

Paramount Law Times Newsletter



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Present Issue :

MY PROSPECTIVE

*Apex Court order likely to 'disturb', the
slumbering lethargy of administration*

Justice S. D. Anand (Retd.)

*Who is ultimately responsible for
fundamental rights of minor
Indian citizens*

Dr. S. K. Kapoor
(Ved Ratan)

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***Apex Court order likely to 'disturb', the
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Justice S. D. Anand (Retd.)

The nation owes gratitude to the Apex Court for having granted sterner measures qua the non recording of first information reports in an astoundingly large number of cases pertaining to missing children.

It is to state the obvious that the parents of a child who goes missing live an vegetative existence till the child is found. Exasperation on their part would rise to intolerable extent when the Law Enforcement Agency would not even accept the lodgement of even an FIR.

Like wise, it is common knowledge that the Law Enforcement Agency is reluctant to record FIRs in rape cases etc. That adds the proverbial salt on the wounds of the parents of the girl in this male-dominated society.

'Abnormal' situations validate the adoption of 'abnormal' methodology for a solution. In spite of directions, umpteen times, by the Judicial Courts at all level, there are loud murmurs at fairly frequent intervals that those directions are not being complied with.

WELCOME ANNOUNCEMENT

**State Judicial Services preparations
Guidance facility**

Finding necessity for guidance for all those preparing for State Judicial Services Competitions Examinations, Paramount Law Consultants Ltd. has decided to help with valuable guidance. Interested persons are welcome.

**Legal Audit and Moral Audit
Services**

Paramount Law Consultants Ltd., Delhi has completed its research and is taking up legal audit and moral audit services for the Corporates.

Subhash Nagpal
Chairman
Paramount Law Consultants Ltd., Delhi

It would be, in my considered opinion, in the fitness of things if the Chief Judicial Magistrates and the Sub Divisional Judicial Magistrates (at the District and the Sub Divisional level respectively) are announced to be the officers before whom the FIRs in the case of missing children as also rape cases can be lodged. That job can be forwarded to the Member Secretaries of the District and Sub Divisional Legal Service Authorities as well.

At non functional hours, the lodgement of the FIR could come about at the declared fax numbers as also mailed at given address. The contact addresses should be given wide publicity through the electronic as also print media.

The matter requires urgent deliberation amongst the Law Professionals and Social Scientists as the Apex Court is seized of the matter currently. A well considered opinion could be presented to the Apex Court, with permitted intervention.



***Who is ultimately responsible for
fundamental rights of minor Indian citizens***

Dr. S. K. Kapoor
(Ved Ratan)

1. Sh. Kailash Satharhi, has given us honour by focusing about our basic concern regarding the situations being faced by children despite full basket of fundamental rights bestowed upon them by the Constitution of India.
2. Equal, rather much more than that, honour has been bestowed upon the humanity by Malala Yousafzai by bringing to focus the attention is required for the proper intellectual growth environment for Children.
3. The Constitution bestows full basket of fundamental rights including right to life upon minor citizens as well but minors have no voice for selecting or electing by whom their fundamental rights are to be enforced. It is here where the real problem lies for the Children.
4. Dependence upon helpless parents and differently motivated individuals further adds to the agony of minors. So situated, they are destined to be exploited. The institutions like 'home, family, relatives, society, social workers' and whole range of such attention diverters are no answer for ensuring fundamental rights for the minors. Need is to create Constitutional institution for this responsibility.
5. Till any steps on the lines comes in existence, the institutions of 'Governors of the States' and 'President of India', in whom the sovereignty of India and Indian States vests, are to be held taken as having been vested with the Constitutional responsibility of ensuring these rights for children being minor citizens of India.
6. Neither the Governors of States nor the President of India can come forward with any excuse for not coming up to the expectations of the sovereignty vested in them by the Constitution of India.

