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THE REPUBLIC AT FIFTY NINE

The Republic Day celebrations on January 26 provide an interesting contrast to the Independence Day functions on August 15, though both are equal in importance on the national calendar. The President taking the salute, the presence of the Head of State or Government of a foreign country as the guest of honour and the massive parade showcasing the nation's different cultures and military might on a cold winter morning watched by thousands of people in Delhi and by millions on the small screen make the Republic Day celebrations the most spectacular event of the year.

The 59th Republic Day celebration this year was also unique for the reason that for the first time in independent India's history a lady President took the salute. This is without doubt another achievement of which the world's largest democracy can be legitimately proud. Even the oldest and sturdiest of modern democracies, the United States of America, has not been able to achieve in two hundred years what India has successfully accomplished in just fifty years. Neither a black nor a woman has been elected President of the United States of America. Should one of the two get elected as the US President in 2008, as per the present indications, the US will only have emulated India which has had three Presidents from the minority communities besides one Dalit and a woman, during the last six decades.

India's Constitution which came into force on January 26, 1950 is a lengthy document, an amalgam of several streams of social and political philosophy and a declaration of high ideals and goals reflecting the hopes and aspirations of three hundred and thirty million people awakened to freedom and hope through the greatest non-violent revolution in human history. In the midst of brutal and mindless partition riots was completed, with quiet efficiency and firm determination, the task of integrating the more than 560 princely states with the Indian Union. No less astonishing was the drafting of the Constitution in two years eleven months and eighteen days by the Constituent Assembly led by such stalwarts as Jawaharlal Nehru, Vallabhbhai Patel, Rajendra Prasad, B.R.Ambedkar, B.N.Rau, K.M.Munshi and Alladi Krishnaswamy Aiyar.

Noted scholar Granville Austin described the making of the Indian Constitution as 'perhaps the greatest political venture since that originated in Philadelphia in 1787.'

Varying interpretations were made about the nature of the Constitution. A fusion of western liberal philosophy and Gandhian idealism became the foundation according to some while Austin highlighted the two revolutions, national and social, the former emphasizing democracy and liberty and the latter equality and justice, underlying the spirit of the Constitution. Constitutional liberalism is essentially a blend of two philosophical strains, the Greek emphasizing individual liberty and the Roman focusing on Rule of Law. Democracy without constitutional liberalism is dangerous because economic, civil and social liberties are vital for human dignity.

India's Constitution has been amended as many as ninety four times in less than six decades. Still there is force in the argument that the Constitution needs to be restructured in view of several intractable problems and persisting afflictions of the polity. The abuse and misuse of some articles of the Constitution is one example that does not need to be elaborated here. The credibility of the political system has been eroded by the manipulative electoral politics. Political parties securing less than 5% of national vote exercise disproportionate influence in the government in the present era of coalition politics. The legislature and the executive have abdicated their responsibilities resulting in a culture of 'judicial assertiveness' and 'judicial populism' and as an eminent jurist put it 'the judicial pendulum has swung erratically on occasions.'

There is a dearth of leadership with vision, both politically and socially, at all levels. Power and wealth have occupied the center stage of politics and society. That was not the vision of the architects of the Constitution who placed on top of the Constitutional pedestal such high ideals as equality, justice, fraternity and dignity. It is time the nation regained the noble spirit that lent an aura to the making of the Constitution of the world's largest democracy. Time to act before it is too late.

- The Editor

"If we wish to maintain democracy we must hold first to constitutional methods for achieving socio-economic objectives." - DR.B.R.AMBEDKAR

95th session of the Indian Science Congress

Andhra University hosts the prestigious ISC session

Prime Minister Dr Manmohan Singh inaugurated the 95th session of the Indian Science Congress at the Andhra University Campus on January 3, 2008. This was the second time for the university to host a Science Congress session, the first being in January 1976 when the then Prime Minister Smt Indira Gandhi was the chief guest at the 63rd session of the Indian Science Congress with the theme being "Science and Integrated Rural Development." The theme at the 95th session was "Knowledge Based Society Using Environmentally Sustainable Science and Technology." Prof R Ramamurthi General President of the Indian Science Congress presided and among the guests of honour were Union Minister Kapil Sibal and Andhra Pradesh Chief Minister Dr Y.S. Rajasekhara Reddy.

ISC President Prof R. Ramamurthi explained the relevance and significance of the 2008 Science Congress at Visakhapatnam. The mega event comprising 27 plenary sessions, 14 scientific sessions and 12 public lectures, was attended by over 2500 delegates including three Nobel laureates, 'some' able laureates and several scientists of international repute. A feature of the four-day ISC was the first National Virtual Congress on Mahila Kisans.

Prof R. Ramamurthi, General President of the ISC, explained the important issues raised at the 95th Congress, such as:

1. Why all advances in science and technology are being made at the cost of environment and why a large percentage of India's population is below the poverty line?

2. Why the quality of life of nearly 70 per cent of our people, who live in rural areas, continues to be poor with the benefits of scientific and technological progress being enjoyed only in major urban areas?

An alumnus of Andhra University and former vice-chancellor of Sri Venkateswara University Dr. Ramamurthi, felt proud to supervise the arrangements as the general

president of the ISC and congratulated the vice-chancellor, staff and students of the host university for the elaborate arrangements made for the historic occasion.

It was Jawaharlal Nehru who enhanced the prestige and popularity of the annual sessions of the ISC by inaugurating them with his inspiring and thought-provoking messages. It is interesting to recall here that Nehru addressed the 1937 ISC session at Calcutta and every session after independence, including the 1957 session again at Calcutta where he appealed to scientists not to live in a world of their own, "in some kind of ivory tower, cut off from what is happening". At his behest Parliament passed the Scientific Policy Resolution in 1958 "to make Indian people and even Government of India conscious of scientific work and the necessity for it." It is in the fitness of things that the 95th session also took up for serious study issues concerning human welfare, particularly environmental protection.

The Prime Minister Dr Manmohan Singh's inaugural address at the 95th session of the Science Congress referred to the need for high quality scientific research and proper application of technology without replicating "the western model of wasteful consumption and environmentally harmful industrialisation." Dr. Singh drew instant applause when he began his address with the words "this magnificent university." He detailed how the 11th Five-Year Plan is a national education plan providing for a quantum leap in budgetary support from 7.7% in the 10th Plan to 19% in the 11th. Eight new IITs, seven new IIMs and 20 new Indian Institutes of Information Technology along with 1,600 new industrial training institutes and polytechnics, 10,000 new vocational schools and 50,000 new skill development centers would come up. Innovation in Science Pursuit for Inspired Research (INSPIRE) and Scholarships for Higher Education (SHE) providing 10,000 scholarships per year of Rs 1 lakh to attract talented students to B.Sc and M.Sc courses are among the strategies for promotion of science education, he revealed. Referring to environmental concerns, Dr Singh said: "I regret to note that many of our roads in urban areas provide no space for pedestrians or bicycle riders. This must change."

The five-day 95th session of the Indian Science

Congress offered a rare intellectual feast transcending the boundaries of time and space. From the wisdom of the ancient Vedas to the modern awe-inspiring explorations and discoveries in such fields as human genomics and nanotechnology the range of subjects covered was fascinating, stimulating thought and igniting young minds a fusion of the past and the present in an exciting voyage on the wings of knowledge into the future. The three Nobel laureates hogged the limelight. Robert Kornberg, the 2005 Nobel laureate in chemistry (his father Arthur Kornberg had won the Nobel Prize in 1959) unfolded the advent of human genomics which can help in curing diseases and correcting genetic defects. Paul Nurse, the British Nobel laureate, lectured on ideas of biotechnology, and Robert Curl, the father of nano technology, described it as a billion-year-old subject which will dominate the coming era. The concept, explored first in 1966 and used first in 1974 came into vogue in 1986. Medical science will immensely benefit from nanotechnology and the forthcoming developments could be highly rewarding. Not often does a university or a city in India get an opportunity to hear on three consecutive days three Nobel laureates who converted the auditorium into a classroom. That they obliged every seeker of clarification and autograph hunter with patience and courtesy and even stood in the long queues for dinner and lunch, patiently putting up with alien conditions, endeared them to their numerous admirers.

INDIAN GALAXY

The participation of leading lights of Indian science was another highlight. Dr.M.S.Swaminathan gave a lucid presentation on the Ever Green Revolution which can help in bridging the huge economic divide. The Green Revolution was commodity-based while the Ever Green Revolution is systems-based. While 25 crore people constitute 'the shining India' the other 75 crore are the 'suffering India' he said. Dr.Chidambaram, Dr.U.R.Rao, Dr.M.G.K.Menon, Dr.M.Natarajan, Dr.E.C.G.Sudarshan, Dr.P.M.Bhargava and Dr.Dronamraju made thought-provoking presentations. The first National Virtual Congress of Mahila Kisan and exhibition for children were added attractions. Andhra University deserved the honour of hosting such a mega event.

- The Editor

VIZAG HEADING TO "DIRTY THIRTY"?

- Prof. M.N. Sastri

The most notable feature of globalization is the increasing share of manufacturing activities to the countries grouped as rapidly developing economies. These activities, which include textile, apparel, footwear, chemical, metals and metal products and are labour intensive and highly polluting, tend to move to those economies such as China, India and Mexico, where the polluting norms are less strict. As a result, pollution issues are causing concern in these countries.

The Blacksmith Institute of US, which has an advisory board consisting of experts from Harvard, IIT-Delhi, and the Johns Hopkins Bloomberg School of Public Health, publishes annually the most polluted areas in the world. In its annual report for 2007, the institute identified 30 most polluted areas (DIRTY THIRTY). Not surprisingly the list contains four Indian and six each Chinese and Russian cities. The TOP TEN are

Sumgayit, Azerbaizan (Petrochemicals)
 Linfen, China (Coal Mining and Industries)
 Tianying, China (Lead Mining and Processing)
 Sukhinda, Orissa, India (Chromite mining and Processing)
 Vapi, Gujarat, India (Chemicals and Heavy Metals)
 La Oroya, Peru (Heavy Metal Mining and Processing)
 Dzerzhinsk, Russia (Chemical Weapon Manufacturing)
 Norlisk, Russia (Nickel Metal Mining and Processing)
 Chernobyl, Ukraine (Nuclear Reactor Meltdown)
 Kabwe, Zambia (Lead Mining and Processing)

Mahad Industrial Estate in Raigadh, Maharashtra and Ranipet in Tamilnadu find places in the thirty.

Sukhinda has the largest chromite ore deposits in India and the largest open cast chromite mine in the world. As a result of the dumping of the mining wastes, seventy per cent of the surface waters and sixty per cent of drinking water are contaminated with the highly hazardous hexavalent chromium.

The industrial belt running from Vapi at the southern end of Gujarat of Mehsana, about 400 km in the north is called Gujarat's Golden Corridor because of the money created by rapid industrialization in the region. Ankheswar's large industrial estate is one of the 190 industrial complexes in the region. Hazardous products

from the area include paints, fertilizers, dyes, pulp and paper, pharmaceuticals and pesticides. The wastes generated are placed at 250-270 million litres per day of hazardous liquid wastes and about 50,000 tonnes per year of solid wastes. These are dumped in the region. At some places groundwater even at a depth of 12ft is deep red in colour. Mercury in Vapi groundwater is 96 times above the permissible level.

Ranipet has a large number of small scale industries engaged in chemical, leather and toolmaking activities. The ground water in the area is heavily polluted. In the Mahad Industrial Estate in Maharashtra, about 1,747 tons of hazardous waste has accumulated at the central effluent treatment plant. Highly hazardous wastes have also accumulated in the chemical plants in the area.

In an article in an English daily in the early 1980s, this author foresaw the emergence of an industrial corridor along the coast between Visakhapatnam and Kakinada. This is now becoming a reality. The Visakhapatnam zone is currently the scene of intense industrial activity. In addition to a slew of heavy (Oil refinery, Fertilizer, Steel and Zinc, and Thermal power) and medium industries already contributing to the environmental deterioration, a number of new major activities are coming up in the area. These include a Special Economic Zone, a giant Petrochemical Complex, Pharma City extending over 1,400 acres and an aluminium refinery, to mention a few. According to one report, there are already about 30 bulk drug industries between Srikakulam and Tuni. The wastes from these industries are directly released into the sea. As a result, the quality of fish catch is showing signs of deterioration (Mumbai, Mirror, Dec 18, 2007). The effluents from the large number of pharmaceutical units in the Pharma City, mostly engaged in bulk drug production, would pose further threat to the marine life. The mining of bauxite in the agency for the aluminium refinery will lead to displacement of hill tribes and deforestation in the rain catchment area. The disturbance of the ground through the mining operations will affect the precious fresh water rivers such as Sileru, Machkund, Gosthani and Sarada and aquifers. The aluminium smelter units will release hundreds of tonnes of toxic fluoride into the atmosphere, streams and ground water. Huge quantities of red mud, a solid waste in the operations, will pile up. If proper

steps are not adopted for the safe disposal of these wastes, all these activities could push the coastal corridor, especially the Visakhapatnam region, where a large number of heavy industries are concentrated, into the dreaded list of DIRTY THIRTY. The industry, state, public and environmental fraternity should make all efforts to avert this danger to this great city.

LECTURE HELD ON 'INDIA SHINING'

India is still shining though it is partly eclipsed due to internal dark spots like poverty and inequality, observes noted economist and Chair Professor of Gitam University, Ganti Subrahmanyam.

Delivering a lecture on 'Is India really shining? - state of our economy', organised by the Centre for Policy Studies of Gayatri Vidya Parishad here on Friday, he stated that with respect to foreign investment in India, it was 19 per cent which was higher than China (14 to 15) and Thailand (13). These countries were also the top three destinations in foreign direct investment. Other indices he listed were that India today was considered as a developed country as far as intellectual capital was concerned and India was also one of the seven nations where cars were manufactured indigenously, and 200 of the Fortune 500 countries got their software from India.

Tracing the progress of Indian economy, he said in the 17th Century, the GDP of India was 25 per cent of the GDP of the world. In the beginning of the 20th century, it was prospering as an export-led growth of economy. But at that time, India was under the British and in Independent India, the first half-century saw the national GDP level at a meagre 1 per cent.

Prof. Subrahmanyam said that the building of Indian economy began in the 1950s on the Russian model of five-year plans. There was a foreign exchange crisis in 1957 and the public sector industries supposed to occupy 'commanding heights' of economy had setbacks due to several factors like the steep hike in oil prices and population growth. India had become a high cost and low-efficient economy. "Our exports to West Asia and NRI remittances also declined and there was a liquidity

crisis in 1991 and thanks to the then Prime Minister P.V. Narasimha Rao who had the present Prime Minister Manmohan Singh as Finance Minister, economic reforms were introduced and inflation brought down from 14 per cent to four per cent now. Our economy was now listed in the category of catching up."

(Courtesy : The Hindu, December 29, 2007)

IS INDIA SHINING? STATE OF THE INDIAN ECONOMY

- Prof. Ganti Subrahmanyam

GIFT, Gitam University

"Change is indubitable;
Progress is controversial"

1. Introduction : To believe in historical determinism is to invite ridicule because it is hard to verify. Yet some prominent historians have advocated that history is rhythmical.

2. India Shone : India was a prosperously shining country till the 17th century. In 1700 A.D. India's real gross domestic product (GDP) was close to 25 percent of the world GDP. Lured by trade and good economic prospects, India was invaded, intermittently, over the centuries for a loot of its riches. During the second half of the 19th century, India was a buoyant export - led economy under the British. This colonial status resulted in the confiscation of the buoyancy and shining in two scoops, only to be grafted on to the centre of colonialism - Great Britain.

3. The National Movement : The first five decades of the 20th century witnessed turbulent times of active national movement led by Mahatma Gandhi for gaining political independence from the British. As a result, both GDP and population grew at almost the same rate thus, leading to stagnation.

4. First 40 years of Independent India : During the first four decades after Independence (1950-90) India embarked on the horrendous task of building growth foundations of the economy, a strong industrial base, a vibrant entrepreneurial class and the education base of the young independent polity. A mixed - economy model within the framework a planned development strategy

with the public sector occupying the commanding heights was unveiled. With the heavy industry thrust as part of the import substitution strategy the young economy was built on the scaffolding of licensing controls and permit raj predators. The result was, a Hindu growth rate of 3.5 percent against a target of 5 percent serious macroeconomic imbalances including inflation and the liquidity crisis of 1991.

5. And then Reforms came : The crisis of 1991 provided an excellent opportunity to bring about a structural reform with a view to breaking away from the high-cost command economy of the earlier forty years. Structural reforms all started with devaluation of the rupee in two steps first and then the rupee was made convertible (market determined) on the current account. Tariffs were lowered gradually from a peak of 400 percent to an average of 10 percent today. Restrictions on foreign capital inflows and on our external commercial borrowings (ECBs) were gradually lowered significantly. Domestic tax rates were significantly lowered resulting in the combined (centre and states) deficit steeply declining from a high of about 11 percent to a low of 3.5 percent of GDP today.

On the industry front the licensing the permit raj was dispensed with. Reservations lists were pruned for wider industrial expansion in the private sector. Measures were implemented for development of infrastructure through induction of privatization and formation of TRAI. Most price controls were withdrawn.

Reforms on the financial sector front began with the deregulation of interest rates and the revamping of preemptions from the banks. The cash reserve ratio (CRR) and the statutory liquidity ratio (SLR) were brought down to their respective legal lower limits and then withdrawn. Monetary policy was made more market-oriented. Capital markets were liberalized too. As a result, foreign direct investment (FDI) zoomed to its high of 2 percent of the GDP.

6. India is Shining Today :

6.1 Economic Indicators : With appropriate and timely sequencing of the reforms across the sectors, the Indian economy has entered a high-growth phase with low inflation rates. The quest for high growth with

"One tremendous illusion of the powers in Delhi is this — they believe that they are going to be permanent." - H.V.R. IENGAR

efficiency and macroeconomic stability has started in right earnest. The economy is lifted on to a high-growth

Table : GDP Growth and Inflation

Period	GDP Growth	Inflation
Average	(%)	(%)
1991-92	1.4	13.7
1991/92-1999/00	6.3	7.2
2001/02-2006/07	7.0	5.0

path of potential annual 10 percent growth rate. National saving and investment ratios (as ratio of GDP) have risen by 10 percent from 22 to 32 and 24 to 34 respectively and are in support of the high-growth path. The official poverty ratio has declined significantly to a low of 25 percent of the population. The middle income population of India is 1.67 times the population of the US or of the EU. The external debt as a ratio of GDP is around 15 percent today compared with higher than 50 percent of the ratio for most developed countries. Our forex reserves as a ratio of our external debt stand at 130 percent today. Our current account deficit as a ratio of GDP keeps varying between +1 and -1 percent, a highly confident indicator of our position in international trade.

6.2 More Popular Indicators : India is among the three (India, China, Thailand) most attractive FDI destinations in the world. India has among the highest returns on foreign investment. India is a developed country so far as intellectual capital is concerned. Measured in the purchasing power parity (PPP) dollars, India is the fourth largest economy in the world. India is the fastest growing free market democracy endowed with a large and growing domestic market, versatile skilled manpower, abundant resources and a robust legal and business support system. The country is equipped with sound economic fundamentals, a steady economic reform regime, a healthy and vibrant financial sector and an enriched quality of life. Thus, India is shining without doubt.

7. Some Dark Spots of No Shine : Despite all that shine, India has its own dark spots of no shine at all. The country has the largest hungry population in the world. It has the largest illiteracy (one USA is in India) and is simmering with acute inequalities of income and wealth. The country is a highly socially fractionalized society with

with rampant corruption. Only fast growth with active NGO support for dealing with the poverty can lead to gradual disappearance of the dark spots.

ACCESS TO JUSTICE - LEGAL AID - VIS-A-VIS 60 YEARS OF INDEPENDENCE-II

- Smt. Challa Mahalakshmi

Senior Advocate & International Law Affiliate,
American Bar Association, Visakhapatnam

Article 39A of the Constitution of India, inserted by the Constitution (Forty Second Amendment) Act, 1976 and which came into operation on 3rd January, 1977 provides that the State shall secure that the operation of the legal system promotes justice on a basis of equal opportunity, and shall in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disability. The objects and reasons given for the amendment were that a Constitution to be living must be growing and that if the impediments to the growth of the Constitution were not removed, the Constitution would suffer a virtual atrophy and that the question of amending the Constitution for removing the difficulties which had arisen in achieving the objective of socio-economic revolution, which would end poverty and ignorance and disease and inequality of opportunity, had been engaging the active attention of Government and the public for some years then.

The contribution of Justice V.R. Krishna Iyer towards the development and incorporation of the concept of legal aid in the Indian legal system has been tremendous. His reports have gone a step further in enabling the recognition of the poor for the purpose of giving legal aid. Justice Krishna Iyer was appointed as Chairman of Committee for Legal Aid in 1972. The Committee after conducting sample surveys of large part of the country submitted a 275 page report to the Government on the 27th day of May, 1973. This report came to mark the cornerstone of Legal Aid development in India which clearly laid down that it was a democratic obligation of the State towards its subjects to ensure that the legal system became an effective tool in helping secure the ends of social justice. He coined the word "juridicare" to cover a scheme of legal aid which brought justice to the

"Public education is as indispensable as public health, no matter what supplementary role private schools and private medical care can play". - AMARTYA SEN

doorstep of the lowly and which was comprehensive in its coverage.

In a report on Free Legal Aid in 1971, Justice P.N. Bhagwati observed "even while retaining the adversary system, some changes may be effected whereby the Judge is given greater participatory role in the trial so as to place poor, as far as possible, on a footing of equality with the rich in the administration of justice."

The two judges joined forces as a two member committee on juridicare, released its final report in August 1977. The report while emphasizing the need for a new philosophy of legal service programme cautioned that it "must be framed in the light of socio-economic conditions prevailing in the country". It further noted that "the traditional legal service programme which is essentially court or litigation oriented, cannot meet the specific needs and the peculiar problems of the poor in our country". The report also included draft legislation for legal services and referred to Social Action Litigation.

The report clearly suggests the colonial hangover of the Indian legal system which has prevented it from realising its true potential and extent. It also recognised the fact that much of our law was created by the British to suit their convenience and as a result of this it is mostly insensitive to the socio-economic problems of the masses it set out to govern and regulate.

Various judgements of the Supreme Court of India also recognized the right to legal aid as a fundamental right to life. In Hussainara Khatoon's 4th case reported in 1980, the Apex Court held that the right to free legal service was implicit in Article 21 of the Constitution of India without which the procedure cannot be said to be reasonable, fair and just and directed the State to provide free legal aid at its expenses to such persons. In Sheela Barse's case reported in 1983, the Court viewed that legal assistance to a poor or indigent accused was constitutional imperative enjoined not only by Article 39 A but also by Articles 14 and 21 of the Constitution of India. While Order XXXVIII of the Code of Civil Procedure, 1908 deals with suits by indigent persons Section 304 of the Code of Criminal Procedure, 1973 provides for legal aid to the accused at State expense in criminal cases.

In 1980, a Committee at the national level was constituted to oversee and supervise legal aid programmes throughout the country under the Chairmanship of Hon. Mr. Justice P.N. Bhagwati then a Judge of the Supreme Court of India. This Committee came to be known as CILAS (Committee for Implementing Legal Aid Schemes) and started monitoring legal aid activities throughout the country. The introduction of Lok Adalats added a new chapter to the justice dispensation system of this country and succeeded in providing a supplementary forum to the litigants for conciliatory settlement of their disputes. In 1987, Legal Services Authorities Act was enacted to give a statutory base to legal aid programmes throughout the country on a uniform pattern. This Act was finally enforced on 9th of November, 1995 after certain amendments were introduced therein by the Amendment Act of 1994. Legal aid strives to ensure that constitutional pledge is fulfilled in its letter and spirit and equal justice is made available to the poor, downtrodden and weaker sections of the society.

National Legal Services Authority was constituted on 5th December, 1995. Hon. Dr. Justice A.S. Anand, the then Judge, Supreme Court of India took over as the Executive Chairman of National Legal Services Authority on 17th July, 1997.

Section 12 of the Legal Services Authorities Act, 1987 prescribes the criteria for giving legal services to the eligible persons. Section 12 of the Act reads as under:-

"Every person who has to file or defend a case shall be entitled to legal services under this Act if that person is -

- (a) a member of a Scheduled Caste or Scheduled Tribe;
- (b) a victim of trafficking in human beings or beggar as referred to in Article 23 of the Constitution;
- (c) a woman or a child;
- (d) a mentally ill or otherwise disabled person;
- (e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- (f) an industrial workman; or
- (g) in custody, including custody in a protective home

within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956 (104 of 1956); or in a juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 (53 of 1986) or in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987 (14 of 1987); or

- (h) in receipt of annual income less than Fifty thousand rupees or such other higher amount as may be prescribed by the State Govt., if the case is before a court other than the Supreme Court, and less than rupees twelve thousand or such other higher amount as may be prescribed by the Central Govt., if the case is before the Supreme Court."

A nationwide network has been envisaged under the Act for providing legal aid and assistance. National Legal Services Authority is the apex body.

In every State a State Legal Services Authority is constituted to give effect to the policies and directions of the Central Authority (NALSA) and to give legal services to the people and conduct Lok Adalats in the State. State Legal Services Authority is headed by the Chief Justice of the State High Court who is its Patron-in-chief.

District Legal Services Authority is constituted in every District to implement Legal Aid Programmes and Schemes in the District. The District Judge of the District is its ex-officio Chairman.

Taluk Legal Services Committees are also constituted for each of the Taluk or Mandal or for group of Taluk or Mandals to coordinate the activities of legal services in the Taluk and to organize Lok Adalats. Every Taluk Legal Services Committee is headed by a senior Civil Judge operating within the jurisdiction of the Committee who is its ex-officio Chairman.

"Legal Aid Counsel" Scheme, which was conceived and introduced by Hon. Dr. Justice A.S. Anand when he was the Executive Chairman, NALSA, has been well received all over the country. Legal Aid Counsel has been provided in most of the courts of the Magistrates in the country to provide immediate legal assistance to those prisoners who are not in a position to engage their own counsel.

(to be concluded)

NETAJI SUBHAS CHANDRA BOSE-III

(January 23rd 1897-August 15th 1945)

- Sri Challa Sivasankaram

Forty six years old Subhas Babu, the selfless patriot did not budge an inch to assuage the feelings of Gandhi as he was unselfish and salt of the motherland. The A.I.C.C. which voted him to Presidentship of Congress with unprecedented majority overnight en masse deserted him as they sensed Gandhi. Subhas used to say times without number that freedom won by whichever means will be placed at the feet of the Mahatma as he knew that the Mahatma alone could unite India to wrest freedom from the British. Subhas was a thoroughbred noble and his blueblood and heroic nature never drove him to bend his knee before the concealed might of Gandhiji.

Subhas Babu was accused of being a quisling as he sought to get the military help from the axis powers to throw at the foreigner from the shores of India. He was not a traitor. He was looked upon by all sections and hues of opinion as their saviour. Like Sri Rama who sought to have the help of Sugriva to vanquish Ravana, Subhas sought to get Germany's help to free India. Ends justify means, was the teaching of the Kurukshetra battle between Kauravas and Pandavas by Sri Krishna.

The tale of Subhas Babu's escape from India dramatic. According to the version of the Lahore correspondent of the Hindusthan Standard, Sri Bose left Calcutta around December 13th, 1940 by car and at Burdwan he boarded a second class compartment in the Punjab mail. He had grown a beard and hair on the neck and looked like a Pathan in Peshawar. He journeyed to Kabul with a bodyguard. The journey to Kabul was almost on foot. At Kabul Subhas fell into the hands of a C.I.D. man. Providence came to his rescue and he got rid of the C.I.D. man by greasing his palm with a ten rupee note and a fountain pen and with the help of a friendly German he was bound to Berlin.

No account of his dramatic movements from place to place and mobilization of soldiers (prisoners of war) to found the great Azad Hind Fauz to fight the Imperialist and the allied forces would explain his trials, tribulations, privation and fulfilment. He lived on earth with Kshatra Veerya and died like an Aryan. An eternal martyr he attained veera swarga like Abhimanyu. On 18th August

"Happiness is nothing more than a state of mind that you create by the way you process and interpret the events of your life." - ROBIN SHARMA

1945 the Hero went on Mahaprasthan. He was a Hero who outheroed many a hero. Before and since the martyrdom of Subhas babu, history provides with none of his stature. Subhas's radiance in the glory of martyrs distinctly dazzles, and endures as long as Sun, Moon and stars endure.

- Amen -

Prof. G. GOPALA RAO A Centenary Tribute

- Prof.U.Muralikrishna, AU (Retd.)

Prof. G. Gopala Rao was a brilliant academician and a doyen in the field of analytical chemistry. Remembering and recollecting Gopala Rao is in a way to get to recall the history of the Department of Chemistry and Research in Analytical Chemistry. Gopala Rao grew up with the chemistry Department and the department also grew with Gopala Rao. Right from the primary school stage up to the postgraduate stage Gopala Rao was second to none at each and every stage. He received gold medals at the Intermediate, B.A. and M.Sc. degree examinations. He was the first lecturer in the Department of Chemistry of the Andhra University Colleges (1932). His classroom assignment work was irksome to us as students. But this approach led the students to adjust to 'direct individual studies', part of the course work for the Ph.D. program of American Universities. On the other hand his lectures on topics of his choice of the curriculum were exquisitely lucid. He had to be but innovative in initiating the chemistry laboratories consistent with the prevailing conditions and available facilities. Gopala Rao did research for his doctorate degree in Allahabad University with Prof. Nil Ratan Dhar as his research supervisor. Prof. Dhar was a research student of Prof. Sir. P.C. Ray, the father of Indian Chemistry and founder of the Indian Chemical Society. After joining the chemistry department of the Andhra University and in keeping with the tradition of the University he started his own line of research consistent (once again) with the facilities available then. The obvious choice of the field of research was the conventional but more basic volumetric analysis, more particularly redox systems. 32

researchers got their doctorate degrees under his guidance. Many more got other research degrees, M.Sc. (by research) and M.Phil. The results of the research studies published in the journals of national and international repute received recognition as is evidenced by quite a good number of references made to these in the two outstanding reference text books of Analytical Chemistry, namely, (1) volumetric Analysis III by Kolthoff and Belcher et al., Inter Science Publishers and (2) Newer methods of volumetric analysis by Berka et. al., Pergamon press.

His contributions, mostly in the area of volumetric analysis of redox systems, include

- A. Application of light to chemical analysis of iron in foods, drugs, pharmaceuticals and newer rapid method analysis of uranium in materials.
- B. Newer direction in the use of redox reagents involving complexation : use of Iron (II), chromium (VI), manganese (VII) in high phosphoric acid medium.
- C. Novel and more sensitive visual indicators in volumetric analysis : metal Phthalocyanines
- D. newer methodologies in the use of some reducing agents like, ascorbic acid, hydrazine, arsenic (III), antimony (III), some oxidizing agents like, cerium (IV), chlorate, bromate, iodate, iron (III) and vanadium (V).
- E. Applications of catalysis : silver salt and iodate-iodide as catalysts in cerate oxidimetry (i.e. Cerium (IV)), copper salts in ferrimetry (i.e. Iron (III)).
- F. Chemical Kinetics, an entirely new field of research in the Andhra University.

Vanadate i.e. Vanadium (V) as an oxidimetric reagent was being studied simultaneously by Russian analytical chemists. But the credit goes to Gopala Rao in highlighting that vanadate is a better agent over other oxidimetric reagents in that very few organic substances cause interferences in the analysis of reducing agents. In a nutshell, Gopala Rao's contributions are towards

development of reference materials and reference methodologies in analysis, with emphasis on repeatability, readability and realisability of the analytical results.

Development of courses within Chemistry and development of the Department of Chemistry in the Andhra University is due to his vision as it evidenced by the introduction of 'Special Physical Chemistry' paper in the B.Sc. (Hons) degree curriculum in 1949. Analytical Chemistry and Nuclear Chemistry specializations at the M.Sc. degree were first introduced by him. Andhra University is one of the four Universities in India to start M.Sc. Analytical Chemistry degree programme. As a result of these measures Inorganic, Organic, and Physical Chemistry specializations at M.Sc. degree level got initiated under his stewardship as Head of the Department of Chemistry. These steps led to further growth of the then composite Chemistry department to fan out into three departments having newer specializations, Chemical Oceanography, Bioinorganic Chemistry and Environmental Chemistry. He was rewarded by the invitation to be the *First Regional Editor* for Asia and Far East of the International Journal, Talanta, by the Pergamon Press publishers for his significant contributions in the field of Analytical Chemistry. He was honored by the Andhra Pradesh Academy of Sciences of which he was a founder member, with its golden jubilee award.

Andhra University also had conferred on him the Honorary Degree of Doctor of Science. He was Head of the Department of Chemistry (1949-1968). His tenure as the Principal of the University Colleges was also distinguished. (1963-65). Moscow University, Mendeleev Institute and Vernadsky Institute invited Gopala Rao to deliver expert lectures covering a wide range of Chemistry topics like minerals utilization, industrial chemistry of paints and Analytical Chemistry. The then composite Madras Presidency Government entrusted him with the task of initiating, and developing Testing Laboratories for which he was the Director during 1946-1949. He was bold in translating his idea in spite of the warning of the then civil engineer of the University, raising a building in a sandy soil, which stands there till today as a testimony to his conviction.

Gopal Rao was accessible of approach in matters of technical and academic advice. Many researchers as well as those entrepreneurs interested to start small scale industries had the materials, raw and finished, analysed in Gopala Rao's analytical laboratories. This consultancy helped some of his research students with financial assistance. As a man Gopal Rao was tacit, adroit, shrewd, steady, bold, helpful and above all a humanist. The Andhra University has rightly organized a function commemorating his birth centenary.

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