

DESH APNAYEN NEWSLETTER

7th Issue, February 2016

From the Editor's desk

Dear readers,
Hello!

It's great to be back here, talking with you through this medium. We are all settled into the New Year now, and our lives are back to what they were – hectic, full of work and trying to make time for the things we love. We at Desh Apnayen are very lucky to be doing what we love – creating spaces and curiosities with which to engage with the country.

At this point, I am reminded of a wonderful poem in Hindi by Kavi Sherjang Garg, titled Desh.

देश
ग्राम, नगर या कुछ लोगों का काम नहीं होता है देश,
संसद, सड़कों, आयोगों का नाम नहीं होता है देश ॥

देश नहीं होता है केवल सीमाओं से घिरा मकान,
देश नहीं होता है कोई सजी हुई उँची दूकान ॥

देश नहीं कल्ब जिसमें बैठ करते रहें सदा हम मौज
देश नहीं केवल बंदूकें, देश नहीं होता है फौज ॥

जहाँ प्रेम के दीपक जलते वहीं हुआ करता है देश,
जहाँ इरादे नहीं बदलते वहीं हुआ करता है देश ॥

सज्जन सीना ताने चलते वहीं हुआ करता है देश,
हर दिल में अरमान मचलते वहीं हुआ करता है देश ॥

वही होता जो सचमुच आगे बढ़ता कदम-कदम,
धर्म, जाति, भाषाएँ जिसका उँचा रखती हैं परचम ॥

पहले हम खुद को पहचाने फिर पहचानें अपना देश,
एक दमकता सत्य बनेगा, नहीं रहेगा सपना देश ॥

The last stanza of this poem resonates with us deeply. Let's recognise who we are, let's take the time to know our constitution, our laws, our rights. Knowledge is power. With this knowledge, let us make the country of our dreams come alive.

What is the law and what is the relationship of law with society?

Laws are rules that bind all people living in a community. Laws protect our general safety, and ensure our rights as citizens against abuses by other people, by organizations, and by the government itself. We have laws to help provide for our general safety.

Laws are generally based on common sense, e.g., Don't drive drunk, respect others and their belongings, respect the right to free speech and privacy. Generally if all people at all times followed common sense, laws would not be necessary. Other laws are used to regulate things such as trade, immigration and sales.

Law is rooted in social institutions. What was considered right once may not be morally right or legal today. For example, in free India, legal abolition of untouchability is an attempt to change a long-standing social norm. Yet untouchability has not completely disappeared because inadequate social support and rigid mindsets. Thus there is a reciprocal relationship between law and society. The term 'social change' is also used to indicate the changes that take place in human interactions and inter-relations.

Law plays an agent of modernization and social change. It is also an indicator of the nature of societal complexity and its attendant problems of integration. It is an effective medium or agency, instrumental in bringing about social change in the country or in any region in particular. Therefore, we rejuvenate our belief that law has been pivotal in introducing changes in the societal structure and relationships and continues to be so.

The Law certainly has acted as a catalyst in the process of social transformation of people wherein the dilution of caste inequalities, protective measures for the weak and vulnerable sections. For instance, the Nirbhaya case and strong public engagement, for instance, have given us stricter rape laws. This is the outcome citizen interactions and changing times.

In order to be a progressive and responsible society, following the law is as important as understanding and challenging archaic laws that hinder our march forward.



Contribution from our partner schools

Children's Academy, Thakur Complex.

Much in line of the theme of this newsletter, the students of Children's Academy in Thakur Complex, Mumbai, conducted a Mock Parliament session under the aegis of Desh Apnayan's Citizenship Club. It was an activity conducted to bring awareness about community service by the ministers and the procedure of passing bills into laws.

"We as citizens of India should make our citizenship meaningful by taking pride in our nation and making efforts to protect our nation", said Ms. Sona Matoo Dhingra, the principal of the school.



Contribution from our partner schools

HVB Global Academy

The HVB Global Academy in Mumbai actively supports a social cause started by Mukti Gupta to teach the under privileged children of Kolkata. HVB teachers and senior students enthusiastically conduct classes to teach various subjects thrice in a week to these children. These classes are conducted online.

Ms. Chandrakanta Pathak, the Principal at HVB Global Academy rightly believes that "HVB Global Academy offers a meaningful, globally-connected and comprehensive educational programme to its students regardless of personal circumstance, so as to empower them to explore and develop their natural curiosity and creativity."



Our monthly favourites

Website of the month

This month, we celebrate www.indiankanoon.org, a 'search engine' for Indian law.

India prides herself as the largest democracy in the world. There are three broad pillars of Indian democracy: the legislatures who make laws, the executives who enforce laws and the judiciary that interprets laws. The laws regulate a number of activities like criminal offense, civil cases, taxation, trade, social welfare, education and labor rights.

Even when laws empower citizens in a large number of ways, a significant fraction of the population is completely ignorant of their rights and privileges. As a result, common people are afraid of going to police and rarely go to court to seek justice. People continue to live under fear of unknown laws and a corrupt police.

A number of attempts have been made to bring the knowledge of law to the common people. The Government of India took active efforts to present all laws along with their amendments at indiacode.nic.in and all court judgments at judis.nic.in. Similar efforts have been taken up by other privately owned websites.

While it is commendable to make law documents available to common people, it is still quite difficult for common people to easily find the required information. The first problem is that acts are very large and in most scenarios just a few section of laws are applicable. Finding most applicable sections from hundreds of pages of law documents is too daunting for common people. Secondly, laws are often vague and one needs to see how they have been interpreted by the judicial courts. Currently, the laws and judgments are separately maintained and to find judgments that interpret certain law clauses is difficult. In order to remove the above two structural problems, Indian Kanoon is started. It achieves them by breaking law documents into smallest possible clause and by integrating law/statutes with court judgments. A tight integration of court judgments with laws and with themselves allows automatic determination of the most relevant clauses and court judgments.

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Fun and Games

We have been very lucky to have mighty visionaries lead the Indian Supreme Court as judges who protect our rights and freedoms.

Let's see if you know your courts, legal lingo and judges! Fill in the blanks with the right answers:

1. The first woman to become a Justice in the Supreme Court was _____ in the year _____.
2. The current Chief Justice of India is _____.
3. What does this image represent?



4. Who is this prominent Justice?



5. What does 'Suo Moto' mean?
6. What does 'jurisprudence' mean?

All the best!