

**A Tribute to the Remarkable Life of Fali S. Nariman**  
**The Titan of Indian Law and Justice, A Man of Light & Learning**

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**Fali Sam Nariman** was a man who had earned many feathers in his cap with his intrepid mind, spotless conscience and unparalleled mastery in his field. He was adorned with Padma Bhushan in 1991, Padma Vibhushan in 2007 and Gruber Prize for Justice in 2002 for his tremendous contributions in the field of jurisprudence and public affairs. A distinguished eminent jurist, senior lawyer of the Hon'ble Supreme Court, an established expert in Constitutional law, Human Rights and International Arbitration, an intellectual colossus in the field of jurisprudence and an iconic

inspiration for the younger generation, lawyers and law students, he achieved all in a single life.

As we celebrate the fulfilling life of Fali Nariman, we reminisce his legacy of legal brilliance and how loved and admired he has been. Nariman has been fondly addressed as the '*Bhishma Pitmah of the lawyer community*' by Senior Advocate Prashant Bhushan and we cannot but mourn the final departure of the legal luminary at the age of 95. Someone has well said, and it's true about him, '*a life that touches others goes on forever*'.

Nariman, a loved child, was born to Parsi parents in 1929 in Rangoon, Burma, and did his schooling from Bishop Cotton College, Shimla, B.A. from St. Xavier's College, Mumbai, followed by a law degree from the Government Law College (GLC), Mumbai. Although his father wished him to join the Civil Services, but life had other plans in store for him and the legal field welcomed him with open arms. At GLC, Mumbai, he thoroughly enjoyed the legal education as well as the system of in-house Parliament where he learnt about the procedure of election. Through his grit and hard work, he was soon elected as the Prime Minister for the 1<sup>st</sup> year, leader of the opposition party in 2<sup>nd</sup> year and Speaker in the final year. After leaving the benches of the law school, he joined the Bombay Bar in November 1950, exactly one year after the longest Constitution of the world was formally adopted to guide the largest democracy of the world. Thereafter, at the age of twenty-six, he tied the knot with Ms. Bapsi F. Nariman and two beautiful children were born out of the wedlock, a son and a daughter. His son, Shri Rohinton Nariman has served as a Judge of the Hon'ble Supreme Court and has also been the Solicitor General of India.

Bombay High Court has been the *karmabhoomi* of Nariman from where he began and continued his practice for close to twenty-two years where his erudite fascination for justice, winsome ways and humility without hubris touched the souls of those giving an ear. After rising to prominence in the Hon'ble Supreme Court and upon being designated as Senior Advocate in 1971 he moved to New Delhi. In an interview in the year 2010, he revealed that his senior's senior, Shri Jamsetjee Kanga was his mentor and from him he learnt that there is no age of learning, and like his mentor, he happily continued to learn even in his 90s.

When Nariman used to fly to Bombay to argue a matter, the bustling crowd of the vintage corridors of High Court of Judicature at Bombay would make way for him as he stepped towards the Court rooms. The grandiose premises of the Bombay High Court, usually covered with a sea of black gowns would soon settle for needle drop silence on his arrival. And when he would finally stand up in Court, his neck breaking arguments would stun one and all. Whoever heard him in Court, never ceased to be impressed by his eloquence, command of language and flair for the apt phrase. No one, absolutely no one would dare to interrupt him. Needless to say he had earned his witty reputation and his ineffable charm would absorb one and all. Many lawyers, who had no business in that particular court room, would just stand to hear him speak, learn and see, after all he was a courtroom genius and the words '*Nariman Sir is here*', would quickly fly like the restless pigeons on the massive Victorian era's windows.

Infact, in a country with a written Constitution, law is made in court cases, bit by bit through the interaction between the bar and the bench and that is where the role of Nariman has been crucial. His contribution in the Keshavananda Bharti case presided by the largest ever Constitutional Bench of thirteen Judges which established the Basic Structure Doctrine is phenomenal, and left an indelible mark

on the country's legal landscape. Senior Advocate Nani Phalkhivala who argued the matter was assisted by Fali Nariman and Soli Sorabjee and on their shoulders the future of India safely rested. This pertinent Constitutional law matter which has never been overruled till date. Needless to say, Nariman's sharp intellect and unwavering commitment to justice has been instrumental to the development of the Indian Constitution's Law.

Nariman's legal acumen coupled with his principled approach to law saw him handle numerous landmark cases that includes the Golaknath case, S.P. Gupta versus Union of India, infamous Bhopal Gas tragedy case which got him into some controversy for representing Union Carbide (as he motioned in his autobiography), T.M.A. Pai Foundation case on minority rights, Supreme Court Advocated on Record (AoR) Association case on appointment of Judges in Higher Judiciary, National Judicial Appointment Commission (NJAC) case and Project Narmada case on rehabilitation amongst others. A significant turn in his career was also witnessed when he resigned from the post of Additional Solicitor General of India from 1972 to 1975 upon declaration of Emergency by Smt. Indira Gandhi. Infact, through this he earned an infallible reputation in the corridors of law, much more than he had earned from any case so far.

In addition to his legal endeavours, Nariman served as member of the London Court of International Arbitration since 1988, he also held the esteemed position of the President of the Bar Association of India in 1991 and as President of International Council for Commercial Arbitration since 1994. He also adorned the seat of Advisory Board for the United Nations Conference on Trade and Development in November 1999 and most importantly he has served a full term as a member of the Rajya Sabha from 1999 to 2005.

Despite his towering stature in the legal fraternity, Nariman has remained humble and grounded, embodying the principles of integrity and humility. He has also penned down several books in his lifetime, such as India's Legal System, Can it be Saved? Before Memory Fades: An Autobiography, the State of Nation, God Save the Hon'ble Supreme Court, Harmony Amidst Disharmony, You Must Know Your Constitution, etc. In his autobiography too, he provides suggestions for restoring people's faith in the legal system and judiciary. An international moot court called the Willem C. Vis International Commercial Arbitration Moot Competition is annually conducted since 1994 in Vienna, Austria, in the honour of the great Fali S. Nariman.

We are deeply saddened and acknowledge that his departure to the heavenly abode is a big loss not only to the bar and the bench, but to the nation as a whole. Till date he remains one of the most distinguished jurists of India and internationally recognized for his contributions in the field of law and justice. As Senior Advocate Abhishek Manu Singhvi says, his loss marks '*an end of an era*' and Senior Advocate Kapil Sibal called Nariman a '**great son of India**' who was not just the greatest lawyer of the country but also one of the finest human beings who stood like a colossus above all.

As said by Nariman ~ '*And in my view, good men are better than learned men; they are cherished more than important men, simply because they do good things. And only for that reason, they are long remembered*'. Hence, for those reasons, Fali Sam Nariman shall be fondly remembered for long not only as a pre-eminent advocate, but as noble man. He continues to inspire and influence legal landscape, his contributions to the pursuit of justice will forever be remembered as an integral part of India's legal heritage.

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