Learning of Laws by the Civil Servants

Interaction with AIS/CCS OTs at MCRHRDIT

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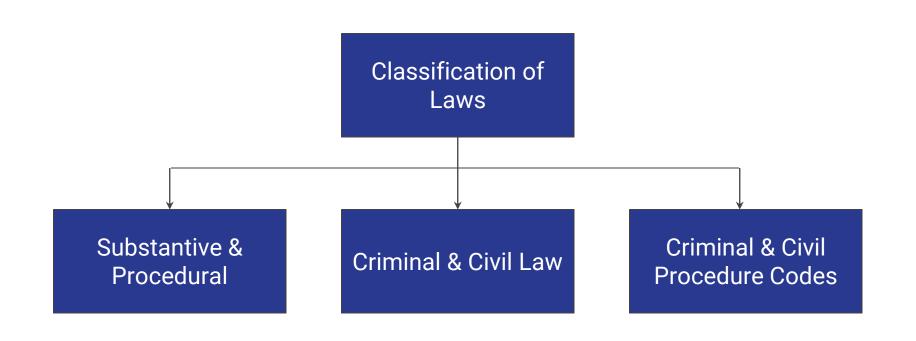
Approach

- Teaching = Learning
- Training = Learning TO DO
- Case study method with a few laws
- List of Laws is illustrative, not exhaustive

Enforcement of Criminal Laws

Case of AP Gaming Act

 "While trying to save cocks, humans were killed"
(Judicial Commission)



Perspective

- "Implementers are Civil Servants"
- ".. but he can and must iron out the creases"
- "to discover what the legislature intended"

Criminal Laws

IPC - Inherently Accused friendly? Why?

Range of Punishment. Upto 7 years or 5 years etc.

Why this discretion to Judicial officers?

Cr PC

Welfare Provisions

 Section 125 Cr PC - leading to Supreme Court in Shah Bano case

Welfare Laws

Women Atrocities Enactments

SC/ST Atrocities - Statues

Land Transfer laws

In Agency areas of the country

Chintapalli Case Study

Labour Laws

SEZ Act

Taxation Laws

- Tax is a non penal law
- "But when the crop comes, give a fifth to the Pharaoh, the other 4/5th you may keep as seeds for the field and food for yourself"

//GENESIS//

Revenue Laws

- Adam Smith Tax should be
 - a) proportionate to income or ability to pay
 - b) certain rather than arbitrary
 - c) payable at times and in ways convenient to
 - tax payers
 - d) cheap to administer and collect

Prevention of Money Laundering Act

Only Economic Angle, not from the terrorist angle

Rajan Katoch, IAS Former Director, ED

Legal Metrology Laws

1. Raid on Global Jewellery Expo at HICC

2. Inspection of a EOU - Continental Coffee Case

Another Case Study...

- 1. The Indian Passport Act
- 2. Conflict in Date of Birth
- 3. Rules on the Subject
- 4. Decision of the RPO

Ease of Doing Business

1. Learning/Implementation of Laws should be permeated in this milieu

2. In sync with the Global Trends in the Global Village

"Law is neither a literary text, nor a divine dispensation"

"It is an instrument to serve the PUBLIC by the Public Servants"

THANK YOU!

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