

by the liberalisation policies. The overall growth rate of employment for women in the organised sector has been declining whereas employment opportunities for women has been increasing in low paid, insecure employment in the unorganised sector. Women are mainly engaged in casual, contract, part-time, temporary and home-based work without any job security and with less and unequal wages.

Conclusion

The right to minimum wage and 'equal pay for equal work' are legally recognised but in reality majority of women workers are denied minimum wages and equal pay for equal work. Thus, majority of women are subjected to economic exploitation and 'equal pay for equal work' remains as a myth in practice. To prevent this exploitation and discrimination against women there must be strict implementation of the Equal Remuneration Act and Minimum Wages Act and the scope of these legislations should be

extended to the women working in the unorganised sector and home based work.

Approximately half of the population of our country are women and, therefore, the potential workforce is of the female gender. Any social, economic or industrial system that ignores the potential talents and special aptitudes of this half will be flawed on many counts. It will be guilty of denying equal opportunities, and thus creating conditions that cause or perpetuate exploitation and disparities. It may even result in conditions of near slavery for a large section of our population. It is, therefore, necessary to ensure equal opportunities for employment, equal remuneration for equal work, equal opportunities for the acquisition and upgradation of skills; equal opportunities for promotions; equal opportunities for access to positions of responsibility, equal respect and protection from indignities, harassment and humiliation at the place of work, equal opportunities for the redressal of grievances.

SPEECH BY HON'BLE B. PRAKASH RAO ON HIS LORDSHIP FAREWELL AT THE DINNER MEETING AT 8 P.M. ON 24.5.2011

*Good evening to My Lord the Chief Justice,
my dear Hon'ble Brother Judges and Sister,*

I trust that this feast is not a sheer customary one given in the honour of an outgoing friend. I am in no doubt, by what I could perceive from the quiet ambiance prevailing, that you are not mere customary but with all poignant feelings in your inner layers of wits, offering a farewell to me. It is an immense fortune for me to have the warmth and esteem from people like you of having outstanding astuteness. Our ceaseless bond is shaped by a universal pool of ideology, philosophy, work culture and more, by a comparable kind of understanding

towards morals of life. I will not make a broad-spectrum speech as somebody usually makes at the time of demitting office. I did not become Judge by coincidence or by chance. I have elected the vocation as a Lawyer with a fascination and then accepted the call to the Bench with strength of mind of making a mark. I am ever beholden to my parents as they are motive for my achievements and for the position I have reached.

There is wise saying, to retreat differences of opinion; dinner convention with foe is a finest technique. Fortunately, I have no conflict of views with anyone of you. But being members of legal brotherhood, one will not

concur with the view of the other. It is our innate temperament. But, at same time, all of us will respect views of the other. That is the custom in pink, practised in our society of Judges; or for that matter, the Lawyers. This inimitable, naïve conduct is the sprit that made the judicial community a sturdy and self-regulating organization in the universe. This convention shall continue evermore, making the Judiciary the torch bearer of the other parts of civilization.

I have a smooth sailing. Even after conclusion of present assignment, I have the future for accomplishment of my fresh ideas. *Vasishtha* says “*the present is infinitely more potent than the past.*” In one of his Rubayaths *Omar Khayyam* wrote :

“Alike for those who for today prepare

And for those who after a tomorrow stare

The muezzin from the tower of darkness cries

Fools Thy heaven is neither here nor there”

(Muezzin is the person at a mosque who leads the call to prayer five times a day.)

There a witty statement made by *Warren Buffet*, the well known investment manager of these days, “*the past is a cancelled cheque; the future is a promissory note; the present is hard cash*”. “The propensity of mankind is to belittle the present, venerate the past and conjure the future in rosy tints. They either reschedule the good on some ruse or the other or correlate it with irretrievable past. People cosset in wishful thinking, pensively comment “*when I get a bonus pay*” “*after I am married*”. Such remarks only show infantile obsession with and futile dependence on future happiness in store or the opportunities offer in the past but unavailable now. If we believe that good things will come in the future with efflux of time or change of the prevailing circumstances, it will make us sightless to the opportunities hidden in the present and foil us from enjoying the now. The ‘enjoyment’

does not mean quest for dubious pleasures. I am solid in my view, difficulties and crises in the present should not dissuade us from pursuing our goals in life. Our Upanishads and scriptures do not advocate weakness and dejection. Observing “dharma” in all walks of human life is the corridor for liberation. With this system in my mind and body only, I am able to trust intuition, to do the one I intend unmindful of its fallout with a strong confidence that the past, present and future of time in the life are mere pages of a divine text. I have observed such a self imposed discipline, keeping the ‘time’ as the guiding point to discharge the duty bestowed on me, to my contentment. In what manner my act is received by the others was never inhibit me from pursuing my goals.

Jesus Chirst never postponed doing things. In the Bible, the Apostle Paul declared (ii Corinthians, 6-2), “*Now is the accepted time, behold, now is the day of salvation.*”

God will not ask over the starving multitude to stay tolerantly awaiting their turn; but He will award them at least a kind word of succor. That is what a Judge too will do in his every day duty. That a doctor and Lawyer also can do in the similar way. After all, we exist not only for our family but for the perpetuation of compassion which is the obligation of emperor. Now we are endowed with such sovereign command, to eradicate deficiencies in the administration, violation of rights of mankind, to show sympathy to the unprivileged. I am thus grateful to the Almighty for giving me such an envious chance.

Traits of a leader are defined by *Bhishma* in epic *Mahaa Bharatha*. They are, his personal life should be unblemished; as a model, will inspire the people. He should possess gracious qualities like self-control, humility, rectitude and lucidity. Truth should be his guiding principle. Should neither be too merciful nor too harsh, but should sustain equilibrium between the two extremes. Humanism is

awfully important. Brothers, fortuitously you have adequate time and valor to serve the society. As well all familiar with, the institution of Judiciary is in terrible need of spirited leadership to resolve the social challenges, the challenges that had never surfaced in the recent past. Delay in disposal of cases may be one reason but not the solitary cause of alarm. Transparency in the process, cost efficiency, quality adjudication and user satisfaction are some targets before us. How to silhouette the judicial institution congregating these credentials is the core concern before us. I advocate for framing vision document for 2025 predicting the issues and schemes to fight them out. I cherish this sort of inspiration.

I am to acknowledge the precious association you have provided to me. I am pilfering the moments of great time from you to invigorate my energies, to continue my voyage. I take leave from you all by reading *Tom Petty*, Italian Philosopher.

“You and I will meet again, when we’re least expecting it,

One day in some far off place, I will recognize your face,

I won’t say goodbye my friend, for you and I will meet again”

Thank You.

REPLY BY HON’BLE SRI JUSTICE B. PRAKASH RAO IN THE 1ST COURT ON HIS LORDSHIP FAREWELL DAY ON 24.5.2011

My brother Judges, dead Advocate General and the esteemed members of the prestigious Bar distinguished guests.

I am elated by the farewell given to me, a farewell from the celestial chair I have occupied for more than a decade; but, I am sure it is not a farewell from the emotional seat I have taken in your hearts and thoughts. When I have preferred my calling in the profession, like many of you, I too have some aspirations to accomplish. In the beginning it was only fervor to win a case for the party; after that, gradually impulse prevailed on me that there is something more than mere success to be achieved. I started searching for the goal. The world is round and the place which may seem like the end may also be the beginning. I wanted a perfect beginning. Now I am erudite, the hard way, that some poems don’t rhyme, and some stories don’t have a clear beginning, middle and end. Life about not knowing, having to change, taking the moment and making the best of it, without knowing what’s going to happen next.

This realization made me to look forward even in the moments of frustration. Thanks to the teachings and guidance given to inspire me by my Senior Shri *M.L. Ganu*, my contemporaries and more to my beloved mother Smt. *Sharadabai* who taught me values of life, and more, how to wrestle with adversities in life. I am amused when I am offered Judgeship. When finally I had the privilege of joining this Court, no longer a commercial advocate though not leaving that craft behind, my concerns were more akin to those of a caring doctor. In equity particularly, I drew upon the metaphor of a public hospital, engaged in a healing operation under a constitutional mandate. That process had to be conducted with as much compassion and individual concern as the traumatic encounter allows, necessarily with an eye to efficiency and value but not sacrificing fairness. My sustained conviction throughout my time on the Court is that a legal answer which insulted common sense or basic sprite was usually wrong, however skillfully contrived. While continuing in my