VOLUME 28

JANUARY-MARCH 1986

NUMBER 1

137

CONTENTS

COTTENT	5	
ARTICLES Presidential and Parliamentary Executives Today	· :	
Utility and Limits of 'Reception' of Foreign Consti- tutional Ideas Talaq in English Law: Bare Talaqs, Procedural Talaqs and Policy Considerations in Recognition of Extra-		1
Judicial Divorces	Lucy Carroll	14
The Dialectics of Law	Chhatrapati Singh	36
That They Shall not Have Died in Vain	Clarence J. Dias	53
NOTES AND COMMENTS		
Legal Aid—Litigational or Educational: An Indian Ex-	. 4	
periment	Jagat Narain	72
Government Privilege to Withhold Documents	V.G. James	79
Capitalist Farm Sector and Migrant Labour in Punjab: A Socio-Legal Study	Veer Singh	92
Bank's Right to Recover Money Paid on Countermanded	, , , , , , , , , , , , , , , , , , ,	
Cheques	Vincent	
	M. Okwechime, Jr.	101
BOOK REVIEWS		
R. Deb, Law of Bad Livelihood	V.S. Deshpande	111
Upendra Baxi, Courage, Craft and Contention: The	•	
Indian Supreme Court in the Eighties	S.P. Sathe	112
Marc Galanter, Competing Equalities: Law and the Backward Classes in India	View C DISCOAN LAND	117
1983 Meeting of Commonwealth Law Ministers:	Victor S. D'Soutza	117
Memoranda	D.N. Saraf LIBRAD	122
S.R. Kharabanda and Prem Nath, H.U.F. Tax Planning		
and Assessment	D.C. Pandey	127
L.C. Goyle, Law of Specific Performance	M. Krishnan Nair DELVIN	133
M.N. Srinivas, Some Reflections on Dowry	Amita Dhanda	135

BOOKS RECEIVED FOR REVIEW

T. Bhattacharyya, The Interpretation of Statutes

Journal of The Indian Law Institute is published quarterly. Annual subscription: inland Rs. 50.00; overseas Rs. 150.00; single issue: inland Rs. 12.50; overseas Rs. 37.50; except higher rates for special issues. The Journal follows the practice of automatically billing the subscribers in advance for a new year unless notified to the contrary.

...M.P. Singh

Subscriptions, manuscripts, change-of-address notices, and undelivered copies, etc., should be sent and all correspondence addressed to The Editor, Journal of the Indian Law Institute, Bhagwandas Road, New Delhi-110 001.

Volume 28 April-June 1986

NUMBER 2

141

CONTENTS

... V.S. Deshpande

ARTICLES Stay Orders—Abuse

reucial Management	I.C.A. Srinivasavaraaan	109
NOTES AND COMMENTS		
Executive's Law Making: Lesson from East India Company	D.C. Wadhwa	192
Governor-Chancellor: A Round Peg in a Square Hole	R.K. Raizada	198
Service Tribunals under Administrative Tribunals Act	K.C. Joshi	207
Justice to Children: An Appraisal of the Administration	Thomas Paul	213
Television and the Law	P.M. Bakshi	223
Partition of Joint Hindu Family Property	B. Sivaramayya	226
Law of Public Nuisance: A Tool for Environmental		
Protection	P. Leelakrishnan	229
Principle of Majority Status of Trade Unions	Z.M. Shahid Siddiqi	232
Validity of States' Levy of Surcharge on Sales-Tax	Paras Diwan	236
Equal Inheritance Rights to Indian Christian Women		
of Kerala	Alice Jacob	241
Dispensing with Departmental Enquiry	P. Kalpakam	246
Right to Life: Legal Activism or Legal Escapism	Chhatrapati Singh	249
Penal Measures and Unequal Treatment	D.C. Pandey	258
Casual Labour and "Equal Pay for Equal Work"	J.K. Mittal	260
Document: Report of the Workshop on the Hazards of		
Technology and of Industry: A Challenge for		
Law and Social Accountability		268

Law and Social Accountability		268
BOOK REVIEWS		
K.D. Gaur, Criminal Law: Cases and Materials	P.K. Bandyopadhyay	277
Manik Kher, Conciliation and Adjudication Today	S.N. Dhyani	281
K.C. Joshi, Administrative Law	Anirudha Prasad	284
Jack I.H. Jacob, The Reform of Civil Procedural Law and	! .	
Other Essays in Civil Procedure	Vepa P. Sarathi	288
Pawan Chaudhary, Mister Insaf	G. Ravindran Nair	293
Satish Chandra, Individual's Petition in International Law	H.O. Agarwal	295
BOOKS RECEIVED FOR REVIEW		297

Journal of The Indian Law Institute is published quarterly. Annual subscription: inland Rs. 50.00; overseas Rs. 150.00; single issue: inland Rs. 12.50; overseas Rs. 37.50; except higher rates for special issues. The Journal follows the practice of automatically billing the subscribers in advance for a new year unless notified to the contrary.

Subscriptions, manuscripts, change-of-address notices, and undelivered copies of the sent and all correspondence addressed to The Editor, Journal of the Indian Law Institute, Bhagwandas Road, New Delhi-110 001.

THE INDIAN LAW INSTITUTE

VOLUME 28

JULY-SEPTEMBER 1986

NUMBER

CONTENTS

ARTICLES	•
----------	---

and Expression	Rajeev Dhavan	299
Judicial Socialism and Promises of Liberation: Myth and Truth	d Parmanand Singh	336
NOTES AND COMMENTS		
Abortion and the Law in India	K.D. Gaur	348
The Muslim Women (Protection of Rights on Divorce) Ac 1986: A Retrogressive Precedent of Dubious Constitu	-	. 264
tionality	Lucy Carroll	364
Processions and Rights of Individuals	P.M. Bakshi	377
Sharp Practices—Civil or Criminal Wrong	D.C. Pandey	380
Divorce by Mutual Consent	P.M. Bakshi	383
Does Remuneration of a Coparcener Constitute Joint Family	у	
Income?	B. Sivaramayya	385
Erroneous Decree and Amendment thereof	K.K. Nagaria	388
Dalit Jurisprudence: Legal Basis	N.S. Chandrasekharan	392
The Bearer Bonds Case: Are We Tilting at Windmills?	B R Nagaraja Rao	395

BOOK REVIEWS

O.P. Malhotra, The Law of Industrial Disputes	V.S. Deshpande	399
D.P.S. Verma, Monopolies Trade Regulation and Consu	ımer	
Protection—Text and Cases	Ali Mohammad Matta	404
Ferenc Madl, The Law of International Transactions	G.P. Tripathi	409
Kalman Kulcsar, People's Assessors in the Courts-A S	Study	
on the Sociology of Law	P.S. Sangal	411

K.L. Bhatia, Administration of Workmen's Compensation Law

The Press and the Constitutional Guarantee of Free Speech

.. P.G. Krishnan

M. Krishnan Nair, Family Law, Vol. I

415 ... Sukhdev Singh

BOOKS RECEIVED FOR REVIEW

419 422

JOURNAL OF THE INDIAN LAW INSTITUTE is published quarterly. Annual subscription: inland Rs. 50.00; overseas Rs. 150.00; single issue: inland Rs. 12.50; overseas Rs. 37.50; except higher rates for special issues. The Journal follows the practice of automatically billing the subscribers in advance for a new year unless notified to the contrary.

Subscriptions, manuscripts, change-of-address notices, and undelivered copies, etc., should be sent and all correspondence addressed to The Editor, Journal of the Indian Law Institute Bhagwandas Road, New Delhi-110 001.

THE INDIAN LAW INSTITUTE

VOLUME 28

OCTOBER-DECEMBER 1986

Number 4

i

ii

450

CONTENTS

MESSAGES

DR. NAGENDRA SINGH President International Court of Justice

DR. ARPAD BOGSCH Director General World Intellectual Property Organisation



ARTICLES

Role of the Berne Convention in the Promotion of Cultural Creativity and Development: Recent Copyright Legislation in Developing Countries

The Main Feature of Copyright Protection in the Various Legal Systems

Protection of Neighbouring Rights (Rights of Performers, Producers of Phonograms and Broadcasting Organisations): International Conventions in the Field of Neighbouring Rights

Performing Right of the Intellectual Worker: Judicial Annihilation

Intellectual Property in Computer Programs: Weakness of the Indian Copyright Act 1957 Copyright Law and Justice in India BOOKS RECEIVED FOR REVIEW

...Shahid Alikhan 423

...Denis de Freitas: 441

... The International Bureau of the World

Intellectual Property Organisation (WIPO) ...K. Ponnuswami

470 ...P.M. Dhar

487 ...Upendra Baxi 497 541

JOURNAL OF THE INDIAN LAW INSTITUTE is published quarterly. Annual subscription: inland Rs. 50.00; overseas Rs. 150.00; single issue: inland Rs. 12.50; overseas Rs. 37.50; except higher rates for special issues. The Journal follows the practice of automatically billing the subscribers in advance for a new year unless notified to the contrary.

Subscriptions, manuscripts, change-of-address notices, and undelivered copies, etc., should be sent and all correspondence addressed to The Editor, Journal of the Indian Law Institute, Bhagwandas Road, New Delhi-110 001.

• THE INDIAN LAW INSTITUTE