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Club Number : 15228

The Midtowner

Bulletin of Rotary Club of Chandigarh Midtown: R.I. District 3080

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PROGRAMME District Conference Celebrating Change



Saturday-Sunday, February 11-12, 2012 Time: 10.00 a.m. Venue: Shivalik Public School, Phase VI, Mohali

Security in Chandigarh

Talk on 'Security in Chandigarh' by Mr. Naunihal Singh, IPS, Senior Superintendent of Police, Chandigarh was earlier postponed from January 06, 2012 to February 03, 2012, but again due to unavoidable reasons he could not make it. In Chandigarh, a modern and progressive city having best quality of life in this part of the country, people are feeling insecure and are showing deep concern and anguish over incidents of lawlessness which have

taken place in the city in the recent past.

As reported in the press, SSP Naunihal Singh has assured his department's full cooperation and that measures have been undertaken to maintain peace and harmony in the city. He also urged to sensitize the public through their networks to act more responsibly and support the police to ensure peaceful co-existence of one and all in Chandigarh, the city beautiful.

See you at the District Conference... and ...On to Bangkok. Don't miss it!

RI Convention May 6-9, 2012



On to Bangkok...Don't Miss it!

President R.K. Luther expressed his concern of having good attendance for the pre-conference dinner at 6.30 pm on February 10, 2012 at PHD Chambers and for the District Conference on February 11-12, 2012, where eminent speakers would be addressing the Rotarians. We all are expected to be there with our spouses. Please note the change in time, date and venue as there would be no club meeting on February 10, 2012 at Hotel President.

PDG Shaju Peter and our DGN 2014-15 Candidate Rtn. T.S. Anand have already urged all our members to be there in large numbers for the District Conference. We also have to gear up ourselves for the Rotary International Convention at Bangkok on 6-9 May 2012 to enjoy the Internationality of Rotary, and that too so close to India and at the cheapest ever registration fee!

2G Scam and Army Chief's age issue before the Supreme Court The Legal Battle goes on

In the club meeting on February 03, 2012, President R.K. Luther invited our two eminent lawyers Rtn. R.T.P.S. (Ravi) Tulsi and PP Rtn. Dr. Balram K. Gupta to give their valuable views on the two burning issues which are before the Supreme Court of India and are the headlines of all newspapers, that is, cancelling of 122 2G licenses granted by former Telecom Minister A. Raja and that the CBI court to decide on probe against Home Minister P. Chidambaram in 2G scam case. The other issue pertains to Army Chief General V.K. Singh's petition on the age row.



Rtn. Ravi Tulsi

Both the lawyers put up their arguments vehemently. The atmosphere appeared to be that of a court room with President Luther and Secretary Amarjit Singh on the dais looking like 'Hon'ble Judges'. All those present in the meeting appeared to be the 'Jury' and there was some one who looked like the 'Reader' -- V.P. Sharma!

The first one to start the arguments was Rtn. Ravi Tulsi. He said, "I have a view point on the judgment of Hon'ble

Supreme Court. Unfortunately, I do not agree with this judgment." He referred to Dr. Subramanian Swamy's interview on the television and said that this order of the apex court will equally apply in Raja's case who is in jail. Ravi said, "The Supreme Court has indicted Raja and now trial court can not do a thing about it. Even if it differs, matter goes back to the Supreme Court. 99 percent they will stick to their earlier decision."

Ravi pointed out, "It is unfortunate that the Judge who was retiring on that date was too keen to enjoy public applaud for writing such a judgment." Talking about Justice G.S. Singhvi, who was also a judge in Punjab & Haryana High Court some years ago, Ravi described him as a fine judge.

Ravi further argued, "My view is that Supreme Court on one hand says it will prejudice the case of Dr. Subramanian Swamy and on the other hand it goes on to decide the case against Raja. This is contrary to the basic principles of law." It is the lowest court which decides the case first and higher court takes up the matter later on. Ravi's arguments in our meeting were quite convincing. However, the very next day Chidambaram was given a clean chit by the CBI court who dismissed the petition for making him a co-accused in 2G scam case. Now let us see what happens as

Subramanian Swami refuses to give up and would challenge in the apex court! Now, what happens in Raja's case is yet to be seen.

Ravi then went on to discuss the age petition of Chief of Army Staff, General V.K. Singh. He said, "Today the Supreme Court has suggested to the Government to decide the matter outside the court. In my view, it is unfortunate that the Chief of Army Staff should have gone to the apex court to contest his date of birth after 36 years. In his career he must have rejected number of such applications on ground of limitation which is to be contested within two years." He added, "Even if there is merit in the case, the law limitation will prevail. But the Supreme Court has not rejected the case on the ground of limitation, according to law laid down by them." He clarified that as per army rules discrepancy about the age is to be settled within two years. Ravi also gave the views of his brother Mr. K.T.S. Tulsi (President of our club in 1990-91) who is one of the leading legal experts in our country, and strongly felt that this matter has no merits on the ground of limitation, moreover, when Gen. V.K. Singh himself twice accepted 10.5.1950 as his date of birth, before being promoted as army chief.

Talking about the judiciary Ravi revealed, "I have five writ petitions against the high court including a contempt petition in which the other party admits giving a false affidavit but the High Court is silent about it. On that issue I went to the Supreme Court and Prashant Bhushan appeared on my behalf. The Chief Justice of India said we will not interfere in the administrative matter of

the high court." Ravi pointed out another case in which the Supreme Court referred the case back to high court with directions that the case be decided within six weeks. The client was very happy. But now it is 12 years and the matter is still pending! Being a soldier and a sailor, Ravi believes in talking the truth and is fearlessly trying to put things in order, and as Rotarians we all should support such endeavors, keeping in mind the Four Way Test!

Now it was the turn of our Senior Advocate PP Dr. Balram Gupta to put forward his views. He said, "Ravi is right in projecting that Hon'ble Supreme Court has given a final verdict indicting Raja. The trail is yet to begin. The apex court has already given its verdict. Therefore, it would be virtually impossible for the trail court to take a view contrary to the view taken by Supreme Court." He added, "In law we normally say the trail court has to adjudicate the matter on the basis of evidence produced before the court. On the basis of this the accused is found guilty or not guilty." Balram observed, "In this case the evidence was not there before the apex court. They have adjudicated the matter on all together different pedestal. In the sense the criminality aspect has not been gone into by the Supreme Court." He added, "At the same time it would be very difficult to distinguish the two areas and differentiate totally that



PP Dr. Balram Gupta



Rtn. Sanjay Bhatia presents wedding anniversary gift to R'ann Bir & PP Rtn. Ajit S. Gulati



Rtn. Sanjay Bhatia presents punctuality award to PP Dr. Balram K. Gupta. Looking on is President Luther

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one would not have the effect on the other. Therefore in that context this particular given situation would definitely be a situation where trail court may not be able to objectively appreciate evidence ultimately in view of the definite view taken by Supreme Court."

He further points out, "Trail is yet to begin or yet to go, the charge has been framed." He talked about such High Court and Supreme court orders in which always there is a rider that all that has been said in that order will not have an effect on the trail that is to be carried out. Balram added, "But actually and factually will that have an effect or not. The judicial mind is a human mind and therefore, we have to see in future how the entire matter proceeds, what evidence comes, how the evidence is appreciated and finally what view is taken." Balram was quite clear that ultimately the matter has to come up to Supreme Court.

On the issue of the army chief age row, Dr. Balram said, "It is unfortunate that the issue has been so badly messed up. Both sides are responsible for this." Initially the NDA and UPSC records

show his date of birth as 10 May 1950. Father of the General went personally to UPSC and straightened the records on the basis of his matriculation certificate which bore the date of 10 May 1951. It is a matter of record that the change had been done. Balram argued, "If you are coming to the end of your career when ultimately you are going to have an effect to continue in that position for a longer period, there are numerous cases, the Supreme Court has reiterated the matter where the factual position unfolds itself that there had been a discrepancy, the court will interfere." Balram was very sure, "On issue of limitation and condonation of delay the Supreme Court has taken the most liberal view in the matter and the case is taken up on merits." Balram concluded, "One must consider the back ground due to which the General was forced to go to the Supreme Court."

When the President put the matter before the house ('Jury'), there was mixed reactions to the age issue of the General but those who were against were having an edge over those in favour! The 2G scam being more on technicality of law, there were no comments and it was left to the view point of the learned speakers.

Together we can Fight Cancer

R'ann Ranjana Tuli informed that on Saturday, 11th February 2012 at 3.50 p.m. in the Auditorium of St. Stephen's School, Sector 45-B, Chandigarh, Sahayta Cancer Sahyog is having joint

celebration of Cancer Survivor's Day and International Childhood Cancer Day. Mr. Pushvinderjit Singh, Managing Director, Tynor Orthotics Ltd., Mohali will be the Chief Guest.

Donation by Indu Anand for Aasra Project

R'ann Indu Anand wife of IPP Rtn. Prem Anand donated one mattress to the Aasra Shelter at GMCH-32, Chandigarh. This project was established in 2008-09 when Rtn. Mrs Saroj Jhawar was the President, and ever since it has been our club's prestigious

project. President Luther thanked Mrs. Indu Anand for her kind gesture as this project has the capacity to double its existing facilities, for which Rotarians are requested to come forward with their generous contributions.

Bereavement

Our heartfelt condolences to the family of PP Rtn. Joiginder Singh Puri on his sad demise on 4th February 2012. He was not keeping good health for last few years. He was the Past President of Rotary Club Nabha before joining Rotary Club Chandigarh

Midtown.

Antim Ardas will be held on 12th February 2012 at 12.30 pm to 1.30 pm at Gurudwara Sahib, Sector 38-B, Chandigarh.

Congrats to PP Indrajeet Sengupta and PP Dr. S.K. Sharma on getting Awards

President R.K. Luther welcomed PP Prof. Dr. S.K. Sharma and congratulated him for being recently honoured with the most prestigious H.L. Roy Memorial award by the Indian Institute of Chemical Engineers. Details are given in bulletin No. 30.

PP Indrajeet Sengupta has been awarded the Airtel Award. This is given to business organizations who can keep cell towers in the

telecom industry 100 percent working. For the work done in this regard his company was awarded the most Valued Business Partner of the year 2011-12. President Luther and other Rotarians congratulated Indrajeet on this well deserved award, and we now know that the cell companies are so efficient because persons like him are behind them!

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Participation in Medical Camp

In addition to other Rotarians as mentioned in the previous bulletin, Rtn. Wing. Comdr. Kamal Nath & R'ann Susan also actively participated in the Medical Camp at Sikhya School,

Sector 46, Chandigarh on 24th January 2012. They are new to our club but their participation in the club meetings and projects has been very note worthy.

Know your new Fellow Rotarian

Rtn. Sanjay Bhatia

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 (R) : 1674 Sector 33-D, Chandigarh-160020
 Phone : (O) 2546641 (R) 2560660
 Mobile : 99143 65665
 Email : sangeetasteel@gmail.com
 D.o.B : 09.10.1965
 Wedding : October 16
 Spouse : Ritu
 Vocation : Housewife
 D.o.B : December 17
 Children : Siddarth (S)



PP Prof. Dr. S.K. Sharma inducts new Rotarian Sanjay Bhatia, accompanied by wife Ritu

Lawyer never gives up!

A Yankee lawyer went duck hunting in eastern North Carolina. He shot and dropped a bird, but it fell into a farmer's field on the other side of a fence. As the lawyer climbed over the fence, an elderly gentleman asked him what he was doing. The lawyer responded, "I shot a duck and it fell in this field, I'm going into retrieve it."

The old farmer replied. "This is my property, and you are not coming over here."

The indignant lawyer said, "I am one of the best trial attorneys in the U.S. and, if you don't let me get that duck, I'll sue you and take everything!"

The old farmer smiled and said, "Apparently, you don't know how we do things here in North Carolina. We settle small disagreements like this with the NC Three-Kick Rule."

The lawyer asked, "What is the NC three-Kick Rule?"

The Farmer replied. "Well, first I kick you three times and then you kick me three times, and so on, back and forth, until someone gives up."

The Yankee attorney quickly thought about the proposed contest and decided that he could easily take the old southerner. He agreed to abide by the local custom.

The old farmer slowly climbed down from the tractor and walked up to the city feller. His first kick planted the toe of his heavy work boot into the Yankee lawyer's groin and dropped him to his knees. His second kick nearly wiped the man's nose off his face. The barrister was flat on his belly when the farmer's third kick to a kidney nearly caused him to give up.

The Yankee lawyer summoned every bit of his will and managed to get to his feet and said, "Okay, you old redneck southerner, now it's my turn."

The old North Carolina farmer smiled and said, "Naw, I give up. You can have the duck."

Birthday of Spouses

R'ann Raj Kapoor  February 10

R'ann Madhu Vaidya  February 12

Birthday of Rotarians

Rtn. R.T.P.S. Tulsi  February 14

Wedding Anniversary

R'ann Sarabjit & Rtn. J.S. Bawa February 10

R'ann Urmil & President Rtn. R.K. Luther February 14

Punctuality Draw

Won by PP Rtn. Dr. Balram K. Gupta

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