

# IV INTERNATIONAL CONFERENCE

## On Law, Management, Social

### Topic - " Emerging Trends in Law, Management & Social Science: Envisioning Globe"- Vision 2030



**Chief Guest : Prof. (Dr.) V. Vijaykumar Vice Chancellor, NLIU, Bhopal**

The Conference started with the Inaugural Ceremony followed by an Informational tour of the Campus by the Management & Organizing Committee Members. The consortium then moved to the Auditorium for the inaugural session, the inauguration was done traditionally by lighting the lamp. The Chief Guest in his address appreciated the College infrastructure and also liked the kinds of themes that were there for the Conference related to Envisioning business -2030 and also suggested for some Credit Courses by a MoU between NLIU, Bhopal and Indore Institute of Law which will be very good opportunity for our students also he gave a brief idea as to Importance of Research in Law. The inaugural address of the conference was given by Mr. Kantilal Ji Bam, Chairman Icon Education Society, followed by the event brief by the Chairman of the college, Mr. Akshay Kanti Ji Bam.

The inaugural address was followed by the Keynote speeches of the conference that helped the participants of the conference gain vision and perspective about the theme of the conference. The Vote of Thanks was given by Miss Yukta Mehta Convener of alumni Society, Indore Institute of Law;

**The sessions of the first day were on the following themes-**

1. Theme 1 of law topic – Legal Aspect of Crypto currency

law chaired by CA Shweta Ajmera Founder – S. Ajmera & Co. Chartered Accountants and CMA Sudeep Saxena Co-Founder Coin Gabbar.

2. Theme 2 management topic – E-commerce in Indian Banking Sector chaired by Dr. Manish Shrivastava principal, CDGI, Dr. Haldar Sharma ,head –commerce dept. medi-caps University

3. Theme 3 social science topic- Dynamic of geopolitics in Russia and Ukraine chaired by Adv. Sarthak Maggon and Dr. Saroj Billore.

The three sessions were a constructive dialogue upon the abovementioned themes, there were participants from around the globe such as Pakistan, Bangladesh, USA etc. We had presentations in each session of the conference, the panelists of the conference gave their session address on the session chaired by them and provided feedback to the participants. The first day of the conference ended with lunch.

Day 2 of the conference began with welcoming ceremony of the panelist, proceeding to the panel discussion for the theme of the second day.

**The themes of the second day were –**

1. Theme 1 law topic- Legal aspect of Artificial Intelligence

chaired by Prof. Ajay Tiwari and Dr. Shaligram Prajapat

2. Theme 2 management topic- Management- Envisioning Business 2030 chaired by Prof. (Dr.) Anukool hyde and Prof. (Dr.) Rajhans Mishra

3. Theme 3 social science topic- Social Science- Politics of mandal, kamadal and hijab chaired by Dr. Trapti Joshi and Adv. Sarthak Maggon

#### VALEDICTORY CEREMONY

The two day conference concluded with a valedictory ceremony, chaired by Chief Guest Mr. Kantilal Bam, Chairman Icon Education Society followed by a conclusive note by Mr. Akshay Kanti Bam, Chairman, Indore Institute of Law.

The ceremony ended with the announcement of the final awards of the event, inclusive of 3 Best Paper submissions & Best presentations in each session of the Conference which includes 120 Participants.

It is on this note that Miss Meet Priya khalsa bid vote of thanks, bringing an end to the two day conference. The conference concluded with an academic boost to the members of the Institution and those in participation and attending, paving a way forward for the Institution to conduct many such academic endeavors and with hope for growth and consistent development.

# SOCIAL JUSTICE AND AMBEDKAR



**Adiba Shiekh, WBNLUS**

"Indifferentism is the worst kind of disease that can affect people."

— Bhimrao Ramji Ambedkar

Dr Bhim Rao Ambedkar, who happened to be the Chairman of the Drafting Committee of the Indian fundamental law i.e. the very Constitution of India. He, for his prudent contribution towards the framing of the Indian Constitution and influential leadership, is known as the Father of the Indian Constitution. His unquestionable focus towards the equality, most specifically the 'Social Justice' i.e. equality for the weaker section of the society can be found from the very flavour of the preamble of the Constitution itself, specifically from the phrase "JUSTICE, social, economic, political."

Dr Ambedkar, the name imprinted in the minds of all Indians for generations to come. He has marked a score in all our hearts, not only because of his scholarly work but primarily because of his contribution in moulding India upon the pillars of 'Justice', 'Liberty', 'Equality' and 'Fraternity'. He considered these pillars to be the cornerstone of his idea of 'Social Justice.' He also regarded these attributes as playing a sacrosanct role in ensuring the dignity of every individual. Dr Ambedkar became the preacher of equality, most particularly in the form of Social justice having been inspired and influenced by Rousseau's words, which tempted him to mull over his steps and fight firmly for justice based on equality.

#### Social Justice

The concept of Social justice signifies the expanding horizon of the concept of the general form of equality, according to which 'the equals must be treated equally and the unequal must be treated differently.' Besides, from the sequence of the key elements in the preamble of the Indian Constitution, one can very well identify the primacy of 'Justice' specifically the 'Social justice' over Liberty, Equality and Fraternity. And this is what the Indian Constitution intends to do for the weaker, deprived class of the society and to the minorities.

#### Ambedkar and Social Justice

In order to analyse the influential works of Dr Amedkar, as a reformer of social justice for the betterment of oppressed class, it is worth discussing the caste system that existed in the Hinduism. 'Manu' the lawgiver had classified the mankind into four varnas (Sanskrit word; colour or class) namely the Brahmins, Kshatriyas, Vaishyas, and Shudras. The 'Purusha Shutra' of the Rig Veda, emanated the doctrine of 'Chatur Varnya' according to which the four castes emerged from the body of the creator, 'The Brahmins', the priests were equated to the mouth, 'The Kshatriya' the warrior; from the arms, 'The Vaishyas' the trader; from the thighs and 'The

uproot the caste system in the country to its entirety.

When we take a glance upon the life of Dr Ambedkar, we may think he got all the opportunities in life and was able to study abroad, earned various academic achievements but no one bothers to cast an eye upon all the hardships which he had to undergo because of his caste in all the stages of his life, which has made him a champion, whom we know, respect, adore and idealise. All cannot understand the pain unless we stand in his shoes, yes Dr Ambedkar received a scholarship from the princely state of Boroda, but he earned it and the scholarship was for his studies alone, his living in London and serving his family from there was a daunting task, his wife longed for his presence and all his children died because of poverty and diseases, the same also took away the life of his wife Ramabai. Instead of being a Professor at the Sydenham College of Commerce and Economics in Mumbai, other Professors refused to share a water jug with him as he was untouchable.

So one needs to understand that Ambedkar did not fight in the air, for anything he had all valid and sufficient reasons to raise his voice against this caste system as he too was one of the sufferers. Ambedkar, all his life tried to eliminate social injustice in India, be it the Mahad Satyagraha of drinking water from the Chowder tank or asking the women of low castes to drape their saris like that of high castes women, so as to erase the mark of untouchability or to burn the Manu Smriti as a protest, everything he did was to free the untouchables from the bondage and establish social justice among people.

Through his fortnightly, the 'Mooknayak' (Silent Hero) he became the voice of the untouchables and tried to make all aware of the evil practices of the caste system that existed amongst the Hindus. The oppressed class had implicit faith in him. He claimed to have separate electorates of the people of lower castes, which would enable the minorities to elect a candidate to the legislature, who would be their real and not nominal representatives. But he had to do a concession of separate electorates with reserved seats on request of Gandhiji and a referendum of 5 years. But he had a belief that untouchability shall not be eradicated within twenty years and the untouchables will be continued to be oppressed by the dominant Hindus, which would worsen their miseries even more. He and his entire community embraced Buddhism, so one needs to fathom what was so depressing that compelled them to change their religion.

#### Conclusion

To conclude, when all of us debate on the quantum of reservation and opine to end reservation system of the people of lower caste we need to think for a while and go through its history, the history of what these people have been through. When we see them like us, as take their suffering and miseries as our own, then this discrimination can be totally eradicated and all people will be one, as in the eye of the maker. And the dream of Dr Amedkar shall be fulfilled and his efforts to eliminate social injustice will be successful and India would be a country free from any social inequality, with each of its citizens having his fundamental rights and living with dignity, which he deserves as a human being from his very birth. Then there will be no need of reservation for a particular class as all people will be one irrespective of their caste, colour, race and other like discriminating factors.



**ADIBA SHIEKH**  
WBNLUS



**Welcome of Chief Guest Prof. (Dr.) V. Vijay Kumar, Vice Chancellor NLIU, Bhopal**



### Valedictory Ceremony



**Dr. Akshay Kanti Bam, Chairman, IIL Felicitating Chief Guest V. Vijay Kumar, Vice Chancellor NLIU, Bhopal**



**Chief Guest Prof. (Dr.) V. Vijay Kumar, Felicitating Prof. (Dr.) Dr. Manpreet Kaur Rajpal Director & Dean, Academics with Women Entrepreneur -2022 Award**



**For publication and advertisement related queries mail us at - publications@indoreinstituteoflaw.org**

**INDORE INSTITUTE OF LAW**  
(Affiliated to DAVV & Bar Council of India, New Delhi)

The Leader of Law Education for last 18 years...

Rau Pithampur Road, Opp. IIM, Indore (MP)  
E-mail: indoreinstituteoflaw@gmail.com  
Ph: +91-99770 19777, 99770 91777, 94250 00720

**IIL Indore has secured**

**1st Ranked Private Law College in M.P, CG & Rajasthan**

**CHIEF EDITOR: DR. MANPREET KAUR RAJPAL**  
(DIRECTOR & DEAN, ACADEMICS, IIL, INDORE)

**ASSOCIATE EDITOR: DR. KAVITA DIVE**  
(ASSOCIATE PROF. & HEAD OF RESEARCH CELL, IIL, INDORE)

**ASSISTANT EDITOR: MRS. AAKRITI SHUKLA**  
(ASST. PROF. IIL, INDORE)

**MR. AMARESH PATEL**  
(ASST. PROF. & AUTHOR, IIL, INDORE)

Icon Education Society (I.E.S.), as a first step to achieve its objectives, decided to set up an exclusive and independent college to provide specialized, high quality Law education for professionals, coupled with all basic infrastructure facilities.

Indore Institute of Law is the first independent & exclusive College of Law in Indore, Affiliated to the Bar Council of India & Devi Ahilya Vishwavidyalaya (DAVV), Indore. The Study Course/ Admission/ Examination and Degree shall be strictly in terms of regulations of DAVV, Indore. Indore Institute of Law is only Private College in Madhya Pradesh where all the law courses are under one roof.



## SHOULD THERE BE LIMITATIONS ON ARTISTIC FREEDOM?



### Introduction

By giving a liberal interpretation to the Article 19 (1) (a) of The Constitution of India, i.e. from the term "Freedom of Expression" one can easily deduce the interpretation which includes "Freedom of Art" which is otherwise known as "Artistic Freedom".

Article 19 (1) (a) states that "All citizens shall have the right to freedom of speech and expression."

However, as we know that no Fundamental right in the Constitution of India is absolute. So every fundamental right is subjected to some restrictions, which are known as the "Reasonable Restrictions."

The Indian Constitution clearly enshrines the reasonable restrictions pertaining to the freedom of speech and expression that it should not hamper the followings; namely;

- The sovereignty of the State
- The integrity of the Nation
- The Security of the state
- friendly relations between own state and foreign States
- Public order
- Decency or morality
- In relation to contempt of court, and
- Defamation or incitement to an offence.

### Restriction to Artistic Freedom in India

There should be freedom on the imagination of artists but a limitation on their execution. Artists should not make art which tends to bother people, hurting their sentiments, stirring up nuisance and likewise. Hence, it will be no wrong to say that freedom of expression is only valid when you are not hurting anybody's feelings.

Apparently the mentioned Reasonable Restrictions, to the freedom of Speech and Expression, is quite inclusive and exhaustive in nature. So no artist can take shelter Under Article 19(1)(a) by violating the Reasonable Restrictions imposed on it under Article 19(2) of the Constitution.

However, there have a lot of negative contentions been raised, which are completely against imposing any kind of limitations on such "Artistic Freedom." Some argue that Art is the medium of Expression by which one can express his thought regarding a particular issue which is the base of the development of a country and no restriction should be imposed on such freedom. However, there are the opposite contentions too, that there should be limitation and restriction to the "Artistic Freedom" and there are also some instances where it has already been witnessed a number of disastrous happenings in various countries. Which I am going to discuss below.

### Practical Instances

There are some of the practical instances wherein various countries have witnessed a number of the catastrophic situation for not having any kind of restrictions to such "Artistic Freedom." Such as

- Danish Cartoon Controversy case, wherein a huge Religious Controversy was witnessed by virtue of an Art.
  - Then again in the Author Salman Rushdie's controversy after the publication of his novel,
  - Again in the Painter MF Hussain controversy.
- All the above cases are the practical instances of damaging human emotions, culture and putting bad examples of artistic freedom. They are discussed below

### Danish Cartoon Controversy

The Jyllands-Posten Muhammad cartoons controversy began after the Danish newspaper Jyllands-Posten published 12 editorial cartoons on 30th September 2005, most of which depicted Muhammad, the principal figure of the religion of Islam. The newspaper announced that this was an attempt to contribute to the debate about criticism of Islam and self-censorship. Muslim groups in Denmark complained, and the issue eventually led to protests around the world, including violent demonstrations and riots in some Muslim countries.

Islam has a strong tradition of aniconism, and it is considered highly blasphemous in most Islamic traditions to visually depict Muhammad. This, created with a sense that the cartoons insulted Muhammad and Islam, offended many Muslims. Danish Muslim organisations that objected to the depictions responded by petitioning the embassies of Islamic countries and the Danish government to take action in response and filed a judicial complaint against the newspaper, which was dismissed in January 2006. After the Danish government refused to meet with diplomatic representatives of the Muslim countries and would not intervene in the case, a number of Danish imams visited the Middle East in late 2005 to raise awareness of the issue. They presented a dossier containing the twelve cartoons from the Jyllands-Posten and other information some of which was found to be falsified. As a result, the issue received prominent media attention in some Muslim countries, leading to protests across the world in late January and early February 2006. Some escalated into violence resulting in more than 200 reported deaths, attacks on Danish and other European diplomatic missions, attacks on churches and Christians, and a major international boycott. Some groups responded to the outpouring of protest by endorsing the Danish policies, launching "Buy Danish" campaigns and other displays of support. The cartoons were reprinted in newspapers around the world both in a sense of journalistic solidarity and as an illustration in what became a major news story.

In this way, such an Art triggered massive disaster all over the world.

### Author Salman Rushdie's controversy

The Satanic Verses controversy, also known as the Rushdie Affair, was the heated and frequently violent reaction of Muslims to the publication of Salman Rushdie's novel The Satanic Verses, which was first published in the United Kingdom in 1988. Many Muslims accused Rushdie of blasphemy or unbelief and in 1989 the Ayatollah Ruhollah Khomeini of Iran issued a fatwa ordering Muslims to kill Rushdie. Numerous killings attempted killings, and bombings resulted from angry Muslims over the novel.

The Iranian government-backed the fatwa against Rushdie until 1998 when the succeeding government of

Iranian President Mohammad Khatami said it no longer supported the killing of Rushdie. However, the fatwa remains in place. The issue was said to have divided "Muslim from Westerners along the fault line of culture," and to have pitted a core Western value of freedom of expression that no one "should be killed, or face a serious threat of being killed, for what they say or write," against the view of many Muslims, that no one should be free to "insult and malign Muslims" by disparaging the "honour of the Prophet" Muhammad. English writer Hanif Kureishi called the fatwa "one of the most significant events in post-war literary history."

### Painter MF Hussain controversy

Here Mr MF Hussain published one disputable picture containing the picture of some veteran and renounced leaders of the world. Out of the four leaders, M. Gandhi is decapitated and Hitler is naked.

Hussain hates Hitler and has said in an interview 8 years ago that he depicted Hitler naked so as to humiliate him as he deserves it! How come Hitlers nudity caused humiliation when in Hussain's own statement nudity in art depicts purity and is, in fact, an honour! This shows Hussain's hypocrisy and perversion. The picture which was published by the Artist was



### Some Other instances

There is some other picture which was published in the form of Art and efforts were made to take shelter under the shade of Fundamental Right of speech and expression but it had led to a lot of disturbances. Some of such pictures are given below.



The above pictures are the clear indication of misusing the Freedom of Expression and intention to disrupt the public order, or defaming a country and annoy the denizens of the same. So, such kind of freedom should not be left without any Reasonable Restrictions.

**RONAK BANSAL**  
BBA LL.B (Hons.) Vth Semester  
Indore Institute of Law



## THE ROLE OF FORENSIC SCIENCE IN INVESTIGATION



### INTRODUCTION-

In the previous decade, due to the progress in the justice system, it has been observed that there has been a tremendous evolution in the crime investigation techniques. A lot of new techniques and ideas have been introduced in the criminal investigation process and the use of new scientific tools and disciplines leads to a more accurate conclusion of the investigation. Forensic Science is a discipline that works in the parameter of the law and has a remarkable influence on the justice system. The objective behind using such disciplines in the law is to provide guidance in the process of the discovery of the evidence and investigation of the crime scene. Using these techniques, a more accurate and foolproof report can be deduced which helps in serving justice. In India, witnesses and statements are used as evidence to prove or disprove the innocence of the accused and the one proved guilty is prosecuted. Hence, it can be said that forensic science one of the most important tool in the enforcement of the law. Firearms are the physical evidence such as shotguns, rifles, pistols, revolvers and country-made firearms, etc., which are frequently used in the crime and recovered from the crime scene or any other place during the investigation. The Indian THE ARMS ACT, 1959 provided the definition of firearms under section 2(c) which is as followed:

"Firearms" means arms of any description designed or adapted to discharge a projectile or projectiles of any kind by the action of explosive or other forms of energy, and includes-

1. artillery, hand-grenades, riot-pistols or weapons of any kind designed or adapted for the discharge of any noxious liquid, gas or another such thing,
2. accessories for any such firearm designed or adapted to diminish the noise or flash caused by the firing thereof,
3. parts of, and machinery for manufacturing, firearms, and
4. carriages, platforms and appliances for mounting, transporting and serving artillery

So, when a firearm is collected by the police or investigating officer from the crime scene then they submit it in the forensic science laboratory for further investigation from that evidence such as firing or handling a firearm may be detected through the analysis of gunshot residue collected by the person, hands or other body surfaces can also be detected. Analysis of Firearms forensic evidence is used in the investigation and prosecution of criminal proceedings, which can be used to link crimes that are thought to be related to one another

### Role of Forensic Science in Investigation

1. Forensic evidence often helps to establish the guilt or innocence of possible suspects.
2. Analysis of forensic evidence is used in the investigation

and prosecution of civil as well as criminal proceedings.

3. Forensic evidence can be used to link crimes that are thought to be related to one another

4. This linking of crimes helps the police authorities to narrow the range of possible suspects and to establish patterns of for crimes to identify and prosecute the suspect.
5. The forensic science reports in case of firearms helps to investigate more about the technicality of the evidence, as the forensic examination includes shell casings, gun powder, bullets, gunshots and other firing characteristics of a weapon, even the slightest remnants of a gunshot can be traced to a specific firearm, where its sold and its owner if registered. With the help of forensic examination, the investigation can be done by covering all the crucial information, whatever can be derived from the physical evidence.

### Forensic Examinations

A forensic firearm examination is a process in which the characteristics of a firearm and ballistics are studied to link specific bullets, or rounds, to a specific firearm. From there, further investigation attempts to connect the firearm to a specific person. Often, the serial number on the firearm may be obliterated, especially if the gun is stolen, but other pieces of evidence can still exist, such as fingerprints, blood spatter, clothing fibers, and so on. Furthermore, serial numbers that have been scratched off can often still be recovered through a process using etching fluids or gels, which may restore the numbers to a legible condition.

### Admissibility of Forensic Report

All the forensic reports regarding the firearms or ballistics investigation are considered as an opinion of experts or opinion of the third party when relevant, which is admissible by the court as per the provisions given under Section 45 of the Evidence Act, 1872

### Process for collection of Firearms

The collection of firearms includes the firearm, ammunition, and associated materials, such as clothing with gunshot residue deposits, everything done by the officer. Before the firearms given in the laboratory following are the mandatory process, which has to be performed:

1. The location and condition of firearms and related evidence at a crime scene should be documented through diagrams and photographs before recovering and securing. Close-up photos of the firearm should document the condition and position of visible features such as the safety, action (e.g. bolt, slide, etc.), and hammer. Although physical evidence is important, safety must be the first consideration. Each situation should be evaluated before deciding to unload an evidence firearm and then all the firearms are submitted to the property room, which must be unloaded.

2. All handguns submitted as evidence must be packaged in a protective "gun box".
3. Long arms submitted as evidence must be appropriately marked and/or tagged. Long arms must be packaged in a protective "gun box" in cases where a laboratory examination is requested.

4. Ammunition, magazines and/or accessories present with firearm evidence should be packaged separately.

5. Separately packaged ammunition and magazine(s) associated with a particular firearm should be placed inside the gun box with the firearm.

6. Officers seizing firearms shall complete a "Firearms Return Receipt Policy" Form and leave it with the person, or at the place where the firearms were seized. The form will include information describing the firearm, the identity of the officer and person from whom it was received from and the HPD Complaint/Incident Number. Completion of this form is not required in the service of a search warrant intended to recover the firearms as evidence which already involves or requires the provision of a search inventory, in cases where the firearm is simply found by an officer or person who is not the owner, or in the event that a firearm is seized as evidence relative to an individual who is carrying or possessing it in violation of the law.

### Legal provisions related to forensic science

#### 1. Constitution:

Article 20 (3) of the Constitution provides that no person shall be compelled to a witness in his own case. This fundamental article provided in the Constitution is to protect a person from any harsh or torturous investigation process to get his statement. It is based on the principle of "innocent until proven guilty". This provision is also found in Article 11 of the Universal Declaration of Human Rights (UDHR), where it has been stated as the "right to the presumption of innocence". This right is not just for the stage of trial but for the previous stages of giving statement or production of a document or any other material which can prove him guilty.

#### 2. Indian Evidence Act, 1872:

Section 73 of the Indian Evidence Act, 1872, provides that the Court may direct any person including the accused to give his finger impressions, which, as stated by the Supreme Court, does not violate the fundamental right of a person given u/a 20(3) of the Constitution.

#### 3. Criminal Procedural Code, 1973:

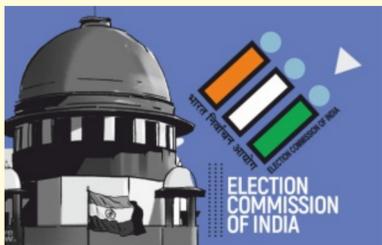
Section 50, 53, and 164A of the Criminal Procedural Code, 1973, which was amended in 2005, to facilitate the medical examination of the person subjected to arrest. By the amendment, a wider scope of such medical examination was included as stated "the examination of blood, blood-stains, semen, swabs in case of sexual offences, sputum and sweat, hair samples and fingernail clippings by the use of modern and scientific techniques including DNA profiling and such other tests which the registered medical practitioner thinks necessary in a particular case."

Under the Evidence Act, the forensic report is considered as the "belief" of the expert and an expert is someone who, by practice or experience, has become experienced or specialised in any science or his area of expertise. His opinion is undertaken by the Court in any case to understand the scientific approach of the facts and evidence of the case. However, the court is not bound by the expert's opinion and can completely disagree to it



**MRS. MADHURI MODI**  
Assistant Professor,  
Indore Institute of Law

## JUDICIAL POWER OF THE ELECTION COMMISSION



Apart from the administrative function, the Election Commission has a lot of Judicial powers with regard to the inquiries as to disqualification of the members. So, let us discuss the judicial powers of the Election Commission hereunder. Where a dispute arises in relation to the tendering of any opinion to the President under Art-103 of "The Constitution Of India" or under Sec-14 of "The Government of Union Territories Act, 1963" or in case of the governor under Art-192 of "The Constitution Of India", if the Election Commission is satisfied that, in accordance with the affidavits filed and the documents produced in such inquiry by the concerned parties of their own accord, it cannot

come to a decisive opinion on the matter which is being inquired into, then the "Election Commission" shall have the powers of a civil court, while trying a suit for the purpose of such Enquiry, under "The Code of Civil Procedure, 1908", in respect of the following matters, namely;

- Summoning and Enforcement of the attendance of any person and examining him on oath,
- Requiring the discovery and production of any document or other material object which is producible as evidence,
- Receiving evidence on affidavits,
- Requisitioning any public record or a copy thereof from any court or office,
- Issuing commissions for the examination of witnesses or documents.

The "Election Commission" has the power to ask any person to furnish information on such points or matters as in the opinion of the Election Commission, which may be useful and relevant to the subject matter of the inquiry. In this situation, the Election Commission is deemed to have acquired the power of a civil court and when any offences i.e. under Section-175, 178, 179, 180 and 228 of "The Indian Penal Code, 1860", the Election Commission, after recording the facts constituting the offence and the statement of the accused as provided for in "The Code of Criminal

Procedure", has to forward the case to a magistrate having jurisdiction to try the same and the magistrate, to whom the case is forwarded, will proceed to hear the complaint against the accused as if the case had been forwarded to him under Sec-482 of "The Code of Criminal Procedure".

All such proceeding in all such proceeding the "Election Commission" are deemed to be judicial proceeding under the meaning of Sec. 193 and 228 of "The Indian Penal Code". However, no statement made by any person during giving evidence before the Commission will be subjected to any civil or criminal proceeding except a proceeding for giving false evidence by such statement and such statements must be made in reply to a question which he is required by the Election Commission to answer and if it is relevant to the subject-matter of the inquiry.

The Election Commission has the power to regulate its own procedure and also has the power to fix places and times of sittings and to decide whether to sit in public or in private and no legal proceeding or suits can be initiated against the Election Commission or any other person acting under the direction of the Election Commission for the act done in good faith.



**SAIJAL JAIN**  
BBA LL.B (Hons.)  
Indore Institute of Law

## CURRENT AFFAIRS, June 2022

- Central Information Commission (CIC) achieved a consistent decline in the pendency of RTI (Right to Information) cases with the constant rise in the disposal of the RTI appeals. CIC, a statutory body, has been constituted with effect from 2005 under the RTI Act, 2005. The jurisdiction of the Commission extends over all Central Public Authorities.

- The Orissa High Court became the first in the country to publish an annual report that gives insights into the performance of the state's judiciary. Constitution follows the principle of separation of power where checks and balances exist on every organ's (Legislature, Executive and Judiciary) conduct.

- Supreme Court objected to frivolous Public Interest Litigation (PIL) petitions, and imposed penalties on petitioners for filing luxury litigation.

- United Nations has called on countries to stop imposing Internet shutdowns, warning of dire consequences.

- Currently, suspension of telecom services (including internet shutdowns) is governed by the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017, notified under the Indian Telegraph Act, 1885.

- Chief Election Commissioner has made a fresh push for amending the Representation of People's Act, 1951 (RPA) to bar people from contesting from more than one seat. As an alternative, hefty fine should be imposed on those vacating one of the constituencies and forcing a bypoll. Dinesh Goswami Committee report (1990) and the 170th report of the Law Commission on Electoral Reforms (1999) had also included recommendations for restricting one contestant to one seat.

- Department of Administrative Reforms & Public Grievances (under Ministry of Personnel, Public Grievances & Pensions) had constituted NeSDA in 2019 to assess State, UT and Central Ministries on depth and effectiveness of e-Governance service delivery.

- 12th Ministerial Conference of the WTO washeld recently.

- The United States aims to raise \$200 billion over five years to fund needed infrastructure in developing countries under a G7 initiative aimed at countering China's Belt and Road project.

- NATO Summit was held recently in Madrid (Spain) amid Russia-Ukraine War.

- BRICS Leaders adopted the 'Beijing Declaration' in 14th BRICS Summit, convened under the Chairmanship of China, in virtual format.