

*On the Loom of Time*

## **OBSERVATIONS**

**Dr. Justice G.C. Bharuka**

*Former Actg. Chief Justice, High Court of Karnataka; Former Chairman, E-Committee, Supreme Court of India; Visiting Professor, Chanakya National Law University, Patna.*

Usually, an autobiography is the story of how a man thinks he lived. But it is not true of all the autobiographies. 'On the Loom of Time' by Shri S.K. Jha depicts a journey full of turns, achievements, shattering of images, impressions and convictions.

Apart from telling the story of his life and family, he has made a sincere effort to raise some issues of social and constitutional importance. These issues have as well been analyzed in the spiritual and moral perspective with rare and remarkable skill of presentation. Upon his retirement in 1998 after having served as a member of the Indian Revenue Service for almost 34 years, he joined the Supreme Court bar. He firmly believed that moral values propounded in Shrimad Bhagwad Gita should be kept in mind while interpreting our Constitution and administering justice. The later part of the memoirs is more a work on jurisprudence and spiritual expositions and at times, it is the blending of the two.

Even if one disagrees with the approach on certain aspects, but certainly the writing reflects an in-depth study of the topics attended and his sincerity and commitment with which the views have been expressed. The writer has spoken about the making of our Constitution and the underlying philosophical and ethical values. He rightly expresses concern about such values being gradually eroded under the guise of development, open economy and globalization but more regrettably, for serving the personal interests of the person in power.

It cannot be lost sight of that human values are implicit in every instrument of governance, maybe, constitutional or statutory. I agree that all the three organs, in varying degrees, are equally responsible for this gradual degradation. This has led to obvious mal-governance resulting (recently in August 2011) in public outburst in the form of Anna Hazare movement.

The Supreme Court judgment, in *Black Money* case,<sup>1</sup> has triggered a serious discussion among the intellectuals. This judgment was rendered on a petition of Shri Ram Jethmalani, senior advocate, who had requested the court to intervene in getting the black money stashed in the foreign banks back to the country. The Bench expressed dissatisfaction over efforts made in this connection by the Government and observed that it was a failure that goes to the very heart of the

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1. Judgment delivered on July 4, 2011 by a bench comprising of Justice B. Sudershan Reddy and Justice S.S. Nijjar in *Ram Jethmalani v. Union of India*, reported in 2011 (6) SCALE 691.

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constitutional imperatives of the government. It said: “unaccounted monies, especially large sums held by nationals and entities with a large presence in the nation, in banks abroad, especially in tax-havens or in a jurisdiction with a known history of silence about sources of monies, clearly indicate a compromise of the ability of the state to manage the affairs in consonance with what is required from a constitutional perspective.”

I congratulate Shri S.K. Jha for sharing his life's experiences, thoughts and views through this illustrative work.