

limit the Court's jurisdiction to great and grave constitutional issues and questions of law which require adjudication by the highest Court alone should be considered, is to be seriously thought of.

While giving the Court wide jurisdiction it cannot be said that the founding fathers wanted the Court to be an Atlas bearing the

weight of ordinary litigant in their fight for justice in routine matters in spite of appeals, revisions *etc.*, upto High Court. The exalted position of the Court is something akin to Mt. Olympus a habitat of the Gods of Justice and Law. That should be the ideal status of the Summit Court as an interpreter of the Constitution and the upholder of the rule of law.

ANDHRA KESARI TANGUTURI PRAKASAM – THE LIGHTER SIDE

By

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Tanguturi Prakasam was a versatile genius who donned with unique distinction, many roles in life's drama – as actor, lawyer, jurist, journalist, writer, freedom fighter, orator, legislator, administrator, economist and statesman. Thus he touched life at many points and adorned everything that he touched. His public life was an open book but very few know that he had a keen sense of humour and was a pastmaster in the "artless art of repartee". Perhaps his dour appearance and brusque manners led to the impression that he was a cheerless curmudgeon. Here are a few anecdotes which reveal his lighter side which is indeed his brighter side and better side.

Before becoming a barrister, *Prakasam* practised for about a decade at Rajahmundry as a Second grade pleader. It was the Magistrate's Court. A case was called and the party was asked to fetch his lawyer to proceed with the case. He came back after sometime and requested for adjournment since he could not find his lawyer. Thereupon the Magistrate said "There is no dearth of lawyers in Rajahmundry. Go to the Bar Room. You

can get a lawyer for a rupee or two". *Prakasam* retorted "Such lawyers have been selected as Magistrate".

Prakasam was the Revenue Minister in the first Congress Ministry headed by Rajaji in the Madras Presidency during 1937-39. Discussion was going on in the Assembly over the bill for the abolition of zamindaris. *Prakasam* who piloted the bill was criticizing the Privy Council for its improper comprehension of the language of the Regulation. Then an M.L.A. remarked "The Members of the Privy Council are Englishmen. Does the Honourable Minister mean to say that they are not proficient in English?". "Is the Honourable Member well versed in all books in Telugu"? Quipped *Prakasam*

Prakasam's arch rival Pattabhi gained the ear of Mahatma Gandhi and prejudiced him against *Prakasam*. A furious Gandhi demanded *Prakasam* to account for all the money he received from the public. *Prakasam's* famous reply was "I have no Tatas and Birlas to support me. My people

gave me money for my personal needs and not for congress fund. Jesus Christ had eleven faithfuls and only one Judas. The *Mabatma* has only one faithful.”

When *Gandhiji* advised *Prakasam* to retire from politics on the plea of old age, *Prakasam* reminded him that he was three years younger to *Gandhiji*, thereby meaning that *Gandhiji* being the older of the two has to retire earlier.

Prakasam as Prime Minister (that was the designation of the Chief Minister under the Government of India Act, 1935) of Composite State of Madras, during 1946-47, inducted *Bikkina Venkataratnam*, a prominent Congressman, into his ministry. While *Venkataratnam* was leisurely dressing up for the swearing in ceremony, *Prakasam* hurried him saying “Before you get ready, the ministry may fall” (Nuvvu Talapaga Chuttukunelopala, ministry padi potundi). At that time hectic efforts were going on to dethrone *Prakasam*. Within a month, the ministry was voted out of office.

Prakasam levelled charges against his former follower, *Kala Venkata Rao* who was responsible for the downfall of his ministry in 1947. *Sardar Vallabhai Patel* reminded *Prakasam* that *Venkatarao* was his own disciple. “Yes. He was my disciple once. He buried me nine fathoms deep. See that he does not do the same to you” replied *Prakasam*.

When *Sardar Patel* advised *Prakasam* to learn to sacrifice, *Prakasam* retorted “I need not take lessons from a District Court Lawyer whose annual earnings were not equal to my monthly income as a leading barrister of the Madras High Court.”

Prakasam as the first Chief Minister of the nascent Andhra State during 1953-54, moved the bill for the establishment of Sri Venkateswara University at Tirupathi. The opposition members were proposing amendments to every section of the bill. In the end, *Prakasam* coolly said “I am glad that

the opposition did not propose an amendment to the preamble which says that there shall be a university at Tirupathi.”

During the same period (1953-54), *Nallapati Venkatramayya* was the Speaker of the Legislative Assembly. One day *Prakasam* casually remarked “*Venkatramayya*, if my ministry falls, it will be on account of your rulings.” What he said in jest, proved prophetic. Sometime later *Prakasam* ministry fell on account of the speaker’s ruling on the prohibition issue.

Prakasam was incarcerated several times for his active role in the freedom movement. During one of his spells in jail, a high ranking official came on inspection. The jail warden introduced *Prakasam* as a leading barrister. The insolent officer said that *Prakasam* appeared before him while he was Sub-Collector. *Prakasam* retorted “Yes. I have argued before so many fellows”.

By 1940 *Prakasam* had lost all his vast properties – lands, four palatial buildings, cash and shares in companies – which he had spent to finance his *Swarajya*, a nationalist daily which propagated the Congress creed in the country. This paper made him a veritable pauper and he used to depend on his friends and admirers for his daily needs. While so one day, *Hiralal Gandhi*, the prodigal son of Mahatma Gandhi approached *Prakasam* for some money. *Prakasam* said “I am myself a beggar. You have come to beg a beggar” (Akulu Nakevadiki Mutulu Nakevadu)

Once *Prakasam*’s grandchild was afflicted with a carbuncle on its finger. The doctor advised amputation of the finger to save the child. *Prakasam* asked the doctor as to what he would do if the carbuncle was on the neck.

When an admirer jubilantly told *Prakasam* that a street was named after him (*Prakasam*), he said ‘we have lost houses and retained roads’ (Illu poyi, rodlu migileyi)

When his niece *Suryakumari*, the famous singer and actress of yesteryears was selected as Miss Madras, *Prakasam* Jocularly asked her whether she alone participated in the contest.

Prakasam's political life which was a grand saga of glorious failures, amply proves that brilliance, learning and versatility are no substitutes for the saving grace of common sense, practical wisdom and tact.

Prakasam was a curious mixture of opposites – of penetrating intelligence and utter naivete bordering on gross stupidity.

He was an odd combination of a brilliant scholar and a naïve simpleton.

The tragedy of his role as a politician was that when he should have been diplomatic and pragmatic, he was defiant and dogmatic. He loved to live in a fool's paradise of his own creation allowing emotion and sentiment to Jettison reason and reality. That was why he fell an easy victim to the wily machinations of a small band of professional politicians whose only asset was their immense capacity for intrigue. *Prakasam's* life should be taken more as a warning than as an example.

LAW RELATING TO CHILDREN IN INDIA : A NEED FOR UNIFORM CHILDREN CODE

By

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Children are the most important asset of any nation. The future of a society depends directly on how the successive generations are reared, and brought upto fulfil the requirements, which the society is faced with from time to time. Child is basically a product of environment around him. In societies where the rigours of sheer survival are beset with numerous difficulties, children also are bound to suffer in their development and growth. They develop early propensities towards fending themselves. The parental care too is considerably tampered with in the face of actual realities of the situation. The consequential problems are stupendous and finding solutions to these is a real challenge to both society and the State.

When we look at the constitutional provisions and the legislations, Central and

Local, from the children's perspective, we find that Indian Parliament and State Legislatures have put in their efforts, both in the pre and post Independence eras to solve certain problems of the nation's children and protect some of their interests. It has resulted in the passing of over a hundred statutes protective of children. The Indian Judiciary, particularly the Supreme Court, has also extended its public interest jurisdiction to the cause of this weakest segment of human population by delivering certain historic decisions pertaining to the working conditions of child labour and under-trial juvenile delinquents placed in jails, *etc.* Besides the legislative and judicial efforts, various Child Welfare Programmes have been carried out and services rendered to secure the educational and health interests of the children both at the administrative and non-Governmental levels.