

It can be seen as a penitentiary institution with various corrective groups with better or worse standard of life. To get from the third group into the first can be considered as a certain advancement but we are still imprisoned. Although there is a small group of prisoners who like to stay in jail, vast majority of people desires freedom. Those who wish to be completely free from all suffering are informed by Vedic scriptures about even higher level called para-dharma (superior dharma) or sanatana-dharma (eternal

dharma). Activity on this level is akarma, or free from any reactions. It is bhakti, devotional service to the Supreme Lord which is described in detail in Bhagavad-gita, Bhagavata Purana (Srimad Bhagavatam) and other confidential scriptures. Pleasant study!

“Man should serve to Lord Krishna with devotion without any desire for material benefit in this or next life. This will bring him liberation from the shackles of karma.” (Gopala-tapani Upanisad 1.14)

REGISTRATION OF MARRIAGES IN ALL COMMUNITIES

By

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Their Lordships Mr. Justice *Arijit Pasayat* and Mr. Justice *P. Sathasivam* held that steps to register all marriages in all communities will be a progressive step. It will be well within the framework of the Constitution based upon secular concept in every walk of life (2007 (6) ALT Page 39 S.C). Though a long back as Feb.2006 the Supreme Court order to frame rules for compulsory registration of marriages in all communities states have yet to march forward for giving a positive effect to create a separate Registration authority in all the Districts and Mandals investing them with the Powers to issue Marriage Certificates.

To achieve this noble object the states need not feel shy to project that Nationality is not based on religious type of marriage. Each religion may have different strokes to perform the marriage. But such recognition cannot be termed as National recognition. To get recognition that they are married to

be legally termed as husband and wife had to be steamed up by registration of marriage with the appropriate Registering Authorities obtaining the marriage certificate. Once the Certificate is issued then only the authenticity of marriage deemed to have been established for all practical purpose— be it a right and liability against one another or cause to peep into the allegation made one against the other to seek legal remedy like separation, divorce *etc.*, in the Court of Law. That apart status of a woman to establish as married for the issuance of identity card and passport marriage certificate issued by the competent Registering Authority should be projected as mandatory. As among the Muslims in whatever method or approach the marriage has been performed be it in Residence or Mosque an approach immediately thereafter to Marriage Registering Authority to obtain a Marriage certificate from the concerned Authority should be made mandatory and compulsory.

Marriage among Muslims is an agreement between two adults reflecting offer and acceptance before two witnesses. The ceremonial aspect is only optional. This offer and acceptance need not necessarily be before the "QAZI". For the reasons best known to the then rulers of India the concept of "QAZI" performing the marriage was introduced and enforced which has given a handle to most of the unscrupulous "QAZIS" to set up a cupboard for marriages irrespective of age of a Girl who may be 13 and 14 years virtually forced to accept a Saudi or a Gulf Shaik of 70 to 75 years. The certificate or a book of Marriage performed by a QAZI has neither religious nor legal sanctity because a Contract of Offer and Acceptance is an agreement and nothing more. The flourishing market opened by the touts under the patronage of Qazis attracted day in and day out sexually hungry Shaiks and other affluent members of Muslim Society to enter into unscrupulously arranged and aided freak marriages followed by disastrous consequences in the life of innocent Minor girls.

When the Registration of marriage before a Competent Authority irrespective of

Religion, region, caste and creed are made mandatory for all practical purpose the menace of child marriage which are freak and capricious will come under control. Nationality cannot and should not be controlled by individual's faith in a particular type of Marriage. To be religious is not a crime or an offence. Certainly not giving preference to Nationality over and above the religion is Anti-National, which is more heinous than crime and offence. It is to be noted that every one has got a right to get marriage performed according to their religion, custom and family convention. But the marriage to be recognized by the Nation as such, should come into operation only if it is Registered by Competent Authority. Hence after the usual ceremonial marriage according to individual's religion the Registration of the same for obtaining marriage Identity to approach various Authorities including Courts for any remedial measures cannot be treated as interference in individual's personal law. Opposing Registration of Marriage will reflect and speak upon individual's Anti-national outlook. The earlier it is made mandatory the better for achieving National outlook, which is presently limping.

VICTIMLESS CRIMES AND HUMAN TRAFFICKING

By

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Victimless crimes are of a special nature. The recent trend towards a de-criminalisation is pronounced in the present social structure. The class of activities to which all participants consent is not co-extensive with the class of activities whose effects never harm or victimise the participants. An activity is a victimless crime if it is prohibited by the criminal court and made subject to penalty or punishment. But at the same time involves the exchange

or transaction of goods and services among consenting adults who regard themselves as un-armed by the activity. Accordingly the participants would not willingly inform the authorities of their participation in the crime. Victimless crimes are also known as 'complaint less crimes' Bedau terms it as 'self-judged' harmlessness.¹

1. Edwin M. Schur and Hugo Adam Bedau, victimless crimes, p-6, 10, 68