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62 Years of Sino-Indian

WAR 1962

Chushul was one of the scenes of the bloodiest battles in the Sino-Indian war of 1962

..... Contd from last issue
Arun Prakash - Around 0400 November 18, 1962, a battalion of Chinese soldiers, attacked both Rezang La and Gurung Hill simultaneously. Armed with light machine guns they launched a frontal attack on the Indian

posts manned by soldiers of 13 Kumaon. Dug into their trenches, the Indians started firing with their 3-inch mortars and grenades, once the Chinese were in range. A period of intense firing between the two armies went on for nearly an hour, after which there was a brief lull. The Indians had successfully beat back the first wave. By 0540, the Chinese attacked again with mortar and artillery fire. However, apart

from destroying the communication lines, they did not succeed. The Chinese then changed tack and decided to attack the posts at Rezang La from the flanks. As a counter, the Kumaonis jumped out of their trenches and charged at the Chinese with their bayonets and even engaged in hand-to-hand combat. 3-inch mortars were also fired at the Chinese from point-blank range. The fighting was hard (... Contd... on Page 4)

A Report from a final year LLB Student

“Delays in ‘Final Bail Orders’ & its Impact on JC accused”

Sudip Dilip Gholap - The judicial system is designed to ensure justice through fair and timely adjudication. However, a persistent issue in many session courts is the prolonged delay in issuing final bail orders, even after evidence and testimonies have been presented by both the plaintiff and defendant, and hearings have been conducted. These delays raise serious questions about the appropriateness of such practices and their implications for individuals held in judicial custody. This report examines the extent to which these delays are justifiable, analyzes their impact on those in custody, and explores whether they constitute an injustice. * Context of

Bail Proceedings Bail is a fundamental aspect of criminal jurisprudence, rooted in the principle that an accused person is presumed innocent until proven guilty. Bail hearings involve the presentation of evidence, witness testimonies, and legal arguments to determine whether an accused individual should be released from custody pending trial. Session courts, as courts of first instance for serious criminal matters, play a critical role in adjudicating bail applications. Once hearings are concluded, courts are expected to deliver bail orders promptly to uphold the accused’s right to liberty and ensure procedural fairness. (... Contd... on Page 3)

WORK ON FLYOVER OPP. TURBHE STATION SET TO BEGIN



Staff Reporter - A flyover is set to come up opposite Turbhe railway station on Thane-Belapur Road after nearly a decade of persistent demands from residents. At least 20 people have died in accidents at the spot over the past ten years and residents have resorted to road blockades and signature campaigns on several occasions, seeking either a flyover or

a foot over bridge. “Work on the flyover will begin in 3-4 days. We are confident of completing the work in a year’s time, excluding the monsoon,” said Navi Mumbai Municipal Corporation (NMMC) city engineer Shirish Aradwad. The 506-metre long flyover will be built by the civic body at a cost of ₹41 cr. It will begin from the area in front of the IKEA store and terminate opposite the Arihant Aura building. The flyover will accommodate four lanes across its 17-metre width and include a pedestrian crossing beneath to ensure safe movement for pedestrians, said Aradwad. The eastern side of Thane-Belapur (... Contd... on Page 3)

Stone Hurler At Moving Train Between Airoli & Rabale Injures Commuter

Staff Reporter - A 35-year-old commuter sustained injuries after an unidentified individual hurled a stone at a moving local train between Rabale and Airoli stations on the Trans-Harbour line, officials confirmed. The incident occurred on Saturday night and has prompted an investigation by the Vashi Railway Police. The injured passenger, Ganesh

Ananda Kharat, a resident of Kalyan East, works at a call centre in Ghansoli. On April 12, around 8.27 pm, he boarded a Thane-bound local train from Ghansoli after finishing work. Due to crowding in the compartment, Ganesh stood by the right-side door of the coach. As the train neared Airoli, a stone, (... Contd... on Page 4)

CCTV AID POLICE IN CRIMINAL INVESTIGATIONS, BUT FACE DISRUPTIONS FROM ‘EXCAVATION WORK’

Staff Reporter The Navi Mumbai Municipal Corporation (NMMC) has claimed that over 1100 CCTV cameras installed across the city have assisted the police in investigating approximately 350 criminal cases. However, frequent disruptions in CCTV operations due to ongoing excavation work have



been reported, with the NMMC stating that the concerned contractors are undertaking repairs. These CCTV cameras have been installed in the Navi Mumbai Police Commissionerate area to enhance city security and facilitate action against traffic violators. Of these, 1,170 cameras fall within the NMMC jurisdiction, significantly aiding police investigations over the past year. Additionally, NMMC officials reported that more than 18,000 vehicles have faced fines for signal violations

through CCTV surveillance to date. However, the cameras are not being utilized to address illegal parking near signals, leaving the issue of traffic congestion unresolved at several junctions. Citizens have also raised concerns about a lack of transparency in manual traffic enforcement actions, as opposed to online penalties. Furthermore, the NMMC administration clarified that disruptions in CCTV functionality are often caused by damage to fiber optic cables during excavation work.

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Editorial

Dr. Babasaheb Ambedkar Jayanti

Ambedkar Jayanti is celebrated all over India on the 14th of April every year to pay respect to Dr. Babasaheb Ambedkar. On this auspicious day, we remember the contribution and accomplishment of Dr. Babasaheb Ambedkar. Dalits treat him as their God because he helped them a lot. The major contribution by Dr. Babasaheb Ambedkar was helping Dalits to get equal authority, status, and respect in the society as others. He is one of the greatest leaders in Indian history. He fought tirelessly to abolish untouchability and secure equal rights for Dalits and marginalized communities. As the chairman of the Drafting Committee, he played a pivotal role in ensuring that the Indian Constitution upheld principles of justice, liberty, equality, and fraternity. He was one of the first Dalits to get a complete education in India. He achieved a degree in political science, economics and law. He was a great lawyer, writer, historian, and also one of the greatest political leaders. He was born in Madhya Pradesh on 14th April, 1890, and hence we celebrate this day as his birth anniversary. One of the biggest achievements of Dr. Babasaheb Ambedkar was the Bharat Ratna. He won the award in the year 1990. He completed his post-graduate from Columbia University and London School of Economics. He is an inspiration of young lawyers across the world and was one of the greatest leaders in the history of India. He helped Dalits and made sure they got what they deserve. Because of him, many students are able to get good quality education in India at a lesser fee. There are people who are economically backward and cannot afford education in the high-level institute, but because of Babasaheb Ambedkar, even they are able to get high-quality education for their children which will secure the future of India. Babasaheb is a Marathi phrase which means 'Respected Father' (Baba = father and Saheb = sir). This epithet is commonly applied to B. R. Ambedkar.

This cartoon was drawn by US cartoonist, Bob Minor, in 1925 (fastforward to 2024, guess what?)



One day they'll wake up

Almost 100 years ago, famous U.S. cartoonist Bob Minor had a realization: Western nations ruled the world because they were rich in money and guns. China, India, and Africa were poor in money and guns, but rich in people. One day, the balance of power would shift. Minor drew this cartoon in 1925. Now, 98 years later, the people of the world are waking up and realizing something has changed.

by Robert Berkeley "Bob" Minor (15 July 1884 - 26 January 1952),

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FREEDOM OF PRESS

Right of propagation of views and ideas. - One's ideas, views, etc. can be expressed and conveyed by many other modes apart from the press, for instance, radio, movies, television and cinematograph which includes video-graph. The films are more popular in our country and specially with the rural masses. If the freedom of speech and expression includes freedom of press the same can be extended to expression through radios, movies, films, television and videographs. It is needless to say that freedom of speech and expression includes freedom of propagation. While propagating one's views to the listeners such propagation through the above modes shall not incite to commit murder or other violent crime. If such things are existing, the same can be restricted under Article 19 (2) of the Constitution of India,² as explained by the Supreme Court in State of Bihar v. Shailabala Devi,³ while observing the scope of Article 19 (1) (a) of the Constitution and use of Article 19 (2) of the Constitution observed that while exercising one's views one should see whether such views are in conflict with the social interest or public order as held by the Supreme Court in many cases to the following



Adv. Sosamma Varghese

B.A., LL.B, PG (Human Rights)
effect, namely our social justice or interest ordinarily demands free propagation and interchange of views but circumstances may arise when the social interest or public order may require reasonable subordinate of the social interest in free speech and expression to the needs of our social interest and public order. The Supreme Court observed that restrictions can be imposed, if the utterances are going to create feelings of enmity and hatred between different sections of the community. Thus, restrictions, if any, shall be only in the public interest and to maintain social control to prevent and hatred between different sections. Such restrictions shall stand to the test of reasonableness.
Right to publish and circulate with complete freedom. - The right of freedom speech and expression carries with it the right to

publish and circulate one's ideas, opinions and views with complete freedom and by resorting to any available means of publications subject again to such restrictions as could be legitimately imposed under Article 19 (2) of the Constitution.

Right to publish speech - Denial is violative of Article 19 (1) (a). - Speech is God's gift to mankind. Through speech a human being conveys his thoughts, sentiments and feelings to others. Freedom of speech and expression is thus a natural right which a human being acquires on birth. It is, therefore, a basic human right. "Everyone has the right to freedom of opinion and expression; the right includes freedom to hold opinions without interference and to seek and receive and impart information and ideas through any media and regardless of frontiers" proclaims the Universal Declaration of Human Rights, 1948. The People of India declared in the Preamble of the Constitution which they gave unto themselves their resolve to secure to all citizens, liberty of thought and expression. This resolve is reflected in Article 19 (1) (a) which is one of the Articles found in Part III of the Constitution which enumerates the Fundamental Rights.

CULTIVATE SAVINGS HABIT



C.K. SUBRAMANIAM - Savings is a good habit and one should cultivate the same on a regular basis. Small drops of water make an ocean. And if you save something for the day then you can very well bank on that during hard times when expenses go above your neck. You have a good job, earn a fat salary and have a bright future. Yet, none

of this is evident when you look at your savings. This is because young people often find it difficult to save in the initial years of their careers. Studies reveal that discretionary spending can be as high as 18-20% of the income for young people. A 2011 study by Assocham revealed that almost 35 per cent of the urban youth spend up to Rs 5,000 a month on clothing alone. This is one of the reasons most young people have such low savings. Experts recommend some extreme measures for serious shopping addicts. Some say you should just note down the card details and then cut the

card into pieces so that you can't use it anymore. Others suggest you keep the card in a paper sleeve and stick pictures of your kids or spouse on it. You will be reminded of the other goals you may be jeopardising when you swipe the card for an unnecessary purchase. Having worked in a bank as a Senior Manager and served for 38 years I learned the art of savings and during my retired life. I feel the security in life as I am not hard pressed for money. One should save first before spending exorbitantly thus losing a chance of saving for the future.

(... Contd... on Page 4)



From an
Easy Chair

Jubel D'Cruz

Jesus Christ did not have a biological brother

According to some non-Catholic preaching's, the Lord's brother and firstborn prove that Mary had other children as well, besides Jesus. Even though the Holy Bible indicates that Mary remained a virgin all her life with the birth of Jesus (Matthew 1:23, Luke 1:27, 23:53), these non-Catholic preaching's claim that Mary had other children as well and was not a virgin, according to the Catholic Church. Therefore, according to them, the doctrine on Mary's perpetual virginity is false and the Catholic Church is wrong in calling her the Blessed Virgin Mary. But do such Bible phrases prove that Mary had other children as well? Brother of Jesus! Now, who is the brother of Jesus? The Greek word for 'brother' is 'adelphos', which also means 'close relative', 'fellowman', or 'countryman'. There are many passages in the Holy Bible where the word 'brother' has been used, not referring to as a biological brother. For example, in Genesis 14:16, Abraham calls Lot his "brother", even though he was only a nephew of Abraham. And in 2 Samuel 1:26, David calls Jonathan his "brother", even though they were only close friends. Also in Acts 9:17, Ananias calls Paul his "brother", even though they were not biological brothers. From the above verses, we can conveniently conclude that not all 'brothers' mentioned in the Holy Bible were actually biological brothers. In Galatians 1:19, St. Paul writes: "I saw none of the other apostles, except James, the Lord's brother." Here, the verse specifically calls James who was the apostle of Jesus as "the Lord's brother." According to a list of the apostles in Matthew 10:2-3, the older James is said to be the son of Zebedee, whereas, the younger James is said to be the son of Alphaeus. None are said to be the sons of Joseph and Mary, the parents of Jesus. Referring to the Holy Scriptures, we can see that the younger apostle James was actually a close relative of Jesus, and that his mother's name was also Mary. According to Matthew, the women who followed Jesus were "Mary Magdalene, and Mary the mother of James and Joseph, and the mother of the sons of Zebedee" (Matthew 27:56). According to the verse, James and Joseph were the sons of Mary. But this Mary is not referred to as the mother of Jesus. John's Gospel has a similar list of women. "...standing by the cross of Jesus were His mother, and His mother's sister, Mary, the wife of Clopas, and Mary Magdalene" (John 19:25). According to John, Mary, the moth-

er of Jesus was also present at the cross, but John also records another Mary other than Mary Magdalene. "Isn't this the carpenter's son? Isn't his mother's name Mary, and aren't his brothers --- James, Joseph, Simon and Judas?" (Matthew 13:55). This does not mean that James, Joseph, Simon and Judas were the brothers of Jesus. They were just disciples, i.e. followers of Jesus.

Another verse from the Holy Bible John 19:25-26 says: "Near the cross of Jesus stood his mother, his mother's sister, Mary the wife of Clopas, and Mary Magdalene. When Jesus saw his mother there, and the disciple whom he loved standing nearby, He said to her, "Woman, here is your son," and to the disciple John he said, "Here is your mother." This also does not mean that John was Jesus' mother. He was only a disciple of Jesus who followed Him wherever He went. Comparing lists, it appears that the younger James and Joseph were the sons of the other Mary. Elsewhere in the Holy Bible, Matthew actually calls her "the other Mary" (Matthew 28:1). This other Mary is said to be the "sister" of Jesus' mother. Therefore, James and Joseph are actually Jesus' cousins and not His siblings. There are other passages in the Holy Bible that can cause similar confusion. People may quote the verse, "He (Joseph) took his wife (Mary), but knew her not until she had borne a son" (Matthew 1:24-25). According to these non-Catholic teachings, the word "until", proves that Joseph knew Mary after Jesus was born. Therefore, Mary did not remain a virgin. Now in modern day usage, the word "until" implies a change in situation after some event. Even though the Holy Bible does use the word "until", in this sense it also uses "until" in a sense that does not imply anything after some event. In the Gospel of St. Matthew, Jesus says, "For if the mighty works done in you had been done in Sodom, it would have remained until this day" (Matthew 11:23). So would Sodom still have been destroyed the next day? St. Paul writes: "For He must reign until He has put all His enemies under His feet" (1 Corinthians 15:25). So will Jesus quit reigning? The answer is of course, no! Finally St. Paul writes: "I charge you to keep the commandments unstained and free from reproach until the appearing of our Lord Jesus Christ" (1 Timothy 6:14). St. Paul is not advising Timothy to break the commandments after the appearance of Jesus.

...To be contd. in the next issue

WORK ON FLYOVER OPP. TURBHE

...Contd from page 1

road near Turbe railway station comprises an industrial area with nearly a lakh residents and workers, while the Turbhe station, markets and nodal area are located on its western side. The eastern side also has Turbhe

store, one of the largest slum colonies in the city. Hundreds of locals including those employed in the industrial area cross the road multiple times a day. But traffic on the six-lane road has increased manifold in recent years, posing a life hazard.

A Report from a final year LLB

..... Contd. from Page 1
However, in practice, final bail orders are often delayed for months, leaving individuals in judicial custody despite the completion of due process. * Impact on Individuals in Judicial Custody. The prolonged pendency of bail orders has profound consequences for individuals in judicial custody, raising concerns about fairness and justice:

1. Violation of Personal Liberty - Article 21 of the Indian Constitution (or equivalent provisions in other jurisdictions) guarantees the right to life and personal liberty. Extended detention without a final bail decision infringes on this right, particularly when the accused has complied with judicial processes. For many, months in custody translate to lost livelihoods, family disruption, and psychological trauma.

2. Presumption of Innocence Undermined - Delays in granting or denying bail effectively punish the accused before conviction, contradicting the presumption of innocence. This is particularly egregious for those later granted bail or acquitted, as their detention serves no legal purpose.

3. Overcrowding in Prisons - Prolonged judicial custody due to delayed bail orders contributes to prison overcrowding, a systemic issue in many countries. Overcrowded facilities exacerbate poor living conditions, limited access to healthcare, and increased risks of violence, further compounding the injustice faced by detainees.

4. Disproportionate Impact on Marginalized Groups - Delays disproportionately affect economically disadvantaged individuals who cannot afford legal representation to expedite proceedings. Those with resources may secure faster outcomes through private counsel, highlighting inequities in access to justice.

5. Mental and Emotional Toll - Uncertainty about release takes a significant psychological toll on detainees. Months of waiting without clarity can lead to anxiety,

depression, and a sense of helplessness, particularly for first-time offenders or those facing minor charges.* Is This Delay Unjust?

The delay in issuing final bail orders is undeniably unjust for those in judicial custody, as it violates several principles of justice: **i) Right to Speedy Justice:** Timely adjudication is a fundamental right. Delays in bail decisions, especially after hearings, deny this right and prolong unnecessary detention. **ii) Proportionality:** Detention pending a bail decision should be proportionate to the offense and circumstances. Extended delays, particularly for bailable offenses or minor charges, are disproportionate and punitive. **iii) Equality Before the Law:** Delays exacerbate inequalities, as wealthier defendants can navigate the system more effectively, while others languish in custody. **iv) Accountability:** Courts must be accountable for timely delivery of justice. Unexplained or systemic delays reflect a failure to prioritize the rights of the accused. While courts face genuine challenges, these cannot override the harm caused by prolonged detention. The injustice is particularly stark when delays result from administrative inefficiencies rather than substantive legal issues. The practice of session courts keeping final bail orders pending for months, despite completed hearings, is largely inappropriate and unjust. While judicial constraints exist, they do not justify prolonged detention that undermines personal liberty, fairness, and the presumption of innocence. For individuals in judicial custody, these delays result in significant harm, including loss of freedom, economic hardship, and emotional distress. Systemic reforms, including time-bound adjudication, infrastructure improvements, and enhanced accountability, are essential to address this issue. By prioritizing timely bail decisions, the judiciary can uphold its mandate to deliver justice equitably and expeditiously.

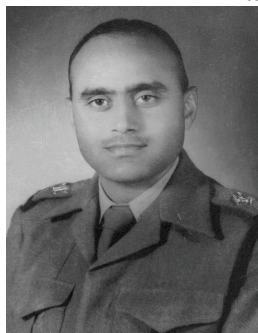
HEALTH FLAX SEEDS

Flax seeds are one of the healthiest super foods that have been prized for their amazing health benefits. They are a great source of plant-based protein, anti-inflammatory compounds, omega 3 fatty acids and dietary fiber. Flaxseeds, also called linseeds, are small, brown-colored seeds. They are available in the form of seeds, powder, oil, tablets, flour, and capsules. The health benefits of flaxseeds are mostly attributed to their high fiber content, lignans and omega 2 fatty acids. **Prevent constipation:** Flaxseeds contain two types of dietary fiber-soluble and insoluble. The bacteria in the gut ferment the fiber which bulks up stool and helps in regular bowel movement. On the other hand, insoluble fiber does not dissolve in water or gastrointestinal fluids and remain intact as it moves through the digestive tract, resulting in softer stool which is helpful in preventing constipation and irritable bowel syndrome. **Decrease menopause symptoms:** The lignans in flaxseed have been shown to benefit women with menopause. A study showed that flaxseeds can help reduce the severity of hot flashes in women who aren't using oestrogen therapy during menopause. It also prevent the risk of osteoporosis in menstruating women. **Manage diabetes:** The plant compounds found in flaxseeds decrease blood sugar

levels. A study published in the Nutrition Journal found that consumption of flaxseeds caused a significant drop in insulin resistance and improved insulin sensitivity. **Enhance skin and hair health:** Flaxseeds contain omega 3 fatty acids which benefit the skin and hair by reducing dryness, acne, eczema and hair breakage. Flaxseed is great for your skin, eyes, nails and hair. **Lower cancer risk:** Flaxseeds are rich in lignans-a phytochemical with antioxidant and oestrogen-like properties that may help reduce cancer risk. In fact, studies show flaxseeds contain upto 800 times more lignans than most other plant-based foods. **Keep the heart healthy:** Flaxseeds are rich in omega-3 fatty acids, fiber and phytosterols, all of which support heart health. They help in lower bad cholesterol, raise good cholesterol, reduce arterial inflammation, and may even slow tumor growth. **Whole flaxseeds Vs ground flaxseeds :** Flaxseeds are best consumed ground, because your body can't access all the nutrients inside the seeds if they are eaten whole. **How much flaxseed to eat per day:** Eating 1 tablespoon of ground flaxseeds is advisable. **Side effects of consuming excess flaxseeds :** Bloating and gas, Stomach pain, Constipation or diarrhea etc.

62 YEARS OF SINO-INDIAN

..... Contd. from Page 1



Major Shaitan Singh

and bitter leaving behind a deadly trail of bodies and blood. The last of the Indian machine guns stopped firing by 2200. Both the Indians and Chinese suffered heavy losses at Rezang La. Out of the 112 Indian soldiers posted at Rezang La, only 14 survived. Here Maj Shaitan Singh's story needs to be told. After the setback, the Chinese realized that Rezang-la would not be a cakewalk for the artillery shelling. To destroy the Indian field fortifications, they used concentrated fire with 75mm recoilless (RCL) guns, which they brought on wheelbarrows from the flanks, and 132mm rockets. It was a spectacular display of firepower against the Indian defenders who had no artillery support and no bunker on the Rezang-la feature. In the thick of the battle, Maj Shaitan Singh was hit by enemy bullets in his arm. However, without caring for his own safety, he continued to fight. The Chinese started regrouping for a rear attack on 7 Platoon positions that had no survivors. A little distance away, Naik Sabi Ram, the only survivor detached from his platoon, waited

for the enemy to assemble and assaulted them with accurate LMG fire. The Chinese dispersed and Nk Ram waited for the next wave. It came, but with RCL guns, and blasted his lone firing position. Shaitan Singh regrouped his dwindling resources to charge at the advancing Chinese. Since all the platoon positions had. Been overrun with no survivors, the enemy was regrouping to assault the Charlie Company headquarters from the rear after heavy pounding. While moving from one gun position to another, motivating his men, a burst of fire also hit Maj Shaitan in the abdomen. The remaining two men - Company Quarter Master Havildar Jai Narain and Havildar Phool Singh picked him up and rushed downhill towards the company base while taking cover behind boulders every now and then to escape the Chinese fire. Shaitan Singh had become unconscious with the loss of blood and was turning cold, but regained consciousness for a moment and turned to his loyal men, who were risking their lives in trying to carry him and said that they should leave him alone and save their lives. The men very reluctantly obeyed. According to the survivors, the fallen major's last words were: "Tell the CO how well the company fought". The snowy pinnacles of Rezang-la had stood helplessly by watching this unequal match of so few against so many.

... To be contd. in the next issue

CULTIVATE SAVINGS HABIT

Contd..from page 2

Wait and watch approach serves as the best tool as we need to act patiently at the time of crisis and perseverance plays a pivotal role in preserving the earnings for our old days. The usage of plastic money puts you in a tight situation when the 45 days stipulated time gets over. You need to provide balance or if you pay part of the due, then for the balance amount you need to pay penal interest and sometimes face the wrath of Bank's appointed agents when the amount falls overdue. It is better to be on a safer side

and cultivate a savings habit for rainy days and save your skin and lead a peaceful life forever. Like so many things in life, setting money aside as savings is a habit that needs to be developed. If you want to see your nest egg grow, you need to do what you can to encourage a savings habit. Setting money aside needs to become a way of life, instead of some sort of burden. Allocating money for the future is important, but you need to find ways to keep yourself motivated. Do any of these things work for you? What keeps you motivated to save?

Stone Hurlled At Moving Train

Contd..from page 1

believed to have been thrown by an unknown person from the side of the tracks, struck him just below the eye. "I was just standing by the door when I suddenly felt something hit my face with force. Blood started flowing instantly. I was lucky that the stone didn't hit my eye directly," said Ganesh Kharat, said. Fellow commuters immediately helped Ganesh get

off at Airoli station and alerted the Railway Protection Force personnel on duty. He was then rushed to a private hospital in Airoli for medical treatment. Following this, he filed a formal complaint at the Thane Railway Police Station. Due to the location of the incident falling under the jurisdiction of the Vashi Railway Police, the case was transferred to them for further investigation.

