

CJ addresses Judicial Officers on eve of laying down of robes

STATE TIMES NEWS

JAMMU: Chief Justice, High Court of Jammu and Kashmir and Ladakh, Justice Ali Mohammad Magrey, on Tuesday addressed the Judicial Officers of both the UTs of Jammu and Kashmir and Ladakh on the occasion of his laying down the robes on December 7, 2022.

The address was virtually delivered from Jammu Wing of the High Court and all the Judicial Officers joined the event online from their respective places of posting.

On behalf of the Judicial Officers, Principal District and Sessions Judge Leh, Yash Pal Sharma, Principal District and Sessions Judge Srinagar, Jawad Ahmed, Principal District and Sessions Judge Jammu, Sanjay Parikh and Member Secretary, J&K Legal Service Authority, M K Sharma, delivered the farewell address.

The Judicial Officers described Justice Magrey to be the epitome of Justice and compassion.

The speakers lauded the innings of Justice Magrey as High Court Judge as well as the Chief Justice of the High Court to be remarkable period, the memories of which will be cherished for all times to come.

The contribution of Justice Magrey in the field of Judicial dispensation, legal services, infrastructural upliftment and contribution to IT related initiatives in the High Court and



District Judiciary was acknowledged by all the speakers.

The Judicial Officers wished good health and happy post retirement life to Chief Justice and conveyed him that he would be dearly missed by one and all.

Chief Justice, in his emotional address, appreciated the Judicial Officers of both UTs for their competence, integrity, hard work, commitment and compassion towards their judicial work. He stressed that Judicial Officers of UT of J&K

and UT of Ladakh are second to none in the entire country rather are far ahead of many.

Justice Magrey acknowledged the contribution and the support rendered by the entire institution to him during his tenure as Judge as well as Chief Justice of the High Court of J&K and Ladakh. He emphasized that the Judicial Officers must carry on the mission of Justice delivery adhering to oath and canons of the Judicial Institution.

Justice Magrey highlighted many areas of achievements made during his tenure which he contributed to the Judicial Officers, as achievement of such targets in judicial dispensation, legal services or IT related field could not have been accomplished without the active support of officers and their commitment towards the job which he termed to be divine.

On the Occasion, a short video clip highlighting the moments cherished by Justice Magrey with Judicial Officers was also displayed which made the entire participants to walk through the many facets of Justice Magrey's tenure with an emotional touch.

At High Court wing Jammu, the officers and Judicial Officers of the High Court Registry were present in person while others Judicial Officers participated online.

The program was moderated by Anoop Kumar Sharma, Registrar Computers (IT) High Court of J&K and Ladakh.

UNICEF India's Chief of Field Services calls on LG

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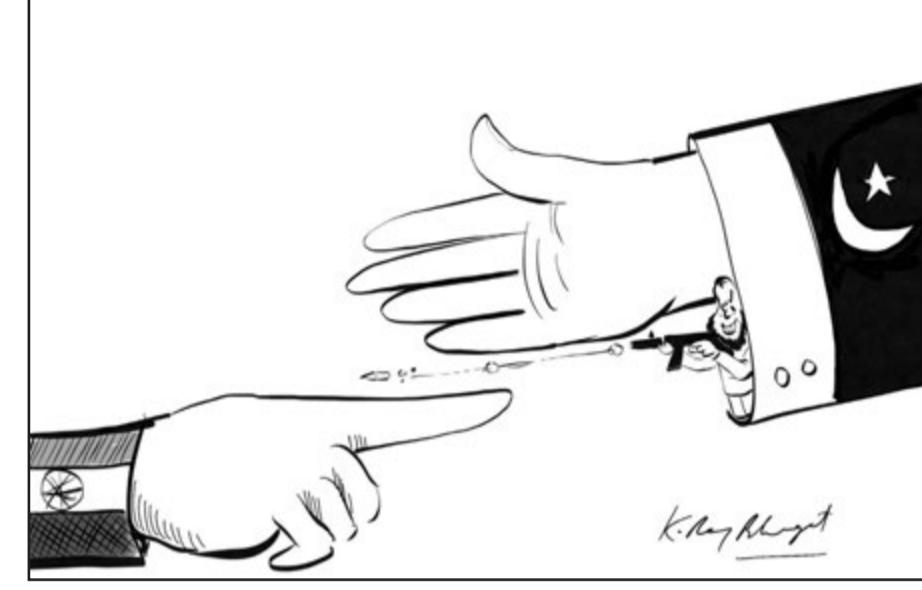
JAMMU: Jalpa Ratna, Chief of Field Services, UNICEF India on Tuesday called on Lieutenant Governor Manoj Sinha here at Raj Bhawan.

Ratna apprised the Lt Governor about UNICEF India programmes in J&K and the work being done in collaboration with Government departments.

Discussions were also held on supporting alternative learning, career guidance, life skills education, capacity-building, community-based learning, community-based child protection mechanisms and child protection services and other key interventions in the education sector.

The Lt Governor assured cooperation and support of the UT administration in all its endeavours.

No talks with Pak till it supports Cross-Borders terror: EAM



Wheelchair Basketball champion Insha-a role model cum inspiration for all

SHAKEELA ANDRABI

SRINAGAR: On the International Day of Persons with Disabilities, President Droupadi Murmuas part of the National Awards for the Empowerment of Persons with Disabilities for 2021 and 2022 felicitated 52 persons for their laudable contributions in various fields, including one Insha Bashir from Kashmiri who has been a shining example of courage and determination. Insha of Beerwah, Budgam, received the National Award for Individual Excellence 2022 'Shrestha Divyangjan' - Locomotor Disability - on Saturday at a glittering function held in New Delhi.

Insha Bashir has represented India in international competitions including one in USA. "I am currently captain of the National Women's Wheelchair Basketball, J&K. I met with an accident when I was studying in class 12th, which injured my spine at L1 vertebra, thereby damaging control communication between brain and legs," Insha said, adding that even today I could not stand on my feet. This incident shattered me for a while but I still continued my studies though on a wheelchair and focused on my goal, she added.

Apart from being active in sports, Insha continued her activities outside the basketball arena as well. She has been delivering lectures on various platforms to motivate people. She is the first TED Talk speaker from

Kashmir, thus an inspiration for a lot of people in general and girls in particular. In the year 2017, Insha participated in the National Wheelchair Basketball Championship held in Hyderabad. She played another National Wheelchair Basketball Championship that was held in Tamil Nadu in 2018. Her big break came in 2019 when she represented India in an international competition held in the USA. The National Awards for the Empowerment of Persons with Disabilities for 2021 and 2022 she received on Saturday at a glittering function held in New Delhi.

Turning her physical disability into her strength and overcoming every adversity, Wheelchair Basketball champion, Insha Bashir added another feather to her cap when she received National Award from President at New Delhi.

President Murmu on the occasion stressed on the maximum use of technology to remove language-related barriers in education and to

Mayor Jammu exhorts students to contribute towards evolving corruption-free society

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JAMMU: Padma Shri Padma Sachdev Government PG College for Women on Tuesday organised a program to mark Anti-Corruption Day Under the aegis of My Town, My Pride.

The Chief Guest of the event was Rajinder Sharma, Mayor Jammu. The program began with the lighting of the ceremonial lamp followed by Saraswati Vandana.

After the formal welcome of the chief guest by the College Principal, Prof Minu Mahajan, the Mayor addressed the students and highlighted the varied problems faced by the public and the steps being taken by him as Mayor Jammu to combat the same. He emphasized the importance of ease of doing business by bringing in transparency in service delivery for common citizens. This will go a long way in preventing corrupt practices in the service sector; he said. He also impressed upon the students to play their role in making a corruption free Jammu in particular and a corruption free India in general.

The Mayor also appealed to the stu-



Mayor, Rajinder Sharma addressing students of Padma Shri Padma Sachdev Government P.G. College.

dents to participate in large numbers in the march being organised on 9th of December, 2022 on the occasion of International Anti-Corruption Day.

The Mayor's speech was followed by a skit highlighting the ill-effects of corruption. The program concluded with a formal vote of thanks by Prof Vijender Sharma, HOD Sanskrit and the singing of National Anthem.

The event was coordinated by Prof Paramjeet Singh in association with Staff Secretary Prof Mala Bhasin, Prof Anupama Sharma, Prof Neelam Thappa, Dr Chetna Mahajan, Prof Suman Bala, Dr Ashok Kumar, Prof Abhinav Sharma, Prof Varun Sharma, Prof Suraj Mohini and Dr Kusum. The event was attended by faculty members and students in large numbers.

Status of President of India was very considerably enshrined as protector of COI under Art-60

President takes oath to Protect COI but 42nd & 44th amendments of COI are not fair to President

DAYA SAGAR

T he very typical and unique feature of the constitution of India that was drafted by the Constituent Assembly of India and was adopted on 26-11-1949 had been that though The President of India for general legislative purposes / governance appeared like a nominal head of 'State' but he/she was given the responsibility under oath to Protect the Constitution of India { Art-60 of COI }. India had earned freedom after great struggle, sacrifices and hence the prime objective before the Constituent Assembly was to incorporate the best out of the available governing systems & principles like the human rights having reflections in the fundamental rights of a citizen so as to give the people of India a democratic republic through a constitution with incorporated there in also safeguards to protect the Constitution even from the peoples representatives elected for a particular term. Art-394 of Constitution of India says :Art-394 Commencement. This article and articles 5, 6, 7, 8, 9, 60, 324, 366, 367, 379, 380, 388, 391, 392 and 393 shall come into force at once, and the remaining provisions of this Constitution shall come into force on the twenty-sixth day of January, which day is referred to in this Constitution as the commencement of this Constitution. Hence India celebrates Republic day on 26th January every year. To have the background requirements of India going through a very exhaustive exercise for drafting the COI let us have atleast a very brief (due to space limitations) look at the socio- political affairs in India of British rule times.

During 1857 "1st Swatantrata Sangram" which was lead by some of the Indian Princes like Maharami Lakshmi Bhai of Jansi there were many Indian Princes (outside British India but part of British Indian Empire) who did not support the revolting princes, not only that ,there were also some Princes / Maharajas who instead supported the East India Company (British Forces) by even sending their armed forces / generals to fight along with British forces against revolting Indian Princes and also gave monetary help to British. Hence The 1st war of Indian Independence did not succeed to ultimate but the British got alarmed so the British Parliament got enacted Government of India Act 1958 and took direct control of India from East India Company as a 'colony' of United Kingdom. British had in a way divided the people of British Indian Empire into British India and Indian Princely States and hence the British was not sensing that serious demands for total Independence for the people of India from the side of Indian princes. Common people's mass movement for "Swaraj" independence from British had started in India in late 1880s.

With the pressure mounting from the people of India The British government had started thinking that some way out for atleast involvement of the Indian people in governance cannot be that easily delayed and hence the British Parliament had enacted Government of India Act 1909 and Government of India Act 2019. The demands for greater peoples' direct involvement in country affairs had started showing recognisable pressures from 'British India' area people after Mohan Das Karamchand Gandhi (Mahatma Gandhi) returned to India from South Africa. Following the 1919 Amritsar Massacre, there was considerable public outrage against British rule.

Some half proposals for simply granting Dominion Status to " British India" were initiated in late 1920s which were not acceptable to the then Congress leadership like Jawahar Lal Nehru and Subash Chander Bose (ofcourse Gandhi was

A Look through the Mist Part-I

the driving spirit) who were for complete independence (Pooran Swaraj). It was on 31-12-1929 that in Lahore Session of Congress party (Jawahar Lal Nehru as President) a resolution was adopted for "Pooran Swaraj" / Total independence from British by '26 Jan 1930' and that is why India observes the republic day on 26th Jan every year in view of 31-12-1929 Lahore resolution only although 26 Nov is considered as Constitution day (Constituent Assembly on twenty-sixth day of November, 1949, adopted, enacted and gave to themselves Constitution of Democratic Republic of India).

The Government of India Act 1919 had introduced the 'Diarchy' system of administration, which meant power would be shared between the British and Indians at the local level. After 10 years of the implementation of the act, there would be a commission to inquire whether further reforms would be needed. So It was on the advice of Lord Irwin (Edward Frederick Lindley Wood), the then Viceroy of India (3 April 1926 - 18 April 1931) that the Sir John Simon was constituted in 1927 (consisted of only the Foreigners and no Indian representative which outraged Indian leaders). There were even incidents of violence between the British police and the freedom fighters during which Lala Lajpat Rai lost his life.

To be brief , had then in October 1929 announced (without giving any time line) that the Crown may givea 'dominion status' for British-occupied India and suggested for a Round Table Conference in London to discuss the matter including a future 'constitution'. Congress & Mahatma Gandhi had by then launched non- co operation movement and were not satisfied with British Intentions so did not participate in the 1st session of the RTC in London. (1st Nov 12, 1930-Jan. 19, 1931).OnLord Irwin's invitation eight meetings were held over about and the Gandhi-Irwin Pact was signed on 5 March 1931 and Gandhi ji attended the 2nd session of RTC in London but that too was not of any satisfaction to Gandhi who once again did not attend the 3rd session of RTC since Gandhi ji did not receive any positive signals like for Puran Swaraj from the British during the proceedings of the conference. The three sessions of Round Table Conference (1st Nov. 12, 1930-Jan. 19, 1931, 2nd September-December 1931 when Lord Irwin had been replaced by Lord Willingdon as Viceroy in India, 3rd Nov. 17-Dec. 24, 1932) were held in London called by the British Government of Labour Party to consider the future constitution of India in view of a review of the Government of India Act of 1919 .The three sessions of Roundtable conference were attended by over 70 Princes of British Indian Empire including Maharaja of J&K, some other Indians, Muslim League , Mohd Ali Jinnah and Bhim Rao Ambedkar (representing depressed classes) but Mahatma Gandhi / Congress attended only 2nd RTC. Except Gandhi ji all other participants did not have broad based views for placement in the conference .

Anyhow somewhere in March 1933 the recommendations of the RTC were discussed in the British Parliament , a bill was presented in British Parliament in February 1935 and that was passed as Government of India Act 1935 in July 1935 for establishing something like provincial autonomy in British India areas and also a federal system eyeing on Princely states (that was never implemented) with India still remaining a Colony of the British .

To be continued

(The author is a Sr Journalist & analyst of J&K Affairs. dayasagar45@yahoo.com



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