

It is a fact that electronic record and communication process through computer Internet were given legal sanctity and they are admissible as evidence in the Court of law.

Jurisdiction of Courts :—

As I elaborately discussed about postal rule in preceding paras that under the postal rule, a contract between the offeror and acceptor is completed once the acceptor puts his acceptance in the course of transmission. Then the proposer cannot revoke his proposal since the acceptance is complete as against the proposer. But an acceptor after putting the letter of acceptance into the course of transmission can revoke the acceptance before such acceptance comes to the knowledge of the proposer. The proposer can revoke his proposal before the acceptor putting his acceptance into the course of transmission but not afterwards. Therefore the contract is deemed to be completed by post or

telegram at the place where the acceptance of the proposal is posted or telegraphed, consequently cause of action arises and where the acceptance is posted or telegraphed, the Courts of that place shall have jurisdiction.

In case of instantaneous contracts entered into telex, telephone and computer Internet, a contract is completed where the acceptance is received. In all the cases the cause of action arises at the place where the acceptance is received, consequently the Courts of that place shall have jurisdiction. From the above proposition it is clear that when the parties enter into contract through computer Internet, being instantaneous mode of communication, the contract is deemed to be completed where the acceptance of proposal is received and the Courts of that place shall have jurisdiction to try such cases. Further it was also clarified by Supreme Court in *Bhagvandas Goverdhandas Kedia v. Giridharilal Parshottamdas & Co.*, AIR 1966 SC 543.

CHIEF JUSTICE RAJAMANNAR – SOME ANECDOTES

By

—V. VENKATESWARA RAO, Advocate
Member Editorial Board
ANDHRA LEGAL DECISIONS
Hyderabad

There are Judges and Judges. Many of them are only judges – nothing more, nothing less. But late Dr. *P.V. Rajamannar* was a Judge with a difference and distinction. He was both a litterateur and a jurist. It would be more appropriate to call him a literary man who strayed into the field of law rather than a legal luminary with literary proclivities.

He edited for some time 'Kala', a magazine devoted to the fine arts, as its name indicates. He contributed several articles to reputed journals. He is the author of many plays in Telugu. He had a keen sense of humour.

Once his one act play 'Tappevaridi' (whose fault) was put on boards. He was also present. After the play was over, he was asked to say a few words. He said "Tappu Nadi" (The fault is mine) obviously referring to the poor performance of the actors.

He presided over a meeting. When asked to give his address, he rose from his seat and said "9, Victoria Crescent, Egmore, Madras" and sat down. He literally gave his address.

In 1948 he attended the All India Chief Justices's Conference at Delhi. Prime Minister

Jawaharlal Nehru, who was also a Barrister, was the distinguished guest Nehru was surprised at *Rajamannar's* youthful looks and exclaimed "How come you became Chief Justice at such young age?". "The fault is not mine. Sir" was the cool reply.

He described his becoming Chief Justice as a 'benevolent accident'.

Commenting on his retirement he said that he was re-tired but not retired.

Madras All India Radio requested him to deliver a speech on fine arts. *Achanta Janakiram*, Station Director, edited the typed script of the speech a little to keep to the time schedule. *Rajamannar* magnanimously said "Janakiram, Your editing enhanced the beauty of my speech".

Rajamannar on a visit to Eluru went to see his old friend *Nanduri Subbarao* (of Yenkipatalu fame). On seeing *Rajamannar Subbarao* said "Krishna has come to Kuchela". No *Kuchela* has come to *Krishna*" replied *Rajamannar*.

Adverting to the drastic changes brought about in Hindu law in 1956 regarding woman's rights to property, *Rajamannar* jocularly said "The widow has ceased to be the treasure chest of lawyers".

Referring to the trite criticism about arrears in Courts, he said "The impression that one gathers is that there were no arrears in the old days in this country and arrears never existed in other countries. Arrears like vice and poverty existed in this country and will exist in larger or smaller measure. Law's delay is not an expression coined for India. It goes back to Shakespeare".

Rajamannar was essentially a brilliant and versatile scholar and writer as evidenced by the exquisite speech delivered by him on the occasion of the centenary of the Madras High Court in 1962. In an apt and telling phrase he brought out the essential characteristics of

some of the legal luminaries who brought eternal glory to the Madras High Court. Here is an excerpt from his speech.

"I can speak from personal knowledge of the scintillating brilliance of *S. Srinivasa Ayyangar*, the sledge hammer assertiveness and encyclopedic knowledge of case law of *Alladi Krishnaswami Ayyar*, the illuminating lucidity of *S. Varadachariar*, the meticulous thoroughness of *Venkatasubbarao*, the polish and finish of *C.P. Ramaswami Ayyar*, the phenomenal memory of *Ramesam*, the robust independence of *T.R. Ramachandra Ayyar*, the imperturbable confidence of *T. Rangachariar*, the courage and humour of *V.C. Sesbachariar*, the spacious fluency of *L.A. Govinda Raghava Ayyar*, the vigorous persistence of *J.M. Krishnaswami Ayyar*, the industry and method of *Anantha Krishna Ayyar*, the majestic sweep of *Venkatarama Sastriar*, the grace and literary flair of *V.V. Srinivasa Ayyangar*, the cross-examining skill of *Nugent Grant*, the learned equanimity of *Seetharama Rao*, the sharp ingenuity of *K.S. Krishnaswami Ayyangar*, the condensed precision of *Muthu Krishna Ayyar*, the exhaustive presentation of *Patanjali Sastri*, the scholarship and culture of *T.L. Venkatarama Ayyar*, the Candour and integrity of *Doraswami Ayyar*, the forthright bluntness of *K.P.M. Menon*, the persuasive charm of *V.L. Ethiraj*, the quick grasp of *Raja Ayyar*, the cleverness of *K. Bhashyam*, the caustic directness of *A.V. Viswanatha Sastri* and my own father's love of law for its own sake."

Justice *Ch. Raghava Rao*, a brilliant scholar and orator in English in an article captioned "Law and Literature" said "That a man of letters with an aptitude and an equipment truly literary should be in office as Judge not only accounts for literary judgments which are ever worth reading for the pleasure that their manner gives, it has its own advantage more fundamental too. The atmosphere of the Court in such a case bears humanism about it. Reason will get refined by culture and justice will stand seasoned by mercy."

Elders of a previous generation used to say that in Justice *Rajamannar's* Court there was such an atmosphere as described by Justice *Raghava Rao*. I envy the good fortunate of those advocates who practiced before Justice *Rajamannar*.

CONUNDRUM OVER LAND AND SPECIAL ECONOMIC ZONES (SEZS) IN INDIA

By

—Dr. JETLING YELLOSA¹

“Laws Change; people die; the land remains” — *Abraham Lincoln*²

“The nation that destroys its soil destroys itself” — *Franklin D. Roosevelt*³.

In recent past there are a lot of arguments and counter arguments have been generated over the acquiring of land by the Government for creation of special economic zones (SEZs) and this paper succinctly describes emergence of SEZs and its implication on rights of land holders in India.

1. Introduction:

In this era of globalization, most developing countries are witnessing a shift away from an import substitution based development strategy to an export promotion policy. In post World Trade Organization scenario the countries around the globe are vigorously promoting special economic zones the purpose of gain edge in exports.

A Special Economic Zone (SEZ) can be defined as a geographical region that has economic laws that are more liberal than a country's typical economic laws⁴. It is a trade capacity development tool, with a goal to

promote rapid economic growth by using tax and business incentives to attract foreign investment and technology. By offering privileged terms, the Special Economic Zones attract investment and foreign exchange, spur employment generation and boost the development of improved technologies and infrastructure. Apart from India and China, the other notable countries which have experimented with Special Economic Zones are Iran, Russia, Ukraine, Poland, Philippines, Kazakhstan and North Korea.

It is pertinent to mention that the China's Special Economic Zones have become a successful venture almost in the entire world and which has attracted and forced the countries to start these in their countries. The most successful Special Economic Zone story till now is that of Shenzhen, China which has grown from a tiny fishing village in the eighties to a city of 10 million which employs around 7 million migrant workers⁵. According to World Bank estimates, as of 2007 there are more than 3,000 SEZs projects taking place in 120 countries worldwide. As on today in our country the Government has permitted 574 SEZs and there are 105 SEZs have in operation throughout the country.

1. B.Com., L.L.M., Ph.D., Assistant Professor of Law and Chairman, Board of Students, Department of Law, Telangana University, Nizamabad, Andhra Pradesh Email : jatlingsa@gmail.com

2. (1809-1865) 16th President of America

3. (1882-1945) 32nd President of America

4. http://en.wikipedia.org/wiki/Special_Economic_Zones

5. French, 2006