REMEMBERING KELKAR:
Friend, Philosopher And Guide
RAGHUNATH: A Friend and Critic

Raghunath Kelkar, as he was known to his friends, was a man of robust frame, both physical and mental. He hailed from Sangli which is a seat of learning in South Maharashtra. He took his law degree from Kolhapur Law College and secured his masters degree in law from Bombay University.

We joined the Law Faculty of Delhi University together in 1957. We were eight of us but except Raghunath, all were unmarried. He was extremely friendly and affectionate to all of us. He and his wife showered hospitality with a rare grace and made us at home. We had come from different parts of India to Delhi and that too for the first time. We all felt that Raghunath’s house was our second home. We were welcome at any time. It was as if, his house had no doors. He did it so naturally. There was no formal artificiality or attitude of condescension. And that was Kelkar. Open, affectionate, always ready with a helping hand. People become ‘wise’ with experiences of ingratitude in this hard world. But, Raghunath did not find it necessary to be ‘wise’ till he left us.

Criminal law was his speciality. He made several specialised studies in criminal law, wrote number of papers and participated in seminars. He was a devout student and a researcher. He had a down-to-earth approach to criminal law problems but he welcomed new ideas and methodology. He was a less known scholar in academic circles because it was against his
nature to be a slave of western ideas or jargon. His book on Criminal Procedure Code speaks for his hardwork and scholarship.

Raghunath valued his independence and was a stubborn fighter for all well-deserved causes. But there was no aggression, no rattling of teeth. His weapons were constructive thinking and sound common sense. With a smile on his face he would offer a single comment pregnant with deep meaning. A twinkle in his eyes an innocently mischievous understatement was sufficient to disarm the opponent.

He had a self-effacing personality and was given to understatement regarding his personal achievements. He was essentially a worker and shunned flamboyant leadership. Constructive, hardworking and affectionate he was a great asset to any institution where he worked. The loss to Law Faculty is more grave than my loss of a personal friend. It would be hard to find a substitute.

S. B. Wad
Judge
Delhi High Court

KELKAR: A Teacher of his Friends

It is difficult to write about Kelkar who has been a friend, colleague, and critic for more than two decades. From the many memories I have of him I have decided to share three of them with you because each one of them demonstrates a particular facet of his character.

When Kelkar joined the Law Faculty—many years ago—a young man, both of us had been given Criminal Law to teach the first year students. We decided to discuss what we would teach our students, so that at least our sections would have more or less the same coverage. I told him that I would like to teach only Criminal Law and not Procedure because I didn’t understand Procedure nor was I interested in it. I remember his face when I said it. Firmly but politely he told me he didn’t think I could do justice to Criminal Law if I didn’t understand and was not interested in Procedure. From that day he would invariably draw my attention to cases and articles which he said I should read as they were very interesting. They were invariably on criminal procedure. A short note written by him on a recent case is still lying on my table which he asked me to read because he had found the facts extremely interesting.

A small news item had appeared in the newspaper some years ago—three pickpockets were caught in Karol Bagh and they were paraded up and down in the busy shopping centre with a placard saying “I am a pickpocket”. I was vastly amused and said: “for once the police has acted well to curb the evil of pickpocketing”. Kelkar had a pained look on his face and said “Are you really supporting the police for taking over the job of the judge? They are not supposed to give the punishment, which they have done, and that too without a trial”. No argument on my part that pickpockets always got off scot-free and therefore this was much better than perhaps spending one week in prison, had any effect on him. He
said very clearly “if you allow this where will you draw the line? You will not be able to complain if the prisoners are being beaten up by the police or tortured”. He was a firm believer in human rights and was not going to compromise on rights of prisoners simply because pickpocketing had become a social evil.

My last recollection of Kelkar was two days before he was flown to Bombay lying in hospital extremely weak. He was telling the Professor-in-Charge—how much of the IPC he had covered, which were the cases he was dealing with and how much remained to be covered of the course. The Professor-in-Charge who was not a person of criminal law, could barely make out as Kelkar’s voice was feeble. But that was Kelkar, the dedicated teacher who did not want his students to suffer or his colleague who will take over from him to be in any difficulty. I was reminded of the time when I had an accident and had to go on leave. It had not occurred to me to deal with the question of coverage in such detail, as Kelkar did, because it would help students and my colleagues.

Dedicated teacher, uncompromising on principles and a loyal and affectionate friend. The Faculty is a poorer place and the greatest tribute his students can pay him is to emulate his example as a teacher and as a human being.

Lotika Sarkar
Professor of Law (Retd.)

KELKAR: “A Great Souled” Person

My earliest recollections of Professor Kelkar dates back to the mid-fifties when I joined the Delhi Law Faculty for LL.M. Professor Kelkar was a member of the Faculty then. As time passed, in the mid-sixties when he joined the Faculty of the Indian Law Institute I came to know him in a different capacity as a colleague and friend. Kelkar was the embodiment of the liberally educated human being. Two impressions are prominent. One is the quality of his mind and the other is his commitment to enduring values.

He was affable, friendly and humane as a person. Extremely diligent, conscientious and upright, he was a valiant fighter for the principles that he believed in and cherished. What makes a man is courage. Kelkar exemplified it not only in his life but also in fighting the dreaded disease which snatched him away untimely from us.

An excellent scholar, researcher and teacher, he never let any opportunity for learning slip by. His quest for more knowledge was inspiring. He contributed regularly to the Journal of the Institute and wrote the Survey on Criminal Law and Procedure. His books on criminal law are a scholar’s delight.

Many other memories come crowding to my mind. What I cannot forget is his mirthful laughter. He will be remembered as a “great-souled person.”

Alice Jacob
Director (Admn.)
Indian Law Institute
KELKAR: As A Guide

My association with Prof. Kelkar was linked with my research efforts. He first, guided my masters dissertation and later supervised my doctoral work.

'Mental illness is not the only problem facing India and nor are the mentally ill the only representatives of the deprived. In concentrating on a particular section of the handicapped one cannot forget the plight of other disabled groups. Expectations from the state or from people should be such as can be realised'. It was with words such as these that Prof. Kelkar tempered my extreme outrage at the condition of the mentally ill in India. He taught me to look at the point of view different from my own. And brought home to me that to be radical may be fashionable but if that radicalism is not rooted in reality it will achieve little at the end of the day. However though Prof. Kelkar advised, persuaded and made you think and rethink your arguments with gentle humour and teasing questions, he never imposed nor took over your research work.

His warm concern and kind consideration was not limited to my research work alone but extended to all my career and life management problems. If you needed help from him he always had the time for you. I remember when I once ran into trouble whilst writing a major article and rang him up to say I could not do it. He spent an hour on the phone reassuring me and suggesting ways and means to get out of the impasse. A person who put your concerns before his own, who gave a patient hearing to all your out-pourings and yet

who did not hesitate to either point out your mistakes or to say what he thought was right—that was Prof. Kelkar for me.

Amita Dhanda
Asstt. Research Professor,
Indian Law Institute

KELKAR: The Perfectionist

Amongst the outstanding qualities of Prof. R.V. Kelkar, the foremost was his patriotism. Very few people know, because of his innate modesty, that he was one among the group of people who led the forcible liberation of the Portuguese pockets of Daman and Diu. His respect and attachment for institutions in the country was incredible. He was one of those who suffered in the "emergency period", but that did not cloud his objectivity and he once stated candidly in private conversation that he admired late prime minister, Indira Gandhi for her political astuteness and qualities.

In maintaining standards of scholarship, he was a perfectionist and had exemplary academic integrity. One example will suffice. In about 1964, he embarked on a study of "Probation of Offenders Act". He wanted to make a field-study. To enable him to study the court records, he joined a course in the Department of Urdu and learnt to read and write Urdu. He painstakingly interviewed the judges and probation
officers, and studied the records in the various courts for over two years. When he was about to finalise the study, a friend of his, who is a statistician, told him that statistically speaking, the findings were not reliable for want of proper sample. He decided not to publish the study even though some of us suggested to him that he should publish the study in a modified form.

B. Sivaramayya
Professor of Law

KELKAR: A Personal Reminiscence

My interaction with Professor R.V. Kelkar began when he was appointed the supervisor for my Ph.D. research. And it ended with his departure within three years thereafter. The period, apparently so short, contains many little incidents with their everlasting impact on me. I recall two incidents.

One is my first meeting with the supervisor. I had been working on the area of my research for the last two years and prided myself for being well versed in its philosophy and law. I was striding along happily with its social welfare approach. His first discussion toned down my sociological exuberance. He very gently brought me back to the importance of the language of legislation—social or otherwise. Patiently he went from one clause to another, opening new vistas of analyses of the law, of which I then realised, I knew comparatively little. But there was no humiliation or ridicule. That was his analysis of the subject matter and

he was ready to listen to mine. By the end of the meeting, I had found a guardian.

The other incident is a lunch at his house. It was my first social interaction with him and his wife. I had reached their house early and enjoyed the privilege of observing them interact with each other. Both of them had different professions—she, a houseperson and he, an academician. But each involved fully with the other. On other occasions I had noticed Mrs. Kelkar taking interest in the discussions between me and Prof. Kelkar. That day I saw Prof. Kelkar equally interested in her work whether it was her kitchen garden or her cooking. They came across to me as the best of friends—loving, caring and respecting each other. Indeed, the rarest of the rare couples.

Ved Kungari
Lecturer in Law

R.V. KELKAR: My Good Old Friend

When I think of Kelkar many memories crowd my mind. I first met him when I was the youngest member of the academic staff in 1961. He made a deep impression on my mind as a dedicated law teacher, always ready to help his students inside and outside the classroom. He believed that learning is essential for teaching and learning is a continuous process.

In those days, the senior Faculty appeared to be a house divided with the usual pro-Dean and anti-Dean factions. But Kelkar was uninvolved in the
groups. He mixed with one and all freely. His approach appealed to me and other younger members of the Faculty. We were not interested in the groups and divisions. In course of time some of these tensions abated and we became very intimate friends, moving together, discussing all kinds of topics during our leisure.

He helped me in my literary endeavours and also encouraged me to join the profession when an opportunity offered itself. What is more, Kelkar helped me in locating a suitable flat for my residence as a lawyer. I am still residing in the same flat and I often recall him for his affectionate help.

Even after I ceased to be his colleague in the Faculty, we used to meet now and then. He was an excellent host. He used to invite friends for a meal and make them feel totally at home with him and members of his family. There was never a dull moment in his company.

During the emergency Kelkar suffered a lot but he withstood all the trauma with remarkable fortitude. He had a strong moral personality and an enlightened outlook. In the staff meetings he always used to take a principled stand. He called a spade a spade unmindful of the consequences. Kelkar valued friendship and had many friends. I remember the day he came to present me his book on the Criminal Procedure Code. It is a standard work very painstakingly written by a man who knew the subject thoroughly. I often refer to his book. Long after the first edition was sold out he brought out a second edition of the same book. Once again he came to present me a copy of the later edition. was deeply touched by his affectionate gesture. These two volumes are the visible mementos of our friendship spread over a quarter of a century. To me they are priceless and will remain so for the rest of my life.

In the year 1985 while I was arguing A.R. Antulay's case in the Supreme Court I needed the background material of Sections 161 to 165 of the Indian Penal Code which deal with offences by or relating to public servants. I could not get a copy of the note of the first Law Commission headed by Macaulay in the Supreme Court Bar library or any other nearby library. Instinctively I turned to my unfailing friend Kelkar, whom I regarded as an authority on criminal law. He told me he had a copy but it would take some time to trace it. He searched it out overnight and made it over to me the next day. It was of immense help to me in understanding the whole scheme of the chapter and making my submissions to the Court.

Last year when I heard that Kelkar had a severe setback in his health, I never suspected that his end was so near. I thought he would recover. The news of the inevitable event came as a rude shock not only to me and members of my family but to one and all who knew him. He led an upright life. He believed in giving more than receiving. He lived more for others than for himself.

P.P. Rao
Senior Advocate
Supreme Court of India
KELKAR: A Man of Principle

I had joined Bar in my district town in U.P. in 1970. One of my colleagues, who had graduated from Delhi Law Faculty, spoke to me about Professor R.V. Kelkar—his scholarship and vision. Till then I knew nothing about him. After I came to Delhi and joined Delhi Law Faculty in 1974, Professor Kelkar was the first person to invite me to his residence in Karol Bagh for playing chess. I was very touched by his gesture because never in the past, had anyone invited me so affectionately. I reached his residence and we were together for a couple of hours. I will never forget the affectionate treatment received by me from him on that day.

We worked together at Law Centre I for about eight years. We had several encounters but one thing I always found in him—sincerity of purpose in doing everything howsoever insignificant that might be. He always thought of a principle, worked for a principle and preached a principle. He would not tolerate an action unless it conformed to his principles. He was a great moralist. He liked persons of the same category to which he belonged—sincere, honest, truthful.

I remember an incident of March 1984. Both of us had worked together as rapporteurs for an international Conference. Some one wanted to address him as “Professor” though he still was not one. The decision of the selection committee was not known till then. He very politely refused to be addressed as “Professor”. That was the humility of Prof. Kelkar.

He would never give way to an argument contrary to his own. He would always be willing to argue and convince. Sometimes, we used to leave discussion of a subject without arriving at any consensus. Despite my closeness with him, he never favoured me by accepting everything I said. That, I am sure, was the experience of all his friends.

I wish to refresh what Prof. Nigam, present Dean of Law Faculty, had said after his sudden demise. He told us when, he went to see Kelkar in the hospital before he was taken to Bombay for treatment, he had wished Prof. Kelkar early recovery and said, “you have been a great fighter. I am sure you would successfully fight your illness”. Prof. Kelkar, while shaking his hands from his bed nodded his head in the affirmative, and replied, “I think so”. That did not happen but his courage even at that stage was remarkable.

S.N. Singh
Reader in Law

A True Human Being

Professor Raghunath Vinayak Kelkar was my colleague and friend. Inspite of my disagreement with him on almost all ideological issues, I admired him because he was a true human being who never compromised the principles he championed. This is specially encouraging in a society where lots of people conveniently sell everything including their principles for some material benefits. One of his qualities that specially appealed to me was his honesty and dedication in performing his duties. He never missed any
A Real Guru

Professor R.V. Kelkar was my teacher in LL.B. and LL.M. His teaching, was a great source of inspiration to me. He was a real Guru. He acted as my friend, philosopher and guide. After completing my LL.M. when I joined as a lecturer in law, he helped me a lot in writing many law articles. His death is a very personal loss to me.

N. K. Rohtagi
Lecturer in Law

A Conscientious Colleague

Professor R.V. Kelkar, with a vast learning and experience, established himself as a distinguished teacher and adherent of academic standards and values. Through his writings and discourses he inspired and encouraged his colleagues and students and helped them in shaping their efforts. Though a strict disciplinarian, he was a great sympathizer and was always in the forefront to help others.

S.S. Rathore
Reader in Law

A Picture of Courage

The Scene: (The then Evening) Law Centre—I. A criminal law class is being taken by a teacher. Suddenly there is a lot of commotion; the bulk of the students have gone on a lightning strike. An unruly mob of students comes near this particular class in progress. Some of them break the window panes and want to force their entry into the classroom in order to force its students to join the strike. The teacher stands at the door blocking their entrance. He turns towards the students sitting in the class and says,

“They want you to join the strike. If you want, by all means do so. But let nobody intimidate you into joining them.” And turning towards the mob he says,

“I will not allow you to enter the class.”
He knows that he is all alone. He also knows that if some untoward incident occurs, there would be no one to come to his rescue.

The name of the teacher: Raghunath Vinayak Kelkar. The writer of this anecdote was an eyewitness, being one of the students in his class.

Pradyumna
Lecturer in Law

Professor Kelkar: A Just Man

I have had the privilege of knowing late Professor Kelkar in two capacities. He was my teacher when I studied law and I still recall his lectures on the Sale of Goods Act which were a source of great inspiration to me as a teacher. Later I was his colleague in Law Centre—I, and I had the opportunity of working with him in the examination committee. He set an example by being diligent and meticulous. Though senior and experienced he gave full opportunity to his junior colleagues and would never bypass or ignore them. He was a man who always stood for a just cause and maintained a firm stand in the face of opposition.

O. P. Poplai
Lecturer in Law

Professor R.V. Kelkar: A Man of Action

When I last saw Professor Kelkar in the ward of Sunder Lal Hospital he was in a precarious state of health. He looked weak and exhausted, but even that evening he said: “My strong desire is to resume teaching as soon as possible. I do not want the students to suffer on account of my long absence”. This was his unflinching and total commitment to the cause of education and learning which was an integral part of Professor Kelkar’s personality. Today while remembering him I share some memories that reflect the humane side of his personality.

Mr. Kelkar had told me that as he was to get his new scooter shortly, he would like to dispose off his old Vespa. I reacted to this offer positively and offered a bare minimum price, a price I could easily afford. Mr. Kelkar only said that as I was a buyer in genuine need, he would keep my offer in mind. I knew the scooter could fetch much more amount in the open market and that was why I forgot about it. After almost two months, one fine morning Mr. Kelkar came down to my place and to my great surprise told me, “After having talked with you I had decided to sell the scooter to you only. I am bound by the price offered by you, but in view of steep increase in the prices of the new scooters you may reconsider the price, if possible.” I was delighted, not so much for getting the scooter cheap, but for Mr. Kelkar’s respect for words and also his frankness in economic dealings. We had simply no difficulty arriving at a new price.

One of our friends was in desperate need for some voluntary blood donors who could provide blood for
his critically ill wife. In my conversation I casually mentioned to Raghunath bhai the problem we were facing in organising blood donors. I thought Raghunath bhai would either mildly sympathise with us or suggest ways for contacting the prospective donors. He did neither. He suddenly got up and left for the hospital and was amongst the first blood donors. He told me later on that there are times when you need action not words.

B.B. Pande
Reader-in-Law

Professor R.V. Kelkar: A Great Teacher

GREAT TEACHERS who not only impart knowledge but instil idealism and virtue in their pupils by practising them in their own lives are a rare breed. Professor Raghunath Vinayak Kelkar belonged to this rare breed and his death a year ago has left the world of legal education much poorer. A devoted scholar of criminal law he viewed the role of law in its total social perspective. As a teacher he valued every minute of his classroom time and was uncompromising in his demand on his students for hard work and quality. As a man he was an idealist and had the courage of his convictions. To me, he was a true friend who often guided my path by his mature wisdom and advice. His death brought to an end a friendship which had endured for over thirty years and is a personal loss to me.

I recall the night in July, 1969 when we met in New York after four long years: I was returning to India and he was on his way to Michigan. The whole night we walked along the streets of New York talking about the many things that had happened during our separation. There was no time to sleep and the rising sun announced the advent of the dawn. I put him on his way to the Ku-Mey airport to catch his flight to Ann Arbor and I then returned to India. For another year, we did not meet. But we never lost touch with each other.

In course of time, he moved to Law-Centre-I and I to Law Centre-II. Our meetings thereafter become somewhat less frequent. I was again not in India when he passed away. When the news reached me, I found it too hard to believe and too painful to bear.

There could be no better way to pay our tribute to that great teacher than by re-dedicating ourselves on his anniversary day to the cause of legal education for which he devoted his entire life.

K. Ponnuwami
Professor of Law

Professor Kelkar as I Knew him

The easiest thing about Kelkar Sahib was to be friends with him. He was sincere to the core and therefore forthright and outspoken. He never left any scope for a misunderstanding. That was the secret of his overwhelming warmth and affection for any one
who approached him. A man of firm principles, he lived by the old values. With simplicity, humility and earnestness, he clothed the man of deep learning and profound thought that he was. It was therefore an uphill task to make him agree to write a book. Only one argument prevailed—to enlarge his class room through a book to include the many many students outside his own, who needed a simple, yet interesting, book on an obtuse subject like Criminal Procedure. A perfectionist that he was, the encomiums that “Outlines of Criminal Procedure” earned could not distract him from the objective. So he ventured yet another simpler, smaller and more affordable work for his students, the “Lectures on Criminal Procedure” in which he included fascinating sets of problems at the end of each lecture to quiz their understanding and encourage discussion amongst them.

It was rather easy to have dealings with a man like Kelkar Sahib. He believed in relationships and not written agreements. To him, an author-publisher agreement was obnoxious, the true relationship mattered. What he had said in words was enough. He was then concerned solely with his own commitment, it was for the other party to keep his.

Kelkar Sahib had his own method in whatever he did. Meticulous to a fault, he would inform himself fully before forming an opinion. That did make some persons very uneasy with him, for nothing without a true factual basis could pass muster with him. He had his abiding faith in truth and would therefore not hesitate to challenge any statement on which he had the least doubt. If he did not know enough, he would refuse comment and let it pass. He could surprise his closest friends with his forthright views.

This aspect of his character was equally reflected in his manuscripts. He formulated his thoughts after a careful and discerning study in depth of the minutest aspects based on every available material he could possibly lay his hands on. And it was no wonder that invariably his first draft was the final—complete with references and citations. His manuscript never required further editing and in every detail was bound to be correct. It was therefore difficult to rush him. Whatever he wrote, bore the stamp of his originality and careful study.

Lately he was working on a new approach to the study of specific crimes. He first wanted the student to get to the concept, the details could then reinforce his understanding. For example, after studying the concept of theft, one could look at theft and its aggravated forms under the IPC, theft under the Railway Property (Unlawful Possession) Act and of intellectual property like copyright, trade mark etc. Fulfilment of that dream was not to be.

Every time one looks back, the first image that strikes of Kelkar Sahib is his smiling, friendly face. It was a joy to visit him and to be with his family, especially Mrs. Kelkar, a kind, hospitable and extremely affectionate soul. From amongst all those cherished memories emerges a great man—a true scholar, a devoted teacher and an unforgettable friend.

Surendra Malik
Editor, Supreme Court Cases
Kelkar Sahib: Some Personal Glimpses

Though a graduate of the Delhi Law School I never had the pleasure and privilege of being a student of Mr. Kelkar. The first time I heard about him was from a batch of students who talked very excitedly about a tour of the library conducted by their teacher Kelkar. Such was his reputation that one always had this ranking at the back of one's mind that one had missed something at the Law School.

Though this regret remains, compensation came when I was appointed lecturer and came to work at the same centre as Kelkar Sahib. So and behold, he was there in the Faculty Lounge beaming from ear to ear (as was his wont when he was not angry—and angry he was pretty often—when his smile would vanish to be replaced by invisible anger which used to make him red in the cheeks and ears). This was the first time I had set my eyes on him but he walked up to me and said he had known me for years. I was very impressed with this candid introduction and touched by the very welcome. He spoke to every new teacher in the room (there were so many of them). Not only did he know the needs of the law students in their first days at school, but he also knew those of the fresh teachers.

I worked with Kelkar Sahib on various committees. He did committee work as if he was working on some thesis of great importance. Very meticulous, detailed work, particularly in the seminars, library and case material committees. In fact, now when one looks at those files, one realises how much work we need to put in even now. I particularly remember how everyone on his committees made it a point to be on time for the meetings. He was punctual to a fault—he always arrived well before time and kept waiting for others, if one was late one apologized, he never said anything, beamed instead but one knew he did not like it and one could not easily do or rather afford to do what he did not like.

If he was critical and when he was critical—which was very often—he was very very critical. He would pounce on the person, he thought was wrong, like a leopard. He was fearless. He derived particular satisfaction from criticising the administrators in the Faculty of Law. He would have made an excellent administrator himself, but this was not to be. We once worked together on a Faculty research project on “Reforms in Beggary Legislation”. He would do his homework meticulously, make his points forcefully and at one point during the course of discussions became so excited one thought he would almost come to “sloWS” with me. He went home, kept thinking about the issue and the next day sought me in the Centre to tell me he had slightly changed his mind.

His whole life, every minute of it, revolved around the Law School and in the process made sure the faculty revolved around him. He once started a program of what he called “Remedial Classes” for weak students in Law Centre I. His greatest emphasis was on written tutorials for there were students (as there are even now) who could not write a single sentence. He had prepared elaborate charts detailing their progress through the three years of Law School.
He was our great Faculty expert on the Criminal Procedure Code—and the whole faculty is rightly proud of him. His academic achievements in this field (as also in others—torts, legal education, regulation of population growth etc.), are outstanding. But the irony of it all is that this great authority on the Criminal Procedure Code was whisked away one night from his home, during the 1977 emergency, by the police. They took him to the police station on the pretext of interrogating him but arrested him. The next morning, which was a Sunday, we had a meeting fixed with him at the Campus Law Centre to discuss certain proposals for reform in the tenancy laws. The meeting of course never came about instead we went to the Tis Hazari Courts where, we were told he would be brought. He was not brought (this itself must have been a violation, I imagine, of the Criminal Procedure Code, as also the Constitutional Law of India). He was produced before the Magistrate on Monday. We were absolutely horrified to see him in handcuffs. He kept smiling, he said he was perfectly fine. He handed me a box of biscuits which his wife had reached him in the jail the previous day—he said the food they were getting in jail was more than adequate. I was somehow reminded that day of Shivaji and the other great Marathas with their indomitable will. When I walked back home, my blood too was boiling at the injustice of it all. I, for one, would regret, for the rest of my life, not having done anything in the matter. Fortunately better sense prevailed and all those found, “Innocent”, which was most of them, were released soon after.

He was friendly and sociable. He always came home when invited even if it meant, a rescheduling of his program. I was once ill, he came to see me and chatted for two hours—I got a distinct impression he was inviting not me but a teacher whom he wanted to get back to work as fast as possible. He regularly invited his colleagues to his house over a cup of tea and “chidwa” prepared by his wife. On these occasions it was wonderful to see Kelkar Sahib being grilled by his daughter Padma who is a sociologist and his wife Nirmala who would invariably join the discussion of whatever one was discussing. One had a feeling the secret of his success was these two women in his life telling him he was wrong. His son Shyam who is a property tax lawyer once said (he is helping me with a personal case) I cannot tolerate to see my father’s colleagues taking a penny more than they are required to do by law. My father, who has since passed away, told him “this kind of a statement can only be made by a Kelkar’s son”.

Kelkar Sahib was a simple man—he did not smoke, did not consume liquor, dressed modestly but he was a man of great principles he lived by. His basic principle was to do his duty to the best of his ability irrespective of recognition. In his passing away the nation has been deprived of an active scholar. We in the Law Centre—I, miss his guiding hand. Raghunath Vinayak Kelkar leaves to us his own unique legend to add to the store of legends of which institutions are composed.

Veena Bakshi
Reader in Law
Professor Kelkar “Sir”

Way back in 1970 when I joined Delhi Law Faculty, I came to know Professor Kelkar as a strict disciplinarian, a dedicated scholar, a devoted teacher and a person of unflinching integrity. These qualities impelled me to address him invariably as ‘Sir’, something to which he more than once objected. Despite his protests I continued to do so as an aspect of spontaneous respect which he so rightfully commanded.

His constant encouragement and inspiration during the days I was working on my thesis saw me through that arduous task successfully.

I distinctly remember Professor Kelkar’s agony in the last few months of his life when he often lamented his inability to spend requisite time in the library due to his failing health—something which a scholar of his genre only could experience.

I salute him—you Professor Kelkar ‘Sir’

S.L. Bhalla
In-charge Law Centre—1

Tribute from the Dean

On the first death anniversary of Raghunath Vinayak Kelkar I cannot but remember my long association of over 30 years with him. My first meeting with him was in the year 1955 when he joined as a Research Associate in the Faculty of Law and since then both of us served the Faculty in various capacities.

Apart from my association with him as a friend and colleague in the Faculty, I deeply remember the cooperation which he always gave me in running the affairs of Law Centre-I from early 1976 till almost the end of the year 1984 when I headed that institution and thereafter when I had to discharge the responsibilities as the Dean, Faculty of Law. During all this period, when I had to carry on the administrative responsibilities in the Faculty and the Centre, I always depended upon the help, cooperation and guidance provided by Professor Kelkar on several academic and other matters.

Professor Kelkar was a man of conviction. Whenever I consulted him on any matter, he always gave me free and frank opinion. I found the advice given by him very useful and helpful.

Professor Kelkar was also very persuasive with the students and succeeded in making them see his point of view. On one occasion when a student of the Law Faculty in early 1970 had gone on hunger strike, both Professor Kelkar I and went to persuade him to give up his fast. A number of students gheraoed us and tried to prevent us from reaching the concerned student but we succeeded in not only reaching that student but also in making him agree to break his fast. Professor Kelkar persuaded so well on that occasion as to command every one’s respect.

Professor Kelkar was very conscientious in his teaching duties in the Faculty. Just a few weeks before his death—sometime in late September 1986—I suddenly received a telephone call from him. He told me that he would like to resign from the Faculty
because he was not able to do full justice to his teaching responsibilities. I tried to persuade him that he should not think in these terms because the Faculty will lose a very senior and valuable teacher. He kept on persisting in resigning but at last I was able to persuade him not to resign. I remember with what reluctance he accepted my advice but I appreciate his desire to give up teaching as he was not able to do full justice to it due to his failing health.

I need hardly mention that the world of legal scholarship is greatly indebted to what Professor Kelkar has contributed during his long service of over thirty years in the Faculty. His erudite scholarship in the field of criminal law is well known through his books and articles in the various journals. His students and colleagues will always remember him.

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ADIEU, RAGHUNATH

It is a season of bereavements. Death has snatched away, swiftly and suddenly, colleagues whose absence makes the Faculty simply unimaginable. The collective impoverishment is so total as to leave us all somewhat directionless and uprooted from collective memories of and collective loyalties to, our past.

In many ways, Raghunath Kelkar seemed to me indomitable; in his massive adherence to what he thought was right, and he was almost always right, he often appeared to me to be human rock of Gibraltar. Steadfast in pursuit of what he thought was right and just, he had enormous reserves of energy to pursue what he believed in; the price that he had so visibly to pay, over long years in the Faculty never deterred him. It was only when I got to know him somewhat intimately, and this was an achievement, that one sensed in him an inchoate sense of disappointment and mild rancour at the fact that conscientiousness and high integrity should not be in themselves adequate endowments leading to just deserts.

I had many an encounter with those who prided themselves on their learning of hard, blackletter law. But in Raghunath I met the most formidable of this endangered species. From him I learnt the value of literal reading of law, especially in criminal law, where metaphysical or jurisprudential considerations, even when pursued with rigour, are never adequate as terminus. He was an irritating preceptor, going into endless exegesis of the text. During the Mathura campaign, and subsequent prescripions for reform of criminal law on rape, he held our hand all too often; it took hours of toil to suggest to him that an equally tenable point of view other than his own was possible. He was the soul of grace when persuaded; but perhaps only Lotika Sarkar and I know how much one had to labour to bring this state of grace.

For Raghunath, mere policy analysis was never enough. He insisted that the law has its own distinctive history. He used to say that one should not ‘tinker’ with the law, without fully mastering the history of the law. ‘Tinkering’, if you knew Raghunath,
was the most stinging word in his vocabulary. Compared with this thunderbolt, which he so often hurled at us, our prejoratives were pale. He merely smiled when we called him 'conservative', 'dogmatic' and legalistic.

And yet he wore his learning lightly. It was most difficult to break through his reticence and get him in a state of excited, and exciting, articulation. There was an incredible hint of humility about this man; he made you feel that he was trifle ahead of you, but this 'little' distance he fought fiercely to preserve as his own. But the distance was not trivial; he was truly a master of his field. The two editions of his modestly titled *Outlines of the Criminal Procedure Code* prove the deceptive nature of his self denial. He also proved my fond belief that authoritative treatises on law can only be written by persons who live law and live by the law.

I can only say that if there were more Raghunaths, the future of legal education and research in India would be brighter than a thousand suns. May be, unbeknown to us, he has left a mighty incandescence in his students which will, before long, illuminate the legal and juristic landscape of India. I can only hope that fickle life will allow me to salute Raghunath's cumulative achievements through the work of his many gifted students.

If you are listening, I would want you to know, Raghunath, that I miss you so profoundly as to be inconsolably inarticulate.

**Upendra Baxi**

*Professor of Law*