्रगति और विकास को रोकता है। यह समस्या हमारे देश की अर्थव्यवस्था, राजनीति, और सामाजिक तंत्र को प्रभावित करती है। इसलिए, भ्रष्टाचार के विरुद्ध लड़ाई में एक नागरिक की भूमिका महत्वपूर्ण होती है।

एक नागरिक के रूप में, हमारी भूमिका निम्नलिखित है:

१. जागरूकता फैलाना: हमें भ्रष्टाचार के प्रभावों के बारे में लोगों को जागरूक करना होगा। हमें लोगों को बताना होगा कि भ्रष्टाचार कैसे हमारे देश को नुकसान पहुंचाता है।

२. शिकायत दर्ज करना: यदि हमें किसी भ्रष्टाचार के मामले का पता चलता है, तो हमें तुरंत शिकायत दर्ज करनी चाहिए। हमें भ्रष्टाचार के विरुद्ध लड़ने वाली एजेंसियों का समर्थन करना चाहिए।

३. सामाजिक आंदोलन में भाग लेना: हमें सामाजिक आंदोलनों में भाग लेकर भ्रष्टाचार के विरुद्ध आवाज उठानी चाहिए। हमें अन्य लोगों के साथ मिलकर भ्रष्टाचार के विरुद्ध लड़ना चाहिए।

8. नेताओं को जवाबदेह बनाना: हमें अपने नेताओं को जवाबदेह बनाना होगा और उनसे भ्रष्टाचार के विरुद्ध कार्रवाई करने की मांग करनी चाहिए। हमें अपने नेताओं को बताना होगा कि हम भ्रष्टाचार के विरुद्ध हैं।

५. स्वयं की मिसाल पेश करना: हमें स्वयं की मिसाल पेश करके दिखाना होगा कि हम भ्रष्टाचार के विरुद्ध हैं। हमें अपने दैनिक जीवन में भ्रष्टाचार के विरुद्ध काम करना चाहिए।

भ्रष्टाचार के कारण: भ्रष्टाचार के कई कारण हैं, जिनमें से कुछ प्रमुख कारण हैं:

**१. आर्थिक लाभ:** आर्थिक लाभ भ्रष्टाचार के मुख्य कारणों

में से एक है। यहाँ कुछ तरीके हैं जिनसे आर्थिक लाभ भ्रष्टाचार को बढ़ावा देता है:

- रिश्वत: भ्रष्ट अधिकारी और व्यवसायी रिश्वत लेते हैं ताकि वे अपने पद का दुरुपयोग करके आर्थिक लाभ प्राप्त कर सकें।
- अनुचित अनुबंध: भ्रष्ट अधिकारी और व्यवसायी अनुचित अनुबंधों के माध्यम से आर्थिक लाभ प्राप्त करते हैं, जैसे कि सरकारी ठेकों का आवंटन।
- कर चोरी: भ्रष्ट व्यवसायी और व्यक्ति कर चोरी करते
   हैं ताकि वे अपनी आय का सही हिसाब न दें और अधिक आर्थिक लाभ प्राप्त कर सकें।
- मनी लॉन्डरिंग: भ्रष्ट व्यवसायी और व्यक्ति मनी लॉन्डरिंग के माध्यम से अवैध धन को वैध धन में बदलने की कोशिश करते हैं।
- सरकारी सहायता: भ्रष्ट अधिकारी और व्यवसायी सरकारी सहायता का दुरुपयोग करते हैं ताकि वे अपने व्यवसाय को बढ़ावा दे सकें और आर्थिक लाभ प्राप्त कर सकें।
- जमीन और संपत्ति की हेराफेरी: भ्रष्ट अधिकारी और व्यवसायी जमीन और संपत्ति की हेराफेरी करते हैं ताकि वे अपने आर्थिक लाभ को बढ़ा सकें।
- व्यापारिक अनियमितताएं: भ्रष्ट व्यवसायी और व्यक्ति व्यापारिक अनियमितताओं के माध्यम से आर्थिक लाभ प्राप्त करते हैं, जैसे कि शेयर बाजार में हेराफेरी।

आर्थिक लाभ के कारण भ्रष्टाचार में वृद्धि होती है, जिससे



समाज और अर्थव्यवस्था को नुकसान पहुंचता है। इसलिए, आर्थिक लाभ के कारणों को समझना और उन्हें रोकना महत्वपूर्ण है।

**२. राजनीतिक दबाव:** राजनीतिक दबाव भ्रष्टाचार के मुख्य कारणों में से एक है। यहाँ कुछ तरीके हैं जिनसे राजनीतिक दबाव भ्रष्टाचार को बढ़ावा देता है:

- राजनीतिक दलों का दबाव: राजनीतिक दल अपने नेताओं और कार्यकर्ताओं पर दबाव डालते हैं ताकि वे धन इकट्ठा कर सकें और अपने राजनीतिक अभियानों को वित्तपोषित कर सकें।
- चुनावी फंडिंग: राजनीतिक दलों को चुनावी अभियानों के लिए बड़ी मात्रा में धन की आवश्यकता होती है, जिससे वे भ्रष्टाचार में शामिल हो सकते हैं।
- नीतियों का दुरुपयोग: राजनीतिक नेता अपनी नीतियों का दुरुपयोग करते हैं ताकि वे अपने समर्थकों को लाभ पहुंचा सकें और अपने राजनीतिक आधार को मजबूत कर सकें।
- अधिकारों का दुरुपयोग: राजनीतिक नेता अपने अधिकारों का दुरुपयोग करते हैं ताकि वे अपने समर्थकों को लाभ पहुंचा सकें और अपने राजनीतिक आधार को मजबूत कर सकें।
- सरकारी ठेकों का आवंटन: राजनीतिक नेता सरकारी ठेकों का आवंटन अपने समर्थकों को देते हैं, जिससे वे अपने राजनीतिक आधार को मजबूत कर सकते हैं।
- नियुक्तियों में भ्रष्टाचार: राजनीतिक नेता अपने समर्थकों को सरकारी नौकरियों में नियुक्त करते हैं, जिससे वे अपने राजनीतिक आधार को मजबूत कर सकते हैं।
- विधायी प्रक्रिया में हस्तक्षेप: राजनीतिक नेता विधायी प्रक्रिया में हस्तक्षेप करते हैं ताकि वे अपने समर्थकों को लाभ पहुंचा सकें और अपने राजनीतिक आधार को मजबूत कर सकें।

राजनीतिक दबाव के कारण भ्रष्टाचार में वृद्धि होती है, जिससे समाज और अर्थव्यवस्था को नुकसान पहुंचता है।

**3. सामाजिक अन्याय:** सामाजिक अन्याय भ्रष्टाचार के मुख्य कारणों में से एक है। यहाँ कुछ तरीके हैं जिनसे सामाजिक अन्याय भ्रष्टाचार को बढ़ावा देता है:

> असमानता: समाज में असमानता के कारण कुछ लोगों को अधिक अधिकार और सुविधाएं मिलती हैं, जबकि अन्य लोगों को कम अधिकार और सुविधाएं मिलती हैं।

- गरीबी: गरीबी के कारण लोग भ्रष्टाचार में शामिल हो सकते हैं ताकि वे अपनी आर्थिक स्थिति में सुधार कर सकें।
- सामाजिक बहिष्कार: समाज में कुछ लोगों को बहिष्कार किया जाता है, जिससे वे भ्रष्टाचार में शामिल हो सकते हैं।
- जातिवाद और धर्मवाद: जातिवाद और धर्मवाद के कारण समाज में असमानता और भेदभाव होता है, जिससे भ्रष्टाचार को बढ़ावा मिलता है।
- लिंग भेदभाव: लिंग भेदभाव के कारण महिलाओं को कम अधिकार और सुविधाएं मिलती हैं, जिससे वे भ्रष्टाचार के शिकार हो सकती हैं।
- आदिवासी और अल्पसंख्यक समुदायों का शोषण: आदिवासी और अल्पसंख्यक समुदायों का शोषण किया जाता है, जिससे वे भ्रष्टाचार के शिकार हो सकते हैं।

सामाजिक अन्याय के कारण भ्रष्टाचार में वृद्धि होती है, जिससे समाज और अर्थव्यवस्था को नुकसान पहुंचता है।

8. शिक्षा की कमी: शिक्षा की कमी भ्रष्टाचार के मुख्य कारणों में से एक है। यहाँ कुछ तरीके हैं जिनसे शिक्षा की कमी भ्रष्टाचार को बढ़ावा देती है:

- ज्ञान की कमी: शिक्षा की कमी के कारण लोगों को अपने अधिकारों और जिम्मेदारियों के बारे में पता नहीं होता है।
- नागरिक जागरूकता की कमी: शिक्षा की कमी के कारण लोगों को नागरिक जागरूकता की कमी होती है, जिससे वे भ्रष्टाचार के शिकार हो सकते हैं।
- आर्थिक शिक्षा की कमी: शिक्षा की कमी के कारण लोगों को आर्थिक शिक्षा की कमी होती है, जिससे वे आर्थिक निर्णय लेने में असमर्थ होते हैं।
- सामाजिक शिक्षा की कमी: शिक्षा की कमी के कारण लोगों को सामाजिक शिक्षा की कमी होती है, जिससे वे सामाजिक मुद्दों को समझने में असमर्थ होते हैं।
- राजनीतिक शिक्षा की कमी: शिक्षा की कमी के कारण लोगों को राजनीतिक शिक्षा की कमी होती है, जिससे वे राजनीतिक निर्णय लेने में असमर्थ होते हैं।
- नैतिक शिक्षा की कमी: शिक्षा की कमी के कारण लोगों को नैतिक शिक्षा की कमी होती है, जिससे वे नैतिक निर्णय लेने में असमर्थ होते हैं।
- तकनीकी शिक्षा की कमी: शिक्षा की कमी के कारण



लोगों को तकनीकी शिक्षा की कमी होती है, जिससे वे तकनीकी क्षेत्र में पिछड़ जाते हैं।

शिक्षा की कमी के कारण भ्रष्टाचार में वृद्धि होती है, जिससे समाज और अर्थव्यवस्था को नुकसान पहुंचता है।

**भ्रष्टाचार के परिणाम:** भ्रष्टाचार के कई परिणाम हैं, जिनमें से कुछ प्रमुख परिणाम हैं:

**१. आर्थिक नुकसान:** आर्थिक नुकसान भ्रष्टाचार के सबसे गंभीर परिणामों में से एक है। यहाँ कुछ तरीके हैं जिनसे भ्रष्टाचार आर्थिक नुकसान पहुंचाता है:

- आर्थिक विकास में बाधा: भ्रष्टाचार आर्थिक विकास को धीमा कर देता है, क्योंकि यह निवेश और व्यापार को प्रभावित करता है।
- राजस्व की हानि: भ्रष्टाचार से सरकार को राजस्व की हानि होती है, जिससे वह अपनी योजनाओं और परियोजनाओं को पूरा नहीं कर पाती है।
- गरीबी में वृद्धिः भ्रष्टाचार गरीबी में वृद्धि कर सकता है,
   क्योंकि यह संसाधनों की असमानता को बढ़ाता है।
- बेरोजगारी में वृद्धिः भ्रष्टाचार बेरोजगारी में वृद्धि कर सकता है, क्योंकि यह व्यवसायों को प्रभावित करता है और रोजगार के अवसरों को कम करता है।
- मुद्रास्फीति में वृद्धिः भ्रष्टाचार मुद्रास्फीति में वृद्धि कर सकता है, क्योंकि यह आर्थिक अस्थिरता को बढ़ाता है।
- विदेशी निवेश में कमी: भ्रष्टाचार विदेशी निवेश में कमी कर सकता है, क्योंकि यह निवेशकों को डराता है।
- आर्थिक अस्थिरता: भ्रष्टाचार आर्थिक अस्थिरता को बढ़ाता है, जिससे आर्थिक संकट की संभावना बढ़ जाती है।
- सार्वजनिक सेवाओं में कमी: भ्रष्टाचार सार्वजनिक सेवाओं में कमी कर सकता है, क्योंकि यह संसाधनों की कमी को बढ़ाता है।
- व्यापारिक प्रतिस्पर्धा में कमी: भ्रष्टाचार व्यापारिक प्रतिस्पर्धा में कमी कर सकता है, क्योंकि यह व्यवसायों को प्रभावित करता है।
- आर्थिक विश्वास में कमी: भ्रष्टाचार आर्थिक विश्वास
   में कमी कर सकता है, क्योंकि यह लोगों का विश्वास
   खत्म कर देता है।

२. सामाजिक अस्थिरता: सामाजिक अस्थिरता भ्रष्टाचार के गंभीर परिणामों में से एक है। यहाँ कुछ तरीके हैं जिनसे भ्रष्टाचार

के प्रति अविश्वास बढ़ता है।

सामाजिक तनाव में वृद्धिः भ्रष्टाचार सामाजिक तनाव
 में वृद्धि कर सकता है, जिससे सामाजिक संघर्ष और
 हिंसा की संभावना बढ़ जाती है।

 सामाजिक विश्वास की कमी: भ्रष्टाचार सामाजिक विश्वास को कम कर देता है, जिससे लोगों में एक-दूसरे

सामाजिक अस्थिरता को बढावा देता है:

- सामाजिक न्याय की कमी: भ्रष्टाचार सामाजिक न्याय को कम कर देता है, जिससे गरीब और वंचित वर्गों को अधिक नुकसान होता है।
- सामाजिक एकता में कमी: भ्रष्टाचार सामाजिक एकता को कम कर देता है, जिससे समाज में विभाजन और अलगाव बढ़ता है।
- अपराध में वृद्धिः भ्रष्टाचार अपराध में वृद्धि कर सकता है, जिससे सामाजिक सुरक्षा कम होती है।
- सामाजिक सेवाओं में कमी: भ्रष्टाचार सामाजिक सेवाओं में कमी कर सकता है, जिससे गरीब और वंचित वर्गों को स्वास्थ्य, शिक्षा और अन्य सेवाओं से वंचित होना पड़ता है।
- सामाजिक आंदोलनों में वृद्धिः भ्रष्टाचार सामाजिक आंदोलनों में वृद्धि कर सकता है, जिससे सामाजिक परिवर्तन की मांग बढ़ती है।
- सामाजिक अविश्वास में वृद्धिः भ्रष्टाचार सामाजिक अविश्वास में वृद्धि कर सकता है, जिससे लोगों में सरकार और संस्थाओं के प्रति अविश्वास बढ़ता है।
- सामाजिक असमानता में वृद्धि: भ्रष्टाचार सामाजिक असमानता में वृद्धि कर सकता है, जिससे गरीब और वंचित वर्गों को अधिक नुकसान होता है।
- सामाजिक संकट में वृद्धिः भ्रष्टाचार सामाजिक संकट में वृद्धि कर सकता है, जिससे सामाजिक स्थिरता कम होती है।

**३. राजनीतिक अपमान:** राजनीतिक अपमान भ्रष्टाचार के गंभीर परिणामों में से एक है। यहाँ कुछ तरीके हैं जिनसे भ्रष्टाचार राजनीतिक अपमान को बढ़ावा देता है:

- लोकतंत्र की कमजोरी: भ्रष्टाचार लोकतंत्र को कमजोर कर देता है, जिससे जनता का विश्वास सरकार और संस्थाओं में कम होता है।
- नेतृत्व की अविश्वसनीयता: भ्रष्टाचार नेतृत्व की अविश्वसनीयता को बढ़ाता है, जिससे जनता का विश्वास नेताओं में कम होता है।



- संविधान का उल्लंघन: भ्रष्टाचार संविधान का उल्लंघन कर सकता है, जिससे जनता के अधिकारों का हनन होता है।
- राजनीतिक दलों की कमजोरी: भ्रष्टाचार राजनीतिक दलों को कमजोर कर देता है, जिससे वे अपने कार्यों को प्रभावी ढंग से नहीं कर पाते हैं।
- नागरिकों की असंतुष्टता: भ्रष्टाचार नागरिकों की असंतुष्टता को बढ़ाता है, जिससे वे सरकार और संस्थाओं से नाराज होते हैं।
- राजनीतिक हिंसा में वृद्धिः भ्रष्टाचार राजनीतिक हिंसा में वृद्धि कर सकता है, जिससे सामाजिक स्थिरता कम होती है।
- अंतर्राष्ट्रीय प्रतिष्ठा में कमी: भ्रष्टाचार अंतर्राष्ट्रीय प्रतिष्ठा में कमी कर सकता है, जिससे देश की छवि खराब होती है।
- राजनीतिक भ्रष्टाचार में वृद्धिः भ्रष्टाचार राजनीतिक भ्रष्टाचार में वृद्धि कर सकता है, जिससे राजनीतिक दलों और नेताओं में भ्रष्टाचार बढ़ता है।
- लोकतंत्र के मूल्यों का हननः भ्रष्टाचार लोकतंत्र
   के मूल्यों का हनन कर सकता है, जिससे जनता का विश्वास लोकतंत्र में कम होता है।

**8. नैतिक पतन:** नैतिक पतन भ्रष्टाचार के गंभीर परिणामों में से एक है। यहाँ कुछ तरीके हैं जिनसे भ्रष्टाचार नैतिक पतन को बढ़ावा देता है:

> नैतिक मूल्यों का हनन: भ्रष्टाचार नैतिक मूल्यों का हनन कर देता है, जिससे लोगों में नैतिक जागरूकता कम होती है।

- अनैतिक व्यवहार में वृद्धि: भ्रष्टाचार अनैतिक व्यवहार में वृद्धि कर सकता है, जिससे लोग अनैतिक कार्यों में शामिल होते हैं।
- नैतिक संकट में वृद्धिः भ्रष्टाचार नैतिक संकट में वृद्धि कर सकता है, जिससे समाज में नैतिक मूल्यों का अभाव होता है।
- लोगों का अविश्वासः भ्रष्टाचार लोगों का अविश्वास बढ़ाता है, जिससे वे अपने नेताओं और संस्थाओं पर भरोसा नहीं करते हैं।
- समाज में विभाजनः भ्रष्टाचार समाज में विभाजन बढ़ाता है, जिससे लोगों में एक-दूसरे के प्रति अविश्वास और विभाजन बढ़ता है।
- नैतिक शिक्षा की कमी: भ्रष्टाचार नैतिक शिक्षा की कमी को बढ़ाता है, जिससे लोगों को नैतिक मूल्यों की जानकारी नहीं होती है।
- अन्याय और असमानता में वृद्धिः भ्रष्टाचार अन्याय और असमानता में वृद्धि कर सकता है, जिससे समाज में न्याय और समानता का अभाव होता है।
- सामाजिक नैतिकता में कमी: भ्रष्टाचार सामाजिक नैतिकता में कमी कर सकता है, जिससे समाज में नैतिक मूल्यों का अभाव होता है।
- व्यक्तिगत नैतिकता में कमी: भ्रष्टाचार व्यक्तिगत नैतिकता में कमी कर सकता है, जिससे लोग अपने नैतिक मूल्यों को भूल जाते हैं।
- राष्ट्रीय नैतिकता में कमी: भ्रष्टाचार राष्ट्रीय नैतिकता
   में कमी कर सकता है, जिससे देश की छवि खराब होती है।

भ्रष्टाचार के विरुद्ध लड़ाई में हमारी भूमिका महत्वपूर्ण है। हमें एकजुट होकर इस समस्या से निपटने के लिए काम करना होगा। हमें अपने देश को भ्रष्टाचार मुक्त बनाने के लिए काम करना होगा।



## भ्रम

#### • कमन राय एडमिनिष्ट्राटिव ष्टाफ

बंध गई है जिंदगी हमारी इन मोबाइल और भ्रम की दुनिया में असली दुनिया से डरने लगे हैं सायद समझा लिया है खुदको की ये दुनिया बड़ी खूबसूरत हैं पर कहीं न कहीं ये डर भी है की क्या होगा तब जब ये सपना टूटेगा असल दुनिया इतनी भी ख़राब नहीं, बस एक नया नजरिया लगेगा संघर्ष किसके नसीब में नहीं. पर क्या इससे भागना सही है ? सच तो हम सबको पता है. पर क्या इसे बार बार नकारना सही है? फ़ोन पर साड़ी दुनिया देख ली है पर क्या कभी एक कोयल को घोसला बनाते देखा है? साड़ी दुनिया का ज्ञान संजोय बैठे हैं पर क्या एक हिरन को अपनी जान बचते हुए देखा है? भावना उसमे हमसे ज्यादा होती है अपने परिवार के लिए क्योंकि जुबान लाजमी नहीं होती उन्हें जताने के लिए गाँव की सांत दोपहर में दोस्तों के साथ पैरों पर झूल कर तो देखो दुनिया फिरसे सुन्दर लगेगी, फिर एक नयी उमंग जागेगी संघर्ष की जरा इस भ्रम को मिटा कर तो देखो जरा फ़ोन से नजरें हटा कर तो देखो!

लौतादूँ हम को हुकूमत, पुरि हसांता मणिपुर जीना है तो जीते हे मिल जुल कर, दिलादो हम को भरोसा।

बेटी बचाओ के नारेम़ीन पर गूजांगें इस्मत दुरी को देखा तो न हुआ भरोसा

बम्बररयों का नगमा, रातों को .....र डाले घरों को टूटे पाया, तो ना हुआ भरोसा खाने को तरसेब़ाने, घरों को तरसेरेट'एन खेमों ननदीं को देखा, तो न हुआ भरोसा

सरकार ने जब उन को सुना तो ना हुआ भरोसा

चिल्लाया चिल्लाया कोई तो रस्ता दो

ग़रीब हो गए बे घर बिखर गए ख्वाबे मजांधर में डूबा पाया तो ना हुआ भरोसा

दिलादो हमको भरोसा सुना था जब धमाका तो ना हुआ भरोसा हकीकत में भी देखा तो न हुआ भरोसा सर सब्ज़-ओ शादाब से भरपुर, हसीं जहाांमणिपुर जला भुना हुआ पाया तो ना हुआ भरोसा जहां मुहब्जबत-ओ उखुवत का राज था ममसल अँधेरा छाया हुवा पाया तो ना हुवा भरोसा

अदावतों के कतरों में भाई-भाई के खिलाफ

खरा हुआ जब देखा तो ना हुआ भरोसा

गुलशन में जगं की हवाएँ, नददयों में खुनी लहर मासूम मुदों को देखा तो ना हुआ भरोसा

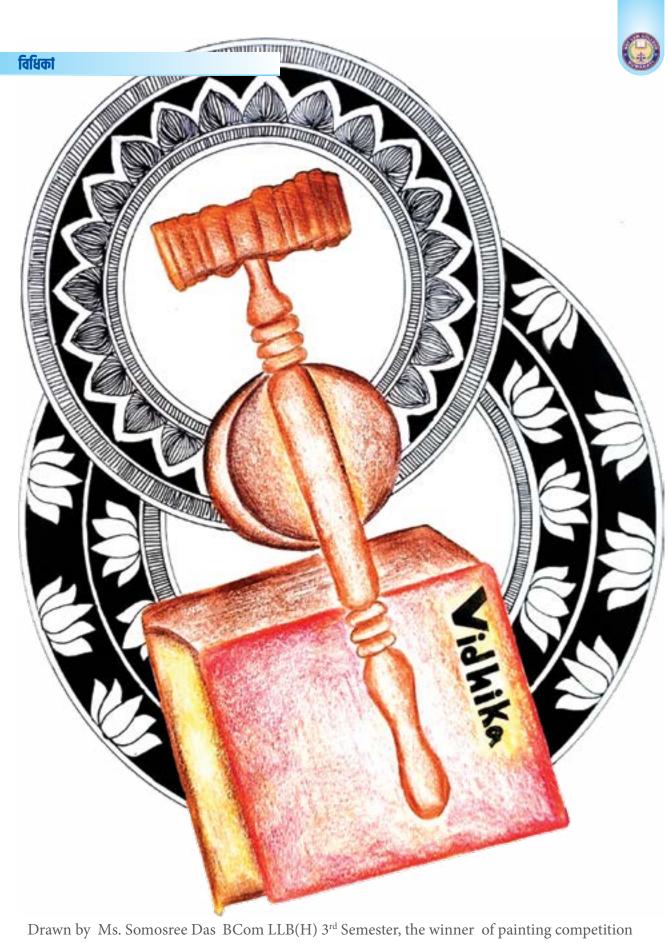
• रहमताह हुसैन बि बि ए, एल एल. बि. प्रथम सेमेष्टार





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# তিনি বছৰীয়া এক যাত্ৰা

জ্যোতিস্মিতা গোস্বামী
 যন্ঠ যান্মাসিক, তিনি বছৰীয়া আইন পাঠ্যক্রম

সময় গতিশীল আৰু এই গতিশীলতাৰ মাজতে আৱৰ্তিত আমাৰ জীৱনৰো গতি। মানুহৰ জীৱনে কোন মুহূৰ্তত, কোন দিশে গতি কৰে কোনেও ক'ব নোৱাৰে। আমাৰ সকলোৰে জীৱনত এনে কিছু সময় আহে য'ত আমি হঠাতে কিছু সিদ্ধান্ত ল'বলগীয়া হয়, যিবোৰ সিদ্ধান্তই কেতিয়াবা কাৰোবাৰ জীৱনত ধনাত্মক আৰু কাৰোবাৰ ঋণাত্মক প্ৰভাৱ পেলাই। মোৰ জীৱনতো তেনেই এক সময় আহি পৰিছিল য'ত ময়ো এটা সিদ্ধান্ত লৈছিলো— এল. এল. বি কৰাৰ সিদ্ধান্ত। ঐতিহ্যমণ্ডিত পাণ্ডু মহাবিদ্যালয়ৰ পৰা ২০২০ চনত গণিত বিষয়ত স্নাতক সম্পূৰ্ণ কৰাৰ পিছত, মোৰ পৰিয়ালৰ সকলো সদস্যকে আচৰিত কৰি মই আইনৰ পাঠ্যক্ৰম অধ্যয়ন কৰিম বুলি সিদ্ধান্ত ল'লো আৰু সেইমৰ্মে মই বিভিন্ন আইন মহাবিদ্যালয়ৰ বিষয়ে তথ্য বিচাৰিবলৈ আৰম্ভ কৰিলোঁ। অৱশেষত মোৰ অপেক্ষাৰ অন্ত পৰিল আৰু ২৯ জানুৱাৰী,২০২১ তাৰিখ শুক্ৰবাৰে মই ঐতিহ্যমণ্ডিত এন. ই.এফ আইন মহাবিদ্যালয়ৰ এগৰাকী ছাত্ৰী হিচাপে পৰিচয় পালো।

মোৰ জন্মস্থান মাজিৰগাঁও; এসময়ত অসমৰ ৰেচম শিল্প কেন্দ্ৰ হিচাপে অভিহিত— পলাশবাৰীৰ নিচেই কাষৰীয়া অঞ্চল। যদিও মোৰ ঘৰ গুৱাহাটীৰ পৰা কিছু নিলগত, তথাপি যেন গুৱাহাটীখন মোৰ বাবে পৰিচিত; অৱশ্যে মাত্ৰ কাছাৰী লৈকেহে। কিয়নো মোৰ জীৱনৰ দুটা বছৰৰ বাবে কটন মহাবিদ্যালয় তথা কাছাৰী আছিল

মোৰ গন্তব্য স্থান। গতিকে গুৱাহাটীৰ জি.এছ. ৰোড তথা খ্ৰীষ্টানবস্তি মোৰ বাবে এখন সম্পূৰ্ণ নতুন, অপৰিচিত ঠাই। তথাপি এন, ই.এফ আইন মহাবিদ্যালয়ত নামভর্তি কৰিছোঁ যেতিয়া যাবতো লাগিবই। প্ৰথম দিনা দেউতাৰ সৈতে যোৱাৰ বাবে ইমান চিন্তা মনলৈ অহা নাছিল। কিন্ধু তাৰ পিছৰ দিনা যেতিয়া অকলে গ'লো নানান ধৰণৰ চিন্তাই যেন মোৰ লগ নেৰা হ'ল— যদিহে মোক বেলেগ স্থানত নমাই দিয়ে, যদিহে মোৰ টোপনি আহে, ইত্যাদি। সেইদিনা কাছাৰী পাৰ হোৱাৰ পিছৰে পৰা ৰাস্তাৰ দাঁতিতে থকা অনুষ্ঠান-প্ৰতিষ্ঠানবোৰৰ কেৱল ছাইনবোৰ্ডবোৰহে চাইছো আৰু বাছ আস্থান বোৰৰ নামবোৰ মনত ৰাখিছোঁ। তেনে কৰিয়েই মই পালো 'পোষ্ট অফিচ' বাছ আস্থান আৰু সেই ফুটব্রীজখনেই যেন মোৰ বাবে এটা ইংগিত যে মোৰ গন্তব্য স্থান আহি গ'ল। শুনিবলৈ যদিও হাঁহি উঠা, তথাপি ই মোৰ বাবে এক মিঠা অভিজ্ঞতা। তেনেদৰেই কেইদিনমান প্ৰথম যান্মাসিকৰ ক্লাছবোৰ কৰিলোঁ, দুই-এজনৰ লগত চা-চিনাকিও হ'লো। কিন্তু তাৰ পিছতেই মহামাৰী ক'ৰোণাৰ বাবে আমাৰ দৈনন্দিন ক্ৰাছবোৰ অনলাইন যোগে আৰম্ভ হ'ল আৰু ঠিক তেনেকৈ প্ৰথম আৰু দ্বিতীয় যান্মাসিকৰ অন্ত পৰিল, পৰীক্ষাও দিলো। ইয়াৰ লগে-লগে তৃতীয় যান্মাসিকৰ ক্লাছ বোৰ আৰম্ভ হ'ল। প্ৰথমে কেইদিনমান যদিও আগৰ দৰেই অনলাইন কৰিলোঁ, কিন্তু তাৰ পিছত লাহে-লাহে সকলোৰে বিদ্যালয়-মহাবিদ্যালয়সমূহ খুলিবলৈ

ধৰিলে আৰু তেনেদৰে আমাৰো শ্ৰেণীকোঠাত পুনৰ ক্লাছ সমূহ হবলৈ ললে। যদিও তিনিটাকৈ যান্মাসিক শেষ হওঁ-হওঁ তথাপি যেন আমাৰ শ্ৰেণীটোৰ সহপাঠীসকল মোৰ বাবে অচিনাকি, বন্ধুত্বটো বহুতেই দুৰৰ কথা। কিন্তু সদায় যেতিয়া মহাবিদ্যালয়লৈ যোৱা কৰিলোঁ বহুতো নতুন নতুন বন্ধুত্ব গঢ় লৈ উঠিল আৰু বহু কম সময়ৰ ভিতৰতে সকলোকে বৰ আপোন যেন লগা হ'ল, এনে অনুভৱ হ'ল যেন সকলোৰে সৈতে মোৰ চিনাকি বহু পুৰণি। আমাৰ পাঠ্যক্ৰম অনুসৰি পাঠদান নিয়মীয়াকৈ চলি থকাৰ লগতে মহাবিদ্যালয়ত বিভিন্ন সময়ত বহুতো অনুষ্ঠানৰ আয়োজন কৰা হৈছিল। তাৰ ভিতৰত কেইটামান অনুষ্ঠান মোৰ বাবে আছিল বিশেষ, যি চিৰদিন মোৰ স্মৃতিফলকত একো-একোটা অবিস্মৰণীয় স্মৃতি হৈ ৰ'ব। কিয়নো সেই আটাইকেইটা অনুষ্ঠানৰে মই আঁতধৰিবলৈ সুযোগ লাভ কৰিছিলো----যিটো কাম কৰি মই আটাইতকৈ বেছি আনন্দ পাওঁ। সেই অনুষ্ঠানতে মোৰ লগতে আঁতধৰিছিল এগৰাকী অনুজে, যাৰ সৈতে মোৰ এক বৰ সুন্দৰ বন্ধুত্ব গঢ় লৈ উঠিল আৰু বৰ্তমান আমি দুয়ো বহুত ভাল বান্ধৱী। ইজনে আনজনৰ পৰা আমি দুয়োয়ে যথেষ্ট শিকিছো আৰু সেই অনুষ্ঠানৰ জৰিয়তে বহুতো ভাল-বেয়া সময় তথা পৰিস্থিতিৰ সাক্ষী হৈ ৰ'লো। ইয়াৰ উপৰিও চেমিনাৰ হলটোত কৰা বহুতো হাঁহি-ফূর্তি, দুষ্টামিৰ কথা নকলে জানো হ'ব?? যিকোনো এখন চেমিনাৰত বেলেগ উপস্থিত হওঁক বা নহওঁক, আমাৰ কিন্ধ শ্ৰেণীটো আগেভাগে যোৱাত সিদ্ধস্ত আৰু সোনকালে বিৰক্ত হৈ ওলাই অহাতো। যাওঁতে আমি যদিও এটা বৃহৎ সংখ্যা যাওঁ, কিন্তু তাত গৈ ফটো কেইখনমান উঠি মেলি পাঁচ-দহ মিনিটমান হয় মানে সেই সংখ্যাটো লাহে-লাহে কমিবলৈ আৰম্ভ কৰে আৰু অৱশেষত আমি ৰৈ যাওঁ মাত্ৰ কেইজনমান। তথাপি যেন সেইবোৰ আছিল বৰ আনন্দৰ সময়। ঘূৰাই আনিব পৰা হেঁতেন! কিন্তু নোৱাৰোঁ। পাৰ হৈ যোৱা সময় হেনো দুনাই ঘূৰি নাহে, মাথোঁ ই ৰৈ যায় আমাৰ মন-মগজ্ত।

চাওঁতে-চাওঁতে ষষ্ঠ ষান্মাসিক আহি পালে, ক্লাছ বোৰো আৰম্ভ হ'ল আৰু ইয়াৰ লগে-লগে মই লগতে মোৰ সহপাঠীসকল যেন হৈ পৰিলো আমাৰ এন. ই. এফ আইন



মহাবিদ্যালয়খনৰ দুই-তিনি মাহ মানৰহে আলহী। এই চিন্তা অৱশ্যে মোৰ হে মনলৈ আহিছে, নাজানো কিয়। ক'ৰবাত যেন ক'ব নোৱাৰাকৈয়ে এই মহাবিদ্যালয়খন মোৰ বাবে দ্বিতীয়খন ঘৰ হৈ পৰিল; কিয়নো মোৰ ক্লাছ আৰম্ভ হয় দুপৰীয়া ২ বজাৰ পৰা আৰু মালিগাওঁত চলি থকা উৰণীয়া সেঁতুৰ নিৰ্মাণ কাৰ্য্যৰ বাবে ৰাস্তাত বহুত যান-যতৰ সৃষ্টি হয়। সেইবাবে মই দুমুঠি খাই ৰাতিপুৱাই ওলাইছিলো, যেন কলেজ নহয় অফিচহে যাব ওলাইছো আৰু বৰ্তমানো মই তেনেকেই আহি আছো। ক্লাছবোৰ শেষ হয় সন্ধিয়া ৬ বজাত আৰু তেতিয়াই যেন পেটৰ ভোকেও আগুচি ধৰে। ভোক নিবাৰণৰ স্থান, কলেজৰ পৰা কিছু নিলগত থকা এখন চাহৰ দোকান, য'ত বনোৱা ব্ৰেড পকোৰাৰ লগতে এঁকাপ চাহৰ মই নিয়মীয়া গ্ৰাহক। চাহ কাপ খাইয়েই যেন মোৰ কাৰোবাবে ৰ'বলৈ আহৰি নাই, কিয়নো ঘড়ীত তেতিয়ালৈ ইতিমধ্যে ৬ বাজি ২০ মিনিটমান হৈয়ে যায় আৰু মই গৈ পাব লাগে খ্ৰীষ্টানবস্তিৰ পৰা পাণবজাৰ—যিটো হৈছে মোৰ নিজৰ ঘৰলৈ ঘূৰি অহা যাত্ৰাটোৰ দ্বিতীয়টো ষ্টপেজ। পানবজাৰত বাছৰ পৰা নামি, তাৰে জিৰণি কোঠাটোত বহি এইবাৰ সময় সন্মুখতে থকা Brahmaputra River Heritage Centreটোলৈ ফুৰিবলৈ অহা বহু লোকক লগতে তাৰে বৃহৎ আকাৰৰ গছ কেইডালত থকা বাদুলিবোৰক উপভোগ কৰাৰ। সেইখিনি সময়ৰ বাবে মোৰ সংগী হৈ পৰে পাণবজাৰৰ অসংখ্য 'মহ'। তেনেদৰে কিছু পৰ অপেক্ষাৰ অন্তত আৰম্ভ হয় মোৰ ঘৰমুখি যাত্ৰা অন্তিমখন বাছত আৰু ঘৰলৈ উভতি আঁহো মানে ঘড়ীত সময় ৯ বাজো-বাজো। সেইবাবে কৈছিলো যে এন. ই. এফ মোৰ বাবে দ্বিতীয়খন ঘৰ, আৰু মোৰ বন্ধ-বান্ধৱী আটাইয়ে জানে যে কলেজৰ চৌহদৰ ভিতৰত মোক বিচাৰিবলৈ হ'লে তলৰ মহলাত থকা আমাৰ অতিকৈ ধুনীয়া পুথিভঁৰালটোত গলেই হ'ল। সঁচাকৈয়ে, ৫ মহলীয়া সেই অট্টালিকাটোৰ প্ৰতিটো মহলা.শ্ৰেণীকোঠা তথা কৰিডৰতে ভাল-বেয়া এনে কিছুমান স্মৃতি জড়িত হৈ আছে; যিবোৰ হয়তো মই বৰ্ণাই শেষ কৰিব নোৱাৰিম। ইয়াৰ লগতে মই যদি আমাৰ মহাবিদ্যালয়ৰ অধ্যাপক-অধ্যাপিকাসকলৰ কথা নকওঁ, তেন্তে এই তিনি বছৰীয়া মোৰ যাত্ৰাটো যেন আধৰুৱা হৈ



ৰ'ব। মই ভাবো যে এইখন মহাবিদ্যালয়ত অধ্যয়নৰত আমি প্ৰতিগৰাকী ছাত্ৰ-ছাত্ৰীয়ে সৌভাগ্যবান যে এনেকুৱা উচ্চ শিক্ষাৰে শিক্ষিত, উচ্চ অৰ্হতা সম্পন্ন শিক্ষাগুৰুসকলৰ উচ্চ মানৰ শিক্ষা দান আমি লাভ কৰিবলৈ সক্ষম হৈছোঁ। এয়া নহয় যে তেখেতসকলে আমাক কেৱল পাঠ্যক্ৰমৰ মাজতে আৱৰ্তিত ৰাখিছে, বৰঞ্চ জ্ঞান আহৰণৰ লগতে নিজকে স্বকীয় প্ৰতিভা আৰু গুণৰাজিৰে জকমকীয়াকৈ সজোৱাৰ ক্ষেত্ৰতো এক অভূতপূৰ্ব সঁহাৰি তেওঁলোকৰ পৰা আমি পাই আহিছোঁ। আমাৰ শিক্ষাগুৰুসকলৰ লগতে মহাবিদ্যালয়ত সহায়ক-সহায়িকা হিচাপে কৰ্মৰত দাদা-বাইদেউসকলৰ কথাও নকৈ নোৱাৰি। তেওঁলোকৰ মৰম. আদৰ কেতিয়াও পাহৰিব নোৱাৰো। কেতিয়াবা কাৰোবাৰ পৰা জলফাই. কেতিয়াবা শিলিখা আৰু প্ৰায়েই তামোল-পাণ খুজি খাওঁ আৰু তেওঁলোকেও নিজৰ সন্তানক দিয়াৰ দৰে, যি লগত থাকে আমাৰ মাজত বিলাই দিবলৈ অকণো কণ্ঠাবোধ নকৰে। এই সৰু-সৰু সুখ আনন্দবোৰেই আমাক আটাইকে আৱৰি ৰাখিছে, যিবোৰ ভাবিলে অন্তৰত যেন এক অবুজ বেদনাই খুন্দা মাৰি ধৰে। কিন্তু সময় কেতিয়াও একে নাথাকে, পৰিৱৰ্তন আহিবই; আৰু এই পৰিৱৰ্তনেই হৈছে জীৱন। আমি কোনেও এটা মুহূৰ্তক বা সময়ক বা যিকোনো বস্ত্ৰক খামোচ মাৰি কেতিয়াও

ধৰি ৰাখিব নোৱাৰো। পাৰো মাথোঁ এই মধুৰ সময়বোৰক অন্তৰৰ চন্দুকত ভৰাই থৈ তাক ৰোমন্থন কৰিবলৈ, যিয়ে জীৱনত জীয়াই থকাৰ হেঁপাহ, ভাল কাম কৰাৰ হেঁপাহ আৰু সমাজখনত কিছু অৱদান আগবঢ়োৱাৰ হেঁপাহ দুগুণ-তিনিগুণে বৃদ্ধি কৰে।

শিক্ষা জীৱনৰ আৰু তিনিটা বছৰ, ক্ৰমান্বয়ে সম্পূৰ্ণ হ'বলৈ লোৱা এই মৰমৰ, আদৰৰ এন. ই. এফ আইন মহাবিদ্যালয়খনে নিবিচৰাকৈয়ে মোক বহুত দিছে আৰু সেইবাবেই হয়টো ই এক আৱেগত পৰিণত হৈছে। যি আৱেগ প্ৰেৰণাদায়ক আৰু সেই প্ৰেৰণাই মোক জীৱন বাটত সফলতাৰ মুকৃতা বুটলিবলৈ নিশ্চয়কৈ অফুৰন্ত উদ্যম যোগাব। অৱশেষত এজন মহান ব্যক্তিৰ এষাৰ কথা মনলৈ আহিছে- "In the end it's not the years in your life that count. It's the life in your years". গতিকে আৰু কিমান সময় এই মহাবিদ্যালয়খনত আছো, সেই কথা ভবাৰ বিপৰীতে বৰ্তমানৰে পৰা প্ৰতিটো ক্ষণ, প্ৰতিটো দিন সৃষ্টিশীল চিন্তা তথা সঠিক মূল্যবোধৰ ৰং-তুলিকাৰে এইখন জ্ঞান মন্দিৰ আটকধুনীয়া কৈ সজাবলৈ চেষ্টা কৰিম যাতে ঐতিহ্যমণ্ডিত এই এন. ই. এফ আইন মহাবিদ্যালয়খনৰ জয়গান বিয়পি পৰে সকলোৰে মুখে-মুখে আৰু ই জ্ঞান-ভাণ্ডাৰৰ এক আৰ্হি হিচাপে সমাজত প্ৰতিপন্ন হয়।





## জ্যোতিস্মিতা গোস্বামী

ষষ্ঠ সাধ্ৰাসিক, তিনি বছৰীয়া আইন পাঠ্যক্ৰম

অইন দিনাৰ দৰে, আজিও চিনাকি আকাশখনলৈ এবাৰ চকু মেলি চালো, কিন্ধ ক'তা? আকাশখন দেখোন আগৰ দৰে নীলা হৈ থকা নাই। বৰঞ্চ গোটেইখন আজি যেন ৰঙেৰে ৰাঙলী হৈ পৰিছে।। কিয় বাৰু ? আগতেটো তেনেকুৱা কেতিয়াও দেখা নাছিলো। হয়তো মাতৃক ৰক্ষা কৰিবলৈ গৈ মৃত্যুক আকোঁৱালি লোৱা, অসংখ্য শ্বহীদৰ তেজেৰে তেজিৰঙা হ'ল আজিৰ আকাশ। বৈৰীৰ বন্দুক-বাৰুদক আওকাণ কৰি কেৱল মাতৃক ৰক্ষা কৰিবলৈ গৈ, অসমীৰ নুমলীয়া সন্তানবোৰে উচৰ্গা কৰিলে সিহঁতৰ কেঁচা তেজ, হাঁহি মুখে ল'লে আঁকোৱালি মৃত্যুকো। সেয়েহে. অসমীৰ আকাশত আজি কোঁহে-কোঁহে সিচঁৰিত হৈ পৰিছে কেৱল তেজ, শত-শত শ্বহীদৰ কেঁচা তেজ। সেই তেজৰ চেকুৰাবোৰেই যেন অসমৰ চৌদিশ কৰিলে ৰক্তাক্ত, আৰু অসমী আইৰ নীল আকাশখনো যেন হৈ পৰিল সূৰ্যাস্তৰ সময় সদৃশ ৰক্তিম।





## **PHOTO GALLERY**



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B.A., LL.B 1st Semester, Section A



B.A., LL.B 1st Semester, Section B





B.A., LL.B 3rd Semester, Section A



B.A., LL.B 3rd Semester, Section B



B.A., LL.B 5th Semester, Section A





B.A., LL.B 5th Semester, Section B



B.A., LL.B 7th Semester, Section A



B.A., LL.B 7th Semester, Section A





B.A., LL.B 9th Semester, Section A



B.A., LL.B 9th Semester, Section B



B.B.A., LL.B 1st Semester, Section A





B.B.A., LL.B 1st Semester, Section B



B.B.A., LL.B 3rd Semester, Section A



B.B.A., LL.B 3rd Semester, Section B





B.B.A., LL.B 5th Semester Section A



B.B.A., LL.B 5th Semester, Section B



B.B.A., LL.B 7th Semester, Section A





B.B.A., LL.B 7th Semester, Section B



B.B.A., LL.B 9th Semester



B.Com, LL.B 1st Semester





B.COM, LL.B 3rd Semester



B.Com, LL.B 5th Semester



B.Com, LL.B 7th Semester





B.Com, LL.B 9th Semester



LL.B 1st Semester Section A



LL.B 1st Semester Section B





LL.B 1st Semester Section C



LL.B 3rd Semester Section B



LL.B 3rd Semester Section C





LL.B 3rd Semester, Section A



LL.B 5th Semester Section B



LL.B 5th Semester, Section A





LL.B 5th Semester, Section C



LL.M 2nd Semester



LL.M 4th Semester, Constitutional Law





LL.M 4th Semester, Criminology Group

#### LIST OF TOPPERS 2022-23

University Rank Holders from NEF Law College in 3 years LL.B/LL.B (H) & 5 years B.A./ B.B.A./ B.COM., LL.B (H), LLM Final Semester Examination 2022-23.



Aniket Mishra Rank : 1 B.A.LL.B.



**Garima Jain** Rank : 2 B.A.LL.B.



Monikuntala Das Rank : 4 B.A.LL.B.



Mehzabeen Shaheen Rank : 1 B.Com. LLB



**Janvi Jain** Rank : 2 B.Com. LLB



Asha Begum Rank : 3 B.Com.LL.B.



Debarchana Shandilya Rank : 1 BBA.LL.B.



Kamakshi Saikia Rank : 2 BBA.LL.B.



Sameerah Nisha Sultana Rank : 3 BBA. LLB



Syeda Elvina Murtaza Rank : 1 LLB





Nikita Das Rank : 2 LL.B.



Kekhrie U. Keretsu Rank : 3 LL.B.



Barsha Kalita Rank : 1 B.A.LL.B.



Kaushiki Das Rank : 2 B.A. LLB



Farheen Rahman Rank : 3 B.A.LLB



**Justismita Das** Rank : 1 BBA.LL.B.



Agneen Nandi Rank : 2 BBA.LL.B.



Bhaskar Prasad Sarmah Rank : 3 BBA.LL.B.



Uttara Roy Rank : 1 B.Com. LLB



**Vaishali Rai** Rank : 2 B.Com.LLB



Atlanta Deka Rank : 3 B.Com.LL.B.



Muskan Aggarwal Rank : 1 LL.B.



Binita Jain Rank : 2 LL.B.



Partha Todi Rank : 3 LL.B.



Barkha Agarwal CGPA - 9.7 LLM



Akanksha Biyani CGPA - 9.6 LLM



Tanu Goyal CGPA - 9.5 LLM



## **PHOTO STORY**







































08

"Street Play Act"

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## STUDENTS' ACHIEVEMENT



Joy Aditya Phookan (8th sem BA.LLB) received the BEST DELEGATE award at the 1st North East Youth Parliament (Sansad) 2023 organized by Royal Global University in collaboration with Rotaract Club of Rongali Guwahati on 20th and 21st May 2023



Akanshya P Gogoi of 5yrs BA.LLB(H) 8th sem won the SILVER MEDAL in Taekwondo during the National Games held in Goa in 2023



Team NEF represented by Tanvir Tapadar (10th sem BA.LLB), Farhan Masood Zaman (8th sem BA.LLB) and Nilanjana Chetry (8th sem BA.LLB) were adjudged the WINNERS at RGU National Moot Court Competition 2024 organized by Royal Global University from 23rd to 25th June 2024



Rituparana Baruah (4th sem BBA.LLB) won the 2nd Prize, Nilanjana Chetry (8th sem BA.LLB) won the 3rd Prize and Tanvir Tapadar (10th sem BA.LLB) and Denzel Albano Sereng (8th sem BA.LLB) won the Distinguished Prize at the State Level Debate Competition organised by Assam Don Bosco University on 9th May 2024



Naina Konwar (7th sem BA.LLB) won the BEST MOOTER at the 2nd BR Ambedkar Memorial Human Rights Moot Court Competition organized by JB Law College on 3rd November 2023



NEF Law College won several awards at the Royal Lex Fiesta Cultural Week organized by Royal Global University from 10-13th October 2023





Team Happy Feats comprising of Aditi Saha, Sukanya Kalita, Samikchha Sharma, Sudipta Mitra, Leenashree Bhuyan, Bhiolina Talukdar, Neelufar Ali Sheikh, Niharika Devi and Trishna Moni Das of 5yrs BA.LLB/BBA.LLB and BCOM.LLB were adjudged as 1st RUNNERS UP in the Group Dance Competition at ADUJ x ABHIVEERA organised by National Law University and Judicial Academy, Assam on 29th April 2023



Zachariah Jeffrey Ryngjah won BEST MOOTER at 2nd P.Khaitan Memorial Moot Court Competition 2024 organized by Tinsukia Law College on 29th April 2024



Riturparna Baruah (2nd sem BBA.LLB) was featured in India Book of Records, 2023 along with the next edition of Asia Book of Records for reciting the highest number of Japanese Poems (Haikus) in 47.79 seconds



Naina Konwar (7th sem BA.LLB) won the BEST MOOTER at the 1st Guru Charan Das Memorial National Moot Court Competition organized by Goalpara Law College on 8th June 2024



Pradyuman Kakoty (7th sem BA.LLB) won the FIRST PRIZE at the Judgement Writing Competition organized by Royal Global University on 12th October 2023



Team NEF Law College represented by Farhan Masood Zaman (7th sem BA.LLB), Denzel Albano Sereng (7th sem BA.LLB) and Puranjan Mahanta (5th sem BBA.LLB) were adjudged WINNERS at One Day Extempore Moot Court Competition organized by University Law College, Gauhati University on 8th December 2023





Tanvir Tapadar (9th sem BA.LLB) and Nilanjana Chetry (7th sem BA.LLB) won the BEST DEBATE TEAM at Royal Lex Fiesta organized by Royal Global University on 11th October 2023



Team NEF Law College represented by Ujjaini Borthakur, Phurpha Lhamu and Naina Konwar won the 1st RUNNERS UP at the 1st National Moot Court Competition 2024 organized by Nowgong Law College from 16th- 31st March 2024. Naina Konwar also won the BEST MOOTER prize.



## **NEF GROUP OF INSTITUTIONS**



#### NEF LAW COLLEGE, GUWAHATI

Ananda Nagar, Christianbasti, Guwahati-S

Helpline : 9401118888 | www.nefcollege.org

**Courses Offered** 

5 Year Integrated Course : BA LLB (Hons) | BEA LLB (Hons) | B Com LLB (Hons) 3 Year Course PG Course -

#### Rankings of NEF Law College :

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LLB / LLB (Hons)

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- NET Law College awarded with Rising Star in Law Education by GHIOC 2024 NET Law College ranked as Top Law School of Excellence in India 2024 by Competition Success Review Magazine.
- NEF Law College ranked in the 3rd Top Law School in the East & Central Region by GHRDC, 2024 NEF Law College ranked 57th Position by India Today-MDRA Best College Ranking, 2023 .
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- NEF Law College received the Certificate of Excellence award by ENV law School Ranking, 2023 NEF Law College evanded Best Law College of North East, 2022 by NEWS 18
- NEF Law College ranked 59th Position by India Today-MDFA flest College Ranking, 2022 NEF Law College ranked 27th Position in: Top Private Law Colleges of India Survey 2022 by Outlook -ICARE Ranking 2022 ٠
- NEF Law College has been ranked 'AA' by Careers360 in its survey for India's Best Law School 2021 (February 2021) ٠

#### NEF COLLEGE (PG), GUWAHATI

Lokhra Lalganesh Read, Saukuchi, Guwahati-781040

Helpine : 94011 16666 | www.nefcollege.com

**Courses** Offered

US Course - BA (Hons) | B Com (Hons) | BBA | BCA | BSW PG Course - MA (Sociology) | M Com | MBA | MSW

#### NEF COLLEGE OF PHARMACY, GUWAHATI Lokhra Lalganesh Road, Saukuchi, Guwahati-781040

Helpline : 94356 66999 | www.netcop.org

Courses Offered B. Pharm. | D. Pharm. | B. Pharm. (Latera))

#### O NEF COLLEGE OF PHARMACEUTICAL EDUCATION & RESEARCH Jail Road, Kolongpar, Nagaon - 782001, Assam Helpline : 98646 49699 | www.nefcper.org

Courses Offered B. Pharm. | D. Pharm. | B. Pharm. (Latera)

#### NEF COLLEGE OF HEALTH SCIENCES, GUWAHATI Lokhra Lalganesh Road, Saukuchi, Guwahati-781040 Helpline: 94011 74466 | www.nefcohs.org

Courses Offered BPT | B.Sc. MLT | DMLT

#### NEF INSTITUTE OF NURSING, GUWAHATI

Lokhra Lalganesh Road, Saukuchi, Guwahati-781040 Helpine : 94017 15511 | www.nefnursing.org

Courses Offered GNM | B.Sc. Nursing\*

#### O IQRA ACADEMY OF NURSING, NAGAON Jail Road, Kolongpar, Nagaon - 782001, Assam Helpline: 9401717711 | www.igranursing.org

Courses Offered GNM | B.Sc. Nursing\*

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ORA INCOMENT OF MURICIPAL MAGACIN



NEF COLLEGE OF HEALTH SCIENCES, GUNANAT