

The Mid Towner



BULLETIN OF THE ROTARY CLUB OF CHANDIGARH MIDTOWN : R.I. DISTT. 3080

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Editor
PP Dr. V.J.S. Vohra

Club No. 15228

PROGRAMME

Volume XXXIV No. 13

September 23, 2009

Healthy Lifestyle

Guest Speaker: Dr. Anurag Sharma
Sr. Cardiologist, Alchemist Hospital, Panchkula

Friday, September 25, 2009

Time: 7.00. PM

Venue: Hotel President, Sector 26, Chandigarh.

Judiciary and the RTI Act

Guest Speaker in the club meeting on September 18, 2009, Dr. P.S. Jaswal, Chairman, Dept. of Laws, Panjab University Chandigarh was introduced by Rtn Arjan Singh. Formerly, Honorary Director of University Institute of Legal Studies, Panjab University, Dr. Jaswal has more than 28 years of teaching experience. He did his LL.M and created a new record of the University. He did his post doctorate from University of London. His areas of specializations are Constitutional Law, Administrative Law, Human Rights and Environmental Law. Dr. Jaswal has also served as Director Principal of Rayat College of Law. He was also university counsel for over 10 years and in that capacity he has defended the university in legal matters in various courts.



Dr. P.S. Jaswal

Before talking on the subject, Dr. Jaswal gracefully acknowledged that he had been a student of PP Dr. Balram Gupta and even referred to him as his 'Guru'! In his talk Dr. Jaswal said a democratic country requires an informed citizenry, transparency of information, accountability and

there has to be removal of corruption. He said when this Act was enacted in 2005 he wanted to know about it but at that stage there was neither any book on it and the Act was not available nor was there any information about it on the internet. But being a teacher of law he wanted to have an immediate access to this newly formed Act. Dr. Jaswal said he then referred to the book which his late mother had gifted to him, and she told him that whenever in difficulty, you would find the answer in this book. The book was the holy Gita. He tried to understand the RTI Act through the holy Gita and there he found in the commentary Bhagwan Krishna saying to Arjun, "Action of the man should be known, and the inaction of the man should also be known."

Dr. Jaswal also quoted a classic case, popularly known as Judges transfer case of 1982, where withholding of information was detrimental to the interest of a sitting judge. He said, "The constitution has given a fundamental right of freedom of speech and expression. When you vote to elect or reject a candidate you also express yourself." It is necessary for the voter to know the candidate's background. A NGO, People's Union for Democratic Rights filed a Public Interest Litigation in Delhi High Court in 1998 pleading that any candidate who is filing his nomination paper for the state assembly or parliamentary elections should declare three things; his educational qualification, his criminal background (if any) and his family assets. The High Court accepted this plea and decided the case accordingly. The Govt. of India filed an appeal in the



Dr. P.S. Jaswal gives wedding anniversary gift to Ann Rashi & Rtn. Parveen Khosla



Dr. P.S. Jaswal gives birthday gift to Rtn. Surjit Kumar, accompanied by Ann Gulshan

Supreme Court who gave a verdict that politicians have to declare their educational qualification, criminal background and assets. The constitution says every one is equal before the law. The Supreme Court verdict is final and binding all over the country. The politicians were not happy and amended the law in the parliament, but again the Supreme Court struck down these amendments and now the politicians have to declare the above mentioned three things.

Dr. Jaswal clarified that the right to information was already there in the constitution, but only those who could afford to go to High Court or Supreme Court could avail these rights. But common citizens could not pay the fee of the lawyers and waste time in litigations. Under RTI Act any citizen can file an application in any Government department or a public authority. Dr. Jaswal pointed out that the courts come under the definition of public authority and it even utilizes Government funds. He vehemently stated that the Judges are very much within the scope of RTI Act. He said right from the subordinate judiciary to the

Supreme Court there are allegations against the judges.

Dr. Jaswal said that in writ petitions the judges have directed the politicians to declare their assets. The amendment of law has been cut down by the same judiciary. Then what prevents them from declaring their own assets.

There are ample allegations of corruption leveled against the judges. If they give the information and declare their assets the citizens would feel satisfied. The main objective of the RTI Act is to bring about transparency and accountability. Dr. Jaswal questioned, "Are the judges or the institution of judiciary insulated from the transparency?"

We are proud of our judiciary. Dr. Jaswal said, "Five judges sitting in the High Court can strike down the law passed unanimously by the entire parliament. That is the power of the judiciary. But that power or that faith would survive only if their own home or their actions are transparent. If the judges would work under the zeal of secrecy, the common man would loose faith

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Rtn. Vinod Jawa gets the Punctuality award from Dr. P.S. Jaswal

and confidence and start blaming the judiciary, as in the case of bureaucracy and politicians." Dr. Jaswal emphasized that RTI does not exempt the judiciary from this Act.

Some judges have started declaring their assets voluntarily. Dr. Jaswal said the Indian people are alive to the situation and they will force them to declare their assets. He concluded, "This is not the first time under the RTI Act that we have the right to know about



Four severely disabled persons given wheel chairs, initiated by PP Dr. V.J.S. Vohra, Chairman, Disabled Empowerment and Rehabilitation

the judiciary. One can know about the judges under fundamental rights and freedom of speech and expression. This is a statutory right given to every citizen."

Vote of thanks was presented by PP Ajit S. Gulati. He said we must thank PP Dr. Balram Gupta for requesting Dr. P.S. Jaswal to speak to us on a subject of great importance. Dr. Jaswal kept us spellbound with an impressive talk which was a wonderful experience.

Legal Humour

Lawyer: Do you recall approximately the time that you examined that body of Mr. Huntington at St. Mary's Hospital?

Doctor: It was in the evening. The autopsy started about 5:30 P.M.

Lawyer: And Mr. Huntington was dead at the time, is that correct?

Doctor: No, he was sitting on the table wondering why I was performing an autopsy on him!

Q: What's the difference between a good lawyer and a great lawyer?

A: A good lawyer knows the law. A great lawyer knows the judge.

You seem to be in some distress,' said the kindly judge to the witness. 'Is anything the matter?' 'Well, your Honour,' said the witness, 'I swore to tell the truth, the whole truth and nothing but the truth, but every time I try, some lawyer objects.'

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Sarangpur Night School

On September 16, 2009 President Gurdip S. Deep, PP R.S. Chandgothia, IPP Saroj Jhawar and Director Community Services Rtn. Deepak Sood visited the Night School at Sarangpur and interacted with the teacher and the students. PP Chandgothia, as since many years, donated stationery to the students. Refreshments was also distributed to students.

It is encouraging to note that for the past nine years, since the year 2000, when the school was started by PP Dr. Vanita Gupta, large number of students from this school have been successfully inducted into the main Government High School, Sarangpur. This ongoing project has received wide appreciation as it is serving a very noble cause.

Become Member of 3080 Egroup

Since 2003-04 DGE Rtn. Madhukar Malhotra has been moderating an egroup, sending information of rotary interest to Rotarians of RI District 3080 and a few others who have joined voluntarily or by invitation.

Most of Rotarians are members of this group but those who are not, are invited to join this egroup by sending a blank email to rotary3080-subscribe@yahoogroups.com.

Those who want to change their email id on which to receive the mailers can send a similar mail from the email

id they wish to become members. Those who are not interested or are already members need not do anything. Those who wish to stop receiving the mailers just need to click on 'unsubscribe' written at the top of the last mail received.

All those Rotarians who are interested in this group and are not yet it's members, please subscribe to the '3080' egroup by just sending a simple blank mail to rotary3080-subscribe@yahoogroups.com. It is so easy to become a member of this egroup!

For any further information, please contact DGE Madhukar Malhotra on his email rotary3080@hotmail.com or call him on 9316110939 or 01722700939.

Wedding Anniversary Greetings

R'ann Veena & PP Rtn. Subhash Bindra September 30



PUNCTUALITY DRAW :

Won by Rtn. Vinod Kumar Jawa

DONATION FOR CLUB PROJECTS:

Rtn. Surjit Kumar Rs. 2100/-

Birthday Greetings

PP Rtn. Dr. Vanita Gupta

PP Rtn. Jagmohan Lal Mahajan

Rtn. Arjan Singh

Rtn. Parveen Khosla



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September 27

September 28

October 01



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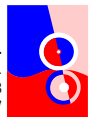
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