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A COMPRATIVE LEGAL STUDY OF CORPORATE GOVERNANCE AND PUBLIC GOVERNANCE

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ABSTRACT

The present study aims to review systematically the state of the art of corporate governance in India. The study uses a sample of 161 published research papers extracted from 101 journals and 17 publishers' databases. The results indicated that 151 studies investigated the board of directors' issues, 90 studies analyzed ownership structure, 64 studies discussed audit committee attributes, and 11 articles studied audit quality. The results provided that among corporate governance issues, board and audit committee independence, foreign and institutional ownership have the highest and majority focus of research in India. In terms of the relationship of corporate governance with other areas, the results exhibited that financial performance has a major concern in prior research. The results also indicated that there is a lack of studies that have samples after 2015. Further, the results observed that there are numerous conceptual repetitive studies and the majority of the studies followed either descriptive statistics or basic regression analysis. The current study provides an insight for academicians, policymakers (e.g., Securities and Exchange Board of India and Ministry of Corporate Affairs—Government of India) research organizations and funding agencies of what has been done and what is left to be done. The study makes a novel contribution to the strand literature of corporate governance in India. It highlights the substantial knowledge gaps in this field and provides a potential agenda for academicians, research organizations, and funding agencies for future research.

Keywords: Corporate governance India Corporate governance board characteristics audit committee attributes

A conceptual history of governance

A general concept of governance as a pattern of rule or as the activity of ruling has a long lineage in the English language. Nonetheless, much of the current interest in governance derives from its specific use in relation to changes in the state since the late 20th century. These changes date from neoliberal reforms of the public sector in the 1980s. Those advocating neoliberal policies often draw on rational choice theory. Rational choice theory extends a type of social explanation found in microeconomics. Typically, rational choice theorists attempt to explain social outcomes by reference to micro-level analyses of individual behaviour, and they model individual behaviour on the assumption that people

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A Critical Analysis of Domestic Violence against Women in India

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Abstract

This study examines domestic violence against women in India. Domestic violence is when family members hurt women. Violence includes physical, psychological, and emotional damage. Domestic violence is discussed here. This research report provides solid evidence that domestic violence is still a problem. This article discusses Section 498A and PWDVA 2005, which punish domestic abusers. The author also expressed concern that numerous women are using these rules to seek revenge on their husbands and in-laws for reasons unknown to them. The author supports his claims with various case laws on each statute. The author briefly discusses domestic violence against men to show that it affects all genders.

Keywords: Domestic, violence, cruelty, physical, psychological, PWDVA, 498A

Introduction

The culture of India is indeed distinctive, as it reveres women and holds them in high esteem, considering them to be on par with deities. It is to be duly noted that women in India hold a position of high regard and reverence within various societal factions, thereby indicating the esteemed status that women enjoy in accordance with prevailing religious and cultural norms in India. Notwithstanding, in the present day and age, instead of observing the advancement and emancipation of women, there has been a notable increase in the occurrence of offenses perpetrated against women. The alleged prevalence of rape, molestation, and violence is purportedly at its peak. It is evident that women are exposed to substantial risks even within the confines of their own residences, as exemplified by the escalating instances of domestic violence in India. According to legal precedent, the concept of

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ACCOUNTABILITY OF CORPORATION AND ITS COMPLICITY UNDERABUSE OF HUMAN RIGHTS

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ABSTRACT

The study discussed the development of globalization and how globalization has brought about changes in world markets. To grow the global economy, companies are spreading around the world, from developed to developing countries. The world has become much smaller with globalization, the whole world has grown into one big nation-state, and every person on earth has become a world citizen. Economic changes have played an important role in the era of globalization. Multinational companies were the first to show the world that they are global players and that the future of the world depends on them. A new capitalist movement arose, which raised concerns about the existence of dual power; one controlled by the capitalist and the other by the government. For example, the combined GDP of IBM, Microsoft, Toyota and General Motors would be 50 third world countries. Statistics show that the total sales of General Motors in 1980. Was equal to 40 percent of the total national product of Russia and all the civilian economy roughly. This is enough proof so that companies really lead the social and economic policy of the country, and also the international policy.

KEYWORDS:

Human Rights, Corporation, International Etc

INTRODUCTION

The genesis of human rights has been sprouted due to the gross violations of rights of the people committed by governments, states and their agents acting on behalf of their respective state "smachinery. Traditionally in international law and international human rights law violations of rights of people have been attributed to states and governments. Non-state entities such as corporations and individuals are not in the purview of international law and human rights. Individuals and corporations never been viewed as an entity and subject matter of normative practice of international law due to the basic elements of state sovereignty. Only after the Second World War, international law mechanisms have recognized the Non-state entities and attributed liability and responsibility. In recent past with explosion of economic liberalization promoted by international trade, non- state actors such as corporations, multinational companies and transnational companies are operating transnationally indifferent jurisdiction involving directly in contact with the local people and contributing their share to the fate of people living in different parts of the world.

These companies operate in a different environment and act in a very hostile manner against the interest and rights of the people living in the vicinity of their business. In the process they are directly

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A Legal Study on Crime against women in India

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Abstract

The global issue of violence against women transcends age, culture, and socioeconomic status, impacting women universally. This paper delves into the prevalence of crimes against women, investigates their root causes and consequences, and evaluates the interventions implemented to combat this pressing issue.

This paper surveys multiple studies examining crimes committed against women in defiance of legal and societal norms, ultimately asserting that gender discrimination, stereotypes, and patriarchal attitudes serve as primary drivers behind such violence. Its also identifies several forms of crime against women, such as domestic violence, sexual assault, harassment, and trafficking. The impact of crime against women is both physical and psychological, affecting their health, well-being, and social status. Furthermore, it perpetuates gender inequality, which affects women's access to education, employment, and political participation. The paper concludes that a range of initiatives have been implemented to tackle the problem of violence against women, encompassing legal actions, social interventions, and awareness-raising campaigns. There is still much left to be done to address and resolve this widespread problem.. Therefore, there is a need for continued efforts to implement laws and policies that protect the rights of women, challenge gender norms and stereotypes, and promote gender equality. Overall, the research paper underscores the importance of addressing violence against women as a human rights issue, requiring a coordinated, multi-sectoral approach to ensure the safety and security of women, and to empower them to participate fully in all spheres of life.

Keywords: Crime against women, domestic violence, sexual assault, gender discrimination, patriarchal attitudes, human rights

Introduction

India has a long-standing problem with crimes against women. Despite the country's efforts to address gender-based violence, crimes such as rape, domestic violence and sexual harassment

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Codification law in India: A critical Study

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Abstract

Nation India's codification, the country's basic codification, was enclosed within the 1860 Asian anthem. It came into operation on another Gregorian calendar month 1862, dynamical the varied laws and laws of the code of law that existed at that point within the British land. However, the virus of legal code prevailed within the land in Manu's time. He provided a comprehensive code that contained not solely the principles of the law, however additionally the full system of spiritual beliefs, philosophies, and traditions of the day. Manu saw beatings, beatings, thefts, robberies, false testimony, slander, profanity, criminal violations, adultery, gambling and murder, as crimes. This square measure the most cases against folks and property that occupy a outstanding position at intervals the Indian codification. The king sometimes did justice to his own counsel, or he appointed judges and inspectors to administer justice.

Key Word: Codification, Gregorian calendar, Robbery

INTRODUCTION

These rules are superb. However, Manu's tangible legal code isn't free from bias. in keeping with him, the bulk varies in keeping with the classes and beliefs of the criminal, then the sentence are going to be. The protection given to the Brahmins was additionally outstanding and particularly placed. Throughout this era, there was no clear distinction between personal and personal errors. completely different homicides and murders were thought to be no fault in society. The proper to assert compensation was the law of the day. However, there was a distinction between standard criminals and hardened criminals. Also, you have got created provisions for the discharge of a criminal bond, where Associate in nursing act is avoided for any criminal purpose, or by true error, or by consent, or as results of Associate in Nursing accident, several of the lines given the Chapter IV (General Controls) error of Indian law code. Self-protection that should be absolutely created below sections xcvi to 106 of the Indian code of law.

INSTITUTION OF INDIAN LAW CODE

The Moslem system of administering criminal justice was a challenge for the land once a people took management of the country. Initially, they introduced the Moslem administration, nonetheless they sweet-faced several challenges. As a result, Moffusil remains troubled as a result of the Courts of the Presidency square measure slowly getting down to replicate the law of nations of Administration and

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CONSTITUTIONAL ASPECTS AND ISSUES RELATING TO THE BAIL IN INDIA

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ABSTRACT

The human instinct of freedom and liberty is not only recognized but generally protected and preserved by almost all civilized nations. By virtue of being human, a man has inalienable human rights that take effect at birth. Because these rights are birthrights, they belong to all individuals. The extent to which human rights are respected and protected is an important measure of the civilization of a society. The right to personal freedom is enshrined in the constitution of all countries. Human rights jurisprudence has reached a stage where it can easily be said that the Indian constitution recognizes the fundamental right to human dignity. The fundamental value comes directly from Article 21 of the Constitution of India. Articles 21 and 22 of the Constitution guarantee the right to personal freedom regardless of one's political creed, creed, class or creed. It is against this background that an attempt has been made here to deal with the constitutional issues relating to the bail legislation. Maneka Gandhi Vs. Union of India Justice Bhagwati. expressed his opinion in the following words:."These rights represent the basic values cherished by the people of this county since the Vedic times and they are calculated to protect the dignity of the individual and create condition in which every human be in can develop his personality to the fullest extent. They weavea pattern of the guarantee on the basic structure of human rights and impose negative obligations on the State not encroach on individuals liberty in its various dimensions."

KEYWORDS: Bail, Legal Constitutional Etc.

INTRODUCTION

Bail refers to the release of a person awaiting trial or appeal from prison by posting a bond to ensure that he or she surrenders to a law enforcement agency within a specified time. The monetary value of the security, which is called bail or more specifically bond, is determined by the court having jurisdiction over the detainee. Collateral can be cash, securities or a bond from a private individual or a professional lender or loan company. If the person released on bail does not surrender within the specified time, the bond will be forfeited. Bail is a post-arrest legal remedy designed to release an arrested suspect pending his trial. Bail establishes the traditional right to freedom before being proven guilty. Bail can prevent the imprisonment of innocent persons, which would otherwise lead to preliminary investigation, and give the accused an opportunity to prepare to defend himself against the charges against him, which is a general legal

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CONSTITUTIONAL RIGHTS IN DIGITAL AGE

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Abstract

The digital era has transformed fundamental rights exercise, bringing both opportunities and challenges. This study investigates the impact of technology on rights, with a focus on freedom of expression and privacy. While technology improves civic engagement and education, it also introduces new risks such as misinformation and privacy violations. The right to privacy, which is enshrined in the Indian Constitution, is being tested by emerging threats such as electronic monitoring, audio bugging, location tracking, hacking, and online privacy concerns. The research recommends comprehensive regulatory structures that are adaptable to changing digital landscapes. For responsible digital citizenship, public awareness and education are essential. International cooperation is required to develop uniform guidelines for responsible online behaviour. Technology businesses may help by prioritising privacy-enhancing technology and ethical behaviour. Legal deterrence, including strong enforcement and adaptable legislation, is critical to securing the digital environment. Fostering conversation and collaboration is critical in the growing digital ecosystem to successfully solve issues and protect individual rights.

Keywords: fundamental, rights, digital, privacy, technology.

Introduction

Technology has become an essential component of our everyday lives, influencing our employment, social interactions, and access to information in the always changing digital environment. This shift not only yields tremendous benefits but also poses challenges to our fundamental rights. By promoting worldwide interconnectivity and encouraging a sense of belonging, it also brings about new hazards, such as possible violations of privacy and challenges to freedom of speech. Human rights have always acted as fundamental foundations for civilizations throughout history, evolving from ancient texts like the Cyrus Cylinder to contemporary proclamations like the Universal Declaration of Human Rights. These rights face a new and unique environment in the digital era. [1]

The rapid and unrestricted nature of digital environments leads to unprecedented challenges like as online spying, cyber attacks, and the spread of disinformation. Amidst our journey via the digital age, important inquiries arise about the acknowledgment of novel rights. Internet connectivity is deemed a crucial entitlement in some legal countries, carrying significant consequences for the fulfilment of other fundamental rights. Both governments and commercial entities, especially online platforms, have considerable power to both protect and limit these rights. This study aims to add to the current discussion over rights in the digital

[1]Bakshi PM, "The Constitution of Indian with Selective comments" 8* Edition, Universal law publishing Comp. Pvt. Ltd. New Delhi 2007.

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CRIMES AND JUSTICE OF INDIA IN GLOBAL ERA

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ABSTRACT

Before addressing the topic of criminal activity and justice in global relations, it is important to first briefly assess how the concept of global justice is treated in unique theoretical traditions. The concept of justice as it has evolved over time has been the subject of intense debate among students and political thinkers. Ronald Dworkin argues that all tactics for achieving justice are based on completely unusual assumptions, but have unique interpretations. He offers a summary of the equality thesis, viz. "the hobbies of community participants count and count equally." All modern legal theories try to deal with these two questions: "What are the hobbies of people" and "what follows from the assumption that the hobbies are similar." variations remain, but these questions are clearly answered. on the other hand, it has been argued that contested legal theories are based entirely on values that may be exceptional in nature; exceptional processes offer their own "extreme political beliefs" such as "equality in Marxism, liberty in libertarianism, utility in utilitarianism, contractual equality in liberal egalitarianism, general precision in communitarians, and androgyny in feminism." However, applying the concept of justice to global relations has remained difficult, the number one reason being the dominance of realism as a concept in mainstream global family member (IR) scholarship. Realism advocates selfish pursuit across states. Realism dominated IR to such an extent that the socio-technological competence section of IR was considered without values, ethics and morality. Despite the fact that in modern times, partly due to rapid globalization, increasing democratization processes and the dominance of the human rights agenda, the idea of justice is gaining more and more attention in the field of IR. In this context, it can be significant to cite views related to authors such as Hedley Bull, Terry Nardin, Michael Walzer and Chris Brown, who consider justice as a central theme of the IR concept.

Keywords: Crimes, justice, globalization, libertarianism.

INTRODUCTION

In addition to examining ancient trends in global litigation, it is necessary to analyze the development of the field of global criminal law, which was normatively and significantly dependent on international humanitarian law and international human rights law. Content each of these areas of global law contains norms that limit and prohibit certain actions. Global humanitarian regulation (or laws of war) refers to both jus advert bellum and jus in bello . The first deals with martial law, or the hotel enforcement law, and the second with martial law, or the methods and techniques of the use of force. Jus Bellos imposes restrictions on combatants during hostilities. It prohibits affirmative action during conflict. International criminal law focuses primarily on its own rules and at the same time establishes individual criminal responsibility, although humanitarian and human rights may be violated. Global criminal law has evolved incredibly within the legal guidelines of combat. Trends in global fraud regulation and conflict law guidelines are so intertwined that global criminal courts are exceptionally often referred to as war crimes courts. All criminal courts are condemned.

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EVALUATING THE PHENOMENA OF VIOLENCE UNDER MODERN SOCIETY

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ABSTRACT

Violence is a common enough term, and we all think we know what we are talking about when we use it. Yet violence is much more complex than it appears at first glance. Most people who use it are thinking only about acts that they do not like. When a criminal knocks down an old lady, it is clearly an act of violence. When a police officer knocks down a criminal it is necessary force. Because the two acts are equally violent, the real distinction is between legitimate and illegitimate violence. Illegitimate violence is what people have in mind when they speak of" The problem of violence" Violence may also be defined as "the use of force whether overt or covert, in order to wrest from individuals or groups something that they do not want to give of their own free will". Theft is not always violence, rape always is, and if rape is a conspicuous and so to speak, pure form of violence, it isbecause it obtains by force what is normally won through loving consent. Violence is horrifying and yet fascinating in that it enables the strong to establish profitable relations with those who are weak without expending any energy on hard work and discussion.

KEYWORDS: Violence, Society, legitimate

INTRODUCTION

Violence is not unique to the 21st century. The history of mankind bears witness to its occurrence throughout the ages. Considering the modern urbanization and industrialization, advancement of science and civilization and emergence of materialism, some new forms of crime such as cyber crimes, communal riots, dowry deaths, custodial deaths, rapes, etc. crimes According to the above statement, the researcher believes that an examination of the available data on violent crime in India reveals the extent and scope of violence in today's society. Looking through the pages of history, we find that violence was not unknown to primitive societies. Violence is certainly not something unique to the 21st century. The history of mankind bears witness to its occurrence throughout the ages. However, it may be mentioned here that the type and definition of violence has changed over time. In primitive times, criminal law had a small beginning in a very limited field, which was later defined. The only known crimes were witchcraft, incest and animalism, to which were later added holy crimes, as well as royal crimes and theft.[3]

CONCEPT OF VIOLENCE

Man by nature is a fighting animal. There is no society on the earth which does not face the problem of crime and related violence. To think of a society without a problem of violence shall be a myth. Violence is a perennial problem. The menace of violence has daunted the human civilization since the ages. It is doubtless that when a man is alone he seldom commits violence. It is only when there is an interaction between two or more men that violence is likely to be committed. If we go through the pages of history we find that violence was not unknown to the primitive societies. Certainly violence is not something unique to the twenty first century. Human history bears witness to its occurrence throughout the ages. However it may be mentioned here that the type and concept of

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EXAMINING THE ROLE OF CIVIL SOCIETY ORGANIZATIONS (CSOs) IN INFLUENCING POLICY MAKING IN INDIA

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ABSTRACT

In India, a varied, democratic country with a growing population and complicated socio-political dynamics, CSOs shape policymaking. This report examines CSOs' diverse influence on Indian policymaking. The study examines how CSOs influence legislators, advocate for change, and help create, execute, and evaluate policies using academic literature, case studies, and empirical data. Indian CSOs work on human rights, environmental preservation, social justice, healthcare, education, and government change. They represent marginalised voices and promote inclusive and participatory decision-making as mediators between people and the government. CSOs challenge legislators, raise awareness of important problems, and provide community-driven policy solutions via lobbying, advocacy campaigns, research, and grassroots mobilisation. The study also discusses CSO policy advocacy difficulties and prospects. Limited resources, bureaucratic impediments, political co-optation, and intense stakeholder reaction are among these problems. CSOs use their networks, experience, and grassroots legitimacy to overcome these barriers and effect change. The report also underscores the dynamic nature of CSO-government interactions in India, which include cooperation, contestation, and negotiation. It highlights successful CSO-led policy initiatives that have led to legislative changes, institutional innovations, and societal transformations. In conclusion, civil society organisations are crucial to India's policymaking process because they can promote inclusive, participatory, and accountable government. It urges for further study and debate to evaluate CSO impact on policy making and find ways to improve their efficacy in promoting social justice and democratic governance in India.

Keywords: Civil Society, Policy, Citizens, Organisation

INTRODUCTION

Civil society is a broad category of non-governmental, volunteer organisations that are motivated by public participation. It plays a crucial role in contemporary governance frameworks.[1] The idea of civil society has ancient origins but has developed throughout time, becoming more well-known thanks to the writings of thinkers like Hegel. Today, civil society goes beyond simple charity and influences global governmental processes in a profound way.The development of policymaking dynamics in India is characterised by a move away from state-dominated, centralised systems and towards more inclusive, collaborative alternatives. This shift, which was sparked by liberalisation and globalisation, emphasises how important civil society is becoming to government. In particular, this article examines

[1]Armida Fernandez, "Role of civil society in health care: Mechanisms for realizing universal health coverage in vulnerable communities of India", Frontiers in Public Health (February 22, 2024) . https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2023.1091533/full

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GENDER EGALITARIANISM: ISSUES AND CHALLENGES OF WOMEN IN INDIA

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ABSTRACT

Gender equality is a fundamental human proper that encompasses identical possibilities; get right of entry to, and treatment for people regardless of their gender regardless of significant progress made over the years, ladies hold to face various demanding situations and disparities in reaching authentic gender equality. This research paper explores the issues and demanding situations that girls come across in their pursuit of gender equality. It examines elements contributing to gender inequality, such as societal norms, cultural practices, discriminatory legal guidelines and regulations, and institutional biases. The paper also analyzes the effect of gender inequality on women's fitness, education, monetary empowerment, and political illustration. Moreover, it discusses techniques and projects which can sell gender equality and empower girls, highlighting the importance of collective efforts from governments, agencies, and people in addressing these challenges.

KEY WORDS-Gender Equality, Activism, Sustainable ImprovementDesires (SDGs)

INTRODUCTION

Gender equality is a essential precept that asserts that every one individuals, no matter their gender, must have equal rights, opportunities, and get admission to to assets. It acknowledges that each men and women have to be able to revel in the same social, political, financial, and cultural rights and advantages.

Traditionally, women have faced good sized discrimination and inequality in numerous factors of lifestyles. They have been subjected to patriarchal systems, social norms, and cultural practices that perpetuate gender-based disparities. Women have been systematically disadvantaged in phrases of schooling, employment, political participation, get admission to healthcare, and decision-making methods. Those inequalities not most effective undermine the essential rights of ladies but additionally avoid social progress, monetary improvement, and sustainable peace.

The importance of gender equality lies in its potential to create an extra just and equitable society. While ladies have equal get right of entry to schooling, employment opportunities, and selection-making positions, societies advantage from their diverse views, talents, and competencies. Gender equality isn't always entirely a ladies' problem; it's miles a human rights difficulty that impacts each person. It promotes social concord, reduces poverty, fosters financial boom, and contributes to standard development. it is vital to retain raising awareness, engaging in research, and advocating for regulations and actions that sell gender equality. by way of understanding the background and importance of gender equality, society can work in the direction of developing a global in which all individuals, no matter their gender, have identical opportunities, rights, and freedoms.

OBJECTIVES OF GENDER EQUALITY

The reason of this studies paper is to discover the problems and demanding situations that girls face in their pursuit of gender equality. It ambitions to provide a comprehensive understanding of the elements contributing to gender inequality, examine the effect of such inequality on various components of

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HISTORICALDEVELOPMENTOFCORPORATE GOVERNANCE AND IT'S ACTIVITIES

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ABSTRACT

The birth of the East India Company is also considered the birth of corporate affairs in the Anglo-American business world. The Industrial Revolution had already begun in a large-scale, organized form. Many East India Companies, such as the British East India Company and the Dutch East India Company, became the French East India Company. But the use of the word "corporation" does not by itself make the body a governing corporation. These entities were more of a partnership firm in nature. In ancient India, the term "Shreni" was thought to match the company. But more or less Shreni was like a partnership because a group of businessmen coming to gether for a common interest was more like a partnership firm.

Keywords: Corporate Governance, Shareholder Etc.

INTRODUCTION

The modern origin ensuring the corporate governance by the state actions came up first lyand mainly in the United States of America (here in after referred as USA) by time to time bringing in a number of acts so as to ensure corporate governance and thus, to protect the interest of the ultimate beneficiary, i.e ,the share holder so fa company. This provision so the US statutes have been the building block seven in the Indian corporate affairs. The great Depression of the year 1928 is considered as a watermark forgiving way to reforms in the governance of a company right from that time till few years back. The cases like the World Com crises, Enron crises have sown the seeds o f a number of reforms be it through the constitution of the Committees by the government themselves or through the individual effort so shareholders through shareholders "activism. These reforms in the affairs of the management, auditing in bold therein also known as corporate governance in the Anglo AmericansystemofcorporateaffairshaspercolatedintoIndiansystemofcompany'saffairs. While provisions such as voting, independent director, protection of minority shareholders' interests through group action, a larger shareholder says in mergers or important corporate matters were already present in the corporate case, the provisions for European companies and American shareholders were. are very important, 2013 which was only a consequence of the Satyam crisis. In the United States in 1929, after the Great Depression, the Securities Exchange Act of 1933 was enacted, followed by the Securities Exchange Commission Act of 1934. a vision to ensure corporate

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Intersection of gender based discrimination with Special emphasis on Dalit Women: A Legal Analysis

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Abstract

This research paper explores the complex issue of discrimination experienced by Dalit women in India, with a particular emphasis on the intersectionality of biases related to specific castes and gender. The study examines the complex challenges faced by Dalit women, who are caught between caste and gender inequalities within the legal system, using a socio-legal perspective. The research seeks to illuminate the intricate aspects of discrimination experienced by this marginalised group and to suggest legal interventions tailored to specific contexts, with the goal of fostering a more inclusive and equitable society. The approach entails a thorough analysis of legal cases concerning Dalit women, examining both past and present occurrences. Through a socio-legal approach, this paper provides a critical assessment of how caste and gender influence the experiences of Dalit women within the legal system. The analysis reveals the systemic challenges that Dalit women encounter when seeking justice, illustrating how deeply ingrained social biases impact legal processes. The paper argues that the combination of caste and gender intensifies the vulnerability of Dalit women, leading to a complex form of discrimination that the current legal frameworks fail to adequately address. The paper offers specific suggestions for legal reforms, policy adjustments, and awareness initiatives to tackle the complexities of discrimination experienced by this vulnerable group in society. It provides valuable insights that can be used to inform legal actions and promote a fairer society.

Keywords: gender, caste, discrimination, women, Constitution.

Introduction

The intersection of discrimination based on caste and gender, especially when it comes to Dalit women, is a significant and intricate socio-legal matter in the Indian context. In India, the struggle against systemic oppression and violence remains a pressing issue for marginalised groups, including Dalits, despite the progress made in legislation and policy frameworks to protect human rights and promote equality. Dalit women, who are often considered the most marginalised within society, face multiple forms of discrimination based on caste, gender, and socioeconomic status. India's caste system has long been a source of social division, with certain groups facing severe discrimination and marginalisation. Dalits, in particular, have historically been subjected to menial labour, social exclusion, and even violence. Meanwhile, the oppressive power structures continue to compound the challenges faced by marginalised women, depriving them of their rights, independence, and self-respect in all aspects of their lives. In spite of the constitutional provisions and legislative measures in place to safeguard the rights of marginalised communities and women, the actual situation

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Legal Significance of CIF and FOB Contracts in International Sales of Goods Agreement

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Abstract

This article deals with the legal significance of FOB and CIF which are two special types of Sales of Goods agreement used mainly by parties indulged in cross border trade and commerce. This article focuses on the English law dealing with the topic and several case laws from the English courts have also been referred hereby.

Keywords: Contracts, sales , goods , international , seller , buyer.

Introduction

One of the main features of globalization is the existence of cross border trade and business. With trade becoming cross border , delivery of goods taking much more time than before and the arising of factor of security of goods while in transit via ship , CIF and FOB contracts came into being . Such contracts are entered into frequently by people from countries extensively involved in trade and commerce like the United Kingdom. A CIF contract (Cost, Insurance and Freight) is a sales of goods contract whereby the amount which is to be paid covers the insurance, freight and invoice figure of the goods .[1] In CIF contract, the seller is supposed to perform the contract by tendering conforming documents to the buyer. A CIF contract is significant as the performance of the same is to be fulfilled by delivery of documents and not by physical delivery of goods by the seller.[2] Meanwhile, an FOB contract is a term deployed in international contracts which depicts that the delivery of goods is deemed to be completed when the goods have been loaded free on boards. FOB is much famous as a flexible instrument.[3]

[1] Manbre S. Co. Ltd. v Corn p. Co. Ltd. [1915] 1 KB 198
[2] Ibid.
[3] Ibid.

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ORGANIZATION BEHAVIOUR IN INDIA

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Abstract

When we offer birth to the present world, we've got a bent to start out doing wonderful things like milk, oil etc. thus a area unit can mean that in an exceedingly literal sense we tend to all tend to be shoppers from the beginning. in times of yore individuals were at home with forests that failed to have troubles and foundations at that point what individuals needed was tabu and there that means of life was merely existence and life. Initially, individuals relied on raw materials to stop starvation, thus their main supply of food was plants and animals. One cannot ignore the very fact that society has a pair of fastened and progressive forms and also the same was incontestable inside the speculation of the school of scientific discipline law that „that movement has thus far gone from standing to a different contract". No doubt. Ours may be a continuous and balanced sq. that develops at an honest pace but it's conjointly necessary that the law ought to even be amended. the modification is that concept and law modification ar needed to satisfy the requirements of the important time.

Keywords: Shoppers, Foundations, Incontestable, Scientific Discipline.

Introduction

Then step by step individuals began to enter social teams so the sense of wish of social teams and dependence began to develop that any crystal fixer required to make a public area may offer them full security and luxury to them. This can be any crystal block within the growth of states that were later converted within the styles of families that were remodelled by societies and eventually came to some extent wherever these societies appointed their own representatives and so the empire emerged. Because the state of affairs progressed, over time our social market develops and also the state of affairs is that we tend to tend to be unable to survive while not dominating the over-registered product within the market and abusing the services provided by the varied manufacturer and producer. As customers we've got a bent to expect that when we've got surpassed the market quality of the products they ought to be sensible or in line with a hard and fast culture. But several cases are exist where shopper are deceived and distressed. So the area unit can mean that there are a unit four pillars inside the market that area unit ultimately connected to the buyer manufacturer, production, market, and competition. Movement is increasing thanks to these four factors referred to as consumerism. the concept of shopping for began its journey within the nineteenth century and took a very important place

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Paternity Leave and Its Dimensions across the Globe

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Abstract

This research paper is a comprehensive piece of literature dealing in the concept of paternity leaves and its dimensions across the globe. With the changing needs of the society, the law is also meant to change as otherwise; the law of a country would have no significance. Maternity leave has existed since a long period of time as women began venturing out of their traditional roles and started earning. Consequently, questions began rising about the role a man towards his family. This research article not only highlights the current legal position on paternity leaves but also looks into the sociological aspect of the same. The current status of paternity leaves in several countries of the world has been discussed hereby. The author has also suggested that India should as soon as possible bring out its own paternity leave policy to be in line with other countries of the world.

Keywords: Paternity, maternity, leaves, economic, weeks, days, months, salary, society

Introduction

Since times immemorial, division of labour on the basis of genders has existed in the society since times immemorial. Women have traditionally remained confined to the four walls of the house and have indulged in homely work like cooking, cleaning, taking care of children while men have traditionally ventured out of their homes in order to work and earn money for their families. With the advent of the society, the line between these gender defined roles of men and women got decreased but did not vanish away. Women started going out to work and built their own careers. Whenever women decided to expand their families, the employers took note of the same and granted such women maternity leave so that she could give birth and take care of her child and come back to her job once the things get settled. More often, women were paid during these leaves, implying towards the empathy of the employers towards women's role in her family. Men were initially not granted any leaves; rather paternity leaves which were at par with the concept of maternity leaves. This was because the traditional role of males was not related to caring about the family. Hence, initially even though the societal roles for the females were changing, the picture regarding the duty of men remained as it is. It is only recently that the world has recognized the duty of care of a man towards his family. The concept of paternity leaves has come into existence in the recent times only. Paternity leave, similar to maternity leaves, refers to the leaves given or the period of absence from the work for a male just before and after he becomes a father. Paternity leaves depict the changing nature of the society, which is slowly and gradually debunking the patriarchal notions prevalent since ages. Paternity leaves are representative of

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POLICE ATTROCITIES AND HUMANITARIAN LAW IN INDIA

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ABSTRACT

Admire the dignity of man, although protection of the existence and freedom of a man or woman is the main rule of the Indian Charter and global human rights treaties to ensure that the substantive and procedural laws of India are consistent with the primary laws. Pressure to respect human rights in the administration of criminal justice. The police are the first company in criminal justice to ensure that the warrants are followed and the human rights of the accused are protected, but the development of prison crimes, which occur exceptionally in four American states, can cause deep concern. interrogation In criminal investigations, such cases have reached alarming proportions, resulting in torture, ill-treatment, injuries, blackmail, sexual abuse and imprisonment. Compared to other crimes, maintenance crimes are particularly serious and heinous because they carry a prison sentence for defrauding a defenseless citizen such as an official. Prison crimes violate the law, human dignity and human rights.

KEYWORD: Custody, Violence, Sexual Exploitation.

INTRODUCTION

The vigilant violence against companies, especially the police, with the support of the regulation led to an evaluation of good and wrong in all sections of society and created a public protest against the law, human dignity and human rights. Prison violence cannot be a police professional (especially the police) work. This is largely because such violence against helpless victims (persons in custody) is anathema to claims of human dignity. All the other incredible offense is the usually rude, impolite, inhumane and unhelpful behavior of police officers with the general public. Albert J. Reiss rightly argued that police practices that humiliate residents, limit their freedom, cause anger and harassment, use offensive language, derogatory epithets and malicious mocking humor, and are "unnecessary" and "inappropriate" for police action in any civilized society. , there is no criminal penalty for such practices. On the contrary, they condemn and resent every group of people who agree with the rule of law.

TORTURE-A MANIFESTATION OF CUSTODIAL VIOLENCE

The exercise of torture has been a quaint essential part of criminal regulation at some point of the sector. Even the Anglo Saxon regulation turned in to now not spare of this evil. Torture is a global. The United States is an exception. It has increased considerably. With Amnesty worldwide, it has become a social cancer. Torture comes from the Latin term "Tortus" which means to turn. The Greek extension means to determine whether something is real or genuine. Legally, however, it means causing excessive physical pain, either as a punishment or to go to court. Torture silences people. It destroys them physically and psychologically. It hurts them in their bodies and in their souls. Palpable that it might not get better. Torture is a pain that grips your chest, bloodless as ice and heavy as stone, paralyzing as sleep; and dark because of the abyss. Torture is despair and fear and anger, it is a long desire to kill and destroy.

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ROLE OF HUMAN RIGHTS UNDER THE BANKING LAW THROUGH VARIOUS BANKING REGULATIONS

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ABSTRACT

Banking is essential enterprise. As a source of capital and operating finances, ensures and assurances, banks percentage in commercial enterprise risks and rewards and often make critical choices approximately the route and control of enterprise corporations. They affect enterprise choices and business behaviour. Banks have a twin function: they are organizations themselves and they empower the agencies that use their credit score. Because of their essential function in the industrial international, banks have a unique, and particularly crucial, position in business and human rights. But, there's sharp war of words on the nature and features of that role. In reality, the duties of banks under the UN Guiding principles (UNGPs) are presently being debated. In the meantime, banks are, and feature long been, concern to severe complaint for investment company movements and tasks which can be claimed to violate human rights. In the ones instances, the protests are against each the borrowing organisation and its banks, with the banks considered responsible for human rights abuses dedicated with the aid of the companies they fund.

KEY WORDS: Banking Regulation, Human Rights, ungp etc.

INTRODUCTION

Businesses generally, which include banks, face evolving expectancies concerning their approach to human rights. The UN Human Rights Council helped create this shift while it advocated the UN Guiding concepts on business and Human Rights in 2011. the debate over whether or not corporations, together with banks, have human rights obligations has shifted to a verbal exchange aimed toward higher knowledge the character of these duties and what steps companies ought to take to meet them. This record is targeted on the implications of these traits for banks.

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ROLE OF SEBI UNDER STOCK EXCHANGES REGULATION AND THEIR DEPOSITORY

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ABSTRACT

In the nation's economic development as a Stock Exchange performs economic function and is the barometer of the national economy and plays a vital role in the Country. The public's money is also typically directed into useful endeavors at the stock exchange. A double auction market, as opposed to a regular auction market, is one in which several prospective buyers and sellers compete with one another to place bids and counterbids. The One Stock Exchange approves the listings of the different firms wishing to offer their shares. Through the listing agreement, it keeps an eye on the corporate governance standards of the various listed businesses, and through the arbitration mechanism, it settles complaints from investors.

In its analysis of the purpose of the stock exchange, the Madras High Court noted that "a stock exchange plays a vital role in the nation's economic development and performs economic function as the barometer of the national economy." The public's money is also typically directed into useful endeavors at the stock exchange. Companies wishing to list their shares are granted approval by the Stock Exchange to list. Through the listing agreement, the Stock Exchange keeps an eye on the Corporate Governance Norms of the various listed businesses. It also handles investor complaints through the Arbitration Mechanism. Any authorized stock exchange may create bye-laws for the regulation and control of contracts, with SEBI's prior permission.

KEYWORDS: SEBI, Stock Exchange, Etc

INTRODUCTION

Since entry 48 in the union list in the seventh schedule designates the stock exchange as a central issue under the Indian Constitution, the union government is the only body with the power to enact legislation on this topic. The Bombay Securities and Control Act of 1925 was the first piece of legislation pertaining to stock exchange regulation. This Act was created in order to govern and manage specific agreements for the buying and selling of securities in Bombay. The government established the Morrison committee in 1936 in response to public outcry about the massive losses incurred by the investing public between 1928 and 1938. It recommended a number of measures, including as requiring security deposits from its members and giving stock exchanges the authority to halt buyouts and sellouts.

Gorewala Committee had explained in its report the object of the Stock Exchange as "the legitimate function of the Stock Exchange is to provide consistently with the larger public interest a forum and a service which are so organized, in the interest of both buyer and sellers, as to ensure the smooth and continual market of shares. Buyers and sellers are of different inds". In 1956, following the

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Transformative Constitutionalism in India

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Abstract

This article deals with the concept of transformative constitutionalism in the context of India much detail. The intricacies of the meaning of the term are explained in detail in a much simple language. Its origin has also been discussed in brief. The relevance and need of transformative constitutionalism in India has been dealt with in great depth and an analysis of the same has been made. Several case laws which have either applied the concept or have elaborated on them have also been mentioned.

Keywords: Transformative, Constitutionalism, Colonial, unconstitutional, limit, judiciary, fundamental, rights

Meaning of Transformative Constitutionalism

India is a democratic country where the supreme law of the land is its Constitution. In countries which genuinely strive to adhere to the principles of democracy, the constitutions are responsible for determining the various dimensions by which the society works and are governed.[1] Thus, it becomes necessary to understand the meaning of a term known as 'Transformative Constitutionalism' which comprises of two words - Transformative and Constitutionalism. 'Constitutionalism' is mostly linked with the political theories of John Locke and the founders of the Republic of America who hold the viewpoint that a government should have limited powers or some limitations on their authorities should necessarily exist. It is the system of government which encompasses all the possible dimensions of the rule of law.[2]Constitutionalism thus means no exercise of arbitrary or unreasonable power on the hands

[1]Kiruthika Dhanapal, "Constituionalism", Legal Services India (September 26, 2020, 03:11 pm) http://www.legalservicesindia.com/article/1699/Constitutionalism.html

[2]Varun Chhachhar and Arun Singh Negi, "Constitutionalism-A Perspective", Poseiodon (September 26, 2020, 02:00 pm) https://poseidon01.ssrn.com/delivery.php?

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Abortion: Unfolding Paradigm of Laws in India

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Abstract

One topic that has been heavily explored on both a national and international level is abortion. It is now a contentious topic everywhere in the world. The question of whether an unborn child has a right to life or a mother has the freedom to end her pregnancy whenever she pleases is one that confounds everyone. Abortion is a delicate and complicated topic, and various nations have varied laws governing it. India's abortion laws have changed significantly throughout the years in an effort to protect women's health and reproductive rights. This article covers the pertinent portions of the Indian Penal Code (IPC), gives a broad description of abortion and miscarriage, and discusses abortion regulations in India. It also emphasizes the importance of the Medical Termination of Pregnancy Act, 1971. The Indian Supreme Court has been crucial in interpreting the constitutional clauses pertaining to access to safe abortion and reproductive rights over the years. The Constitution's guarantees of the right to life, personal liberty, privacy, and equality have been extended to cover healthcare and reproductive autonomy. The article will also provide a list of significant rulings concerning medical pregnancy termination. Thus, at last in the paper, conclusion and suggestions have been provided. In the process of making this research paper, several journals, books and articles were referred and taken into consideration. Internet has also been a support in this process. Hence, this paper is a result of Doctrinal Research Methodology.

Keywords- abortion, unborn child, miscarriage, IPC, constitution, Supreme Court

Medical Termination of Pregnancy Act, 1971: Its Emerging Dimensions and Brief Analysis

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Abstract

The right to an abortion is one of the most crucial aspects of reproductive justice and freedom. Advocates on all sides of the abortion debate have faced moral conundrums for millennia as they discuss the legalization and regulation of the procedure. It makes sense that India, a growing country with a diverse range of cultures, customs, socio-economic backgrounds, and religious views, would be battling this issue. Nonetheless, India has taken a firm stand on abortion since the 1970s. Since 1971, medical termination of pregnancy (MTP) has been permitted in India, preserving women's reproductive rights, personal independence, and the value of their health. These women experienced significant distress since they could not legally terminate a pregnancy after 20 weeks of gestation, which underscored the need to raise the maximum time frame for such terminations. Simultaneously, there has been an increase in global consciousness regarding women's autonomy over their own bodies. The MTP Bill, 2020, has been a welcome breath of fresh air as it eliminates the cap on abortions in the event of a serious fetal abnormality and extends the length limit for legal abortions to 24 weeks for specific groups of women. The President of India and Parliament just accepted the revisions, and as of March 25, 2021, they are now enforceable. The changes are discussed in this research along with how they may affect obstetric, ultrasound, and fetal medicine practices. Thus, at last in the paper, conclusion and suggestions have been provided. In the process of making this research paper, several journals, books and articles were referred and taken into consideration. Internet has also been a support in this process. Hence, this paper is a result of Doctrinal Research Methodology.

Keywords- abortion, reproductive justice, freedom, reproductive rights, fetal medicine practice

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AI AS THE NEW FRONTIER IN LEGAL REFORM: OPPORTUNITIES AND ETHICAL CONSIDERATIONS

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Abstract

The main aim of this research is to analyze the impact of the revolution of Artificial Intelligence (AI) that has been incorporated in law reform as well as to underline the magnitude of pros and cons that is consequent of such intervention. The process of exploration of the potentials of AI for the legal sector is based on the qualitative study of secondary sources, including the cases and legal frameworks. This inquiry focuses on the current and future use of AI for the legal field. The mentioned tools include full automation of tasks and documents' analysis to the forecasting and prediction, accessibility is improved as well. The findings revealed, first, that AI creates efficiencies and helps to detect biases, resulting in greater justice of administration. Nevertheless, the study also indicates that there are some ethical troubles like the possibility that the system is biased and there is a danger of relying excessively on algorithms face those challenges. So, in the response, the proposal of integrating artificial intelligence into the existing legal process structure has been advocated by the professionals. The ethical framework that comprises this approach guides in ensuring that the AI would only ease the experience of the public and the barristers on that sector. It is noteworthy that the research conducted in this article doesn't only assist the legal community and the policy-makers but also points out the issue of the necessity of a decision-maker who would use AI based system in the right way while keeping in mind possible ethical predicaments of the technology.

Keywords: Artificial Intelligence in Legal Reform, Ethical Considerations in AI, Legal Sector Efficiency, AI and Bias Reduction

INTRODUCTION

The disruptive innovations for various areas are happening due to the application of artificial intelligence (AI), legal practice is one industry among them. There is a huge opportunity for the legal sector by adopting AI into the legal process because it can lead to transforming it in a way

"A Critical Study on the Employment of Women and Children in the Home Based Textile and Apparel Sector with Reference to the State of Uttar Pradesh"

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Abstract: The Textile and Clothing Sector in Uttar Pradesh is a crucial part of the State's economy as it provides numerous jobs and is responsible for maintaining traditional crafts as well. The industry overall is dependent on the home-based workers who are the women and children. These workers expose themselves to the consumer to pass on their traditional skills and consequently help the increase in export earnings. The lives of migrant workers improve in terms of employment opportunities and more choice; however, they also have to cope with unstable working conditions and poorly paid jobs, no social security and all the other problems linked to moving nations. The key to flowing is to place into effect programs like training, equal compensation, and a fair work environment that will secure steady growth. The main problems that women and children in this field have are low-wage payments, all-night work, lack of social protection, and even the prospect of exploitation. Strategies for such problems like these include NGOs support, the adaptation of legislations and enforcement of labour laws. While these are necessary, the issue of equal pay, sound work schedules, social security benefits, and secure working conditions is just as important when considering the well-being of women in the workplace. This work looks into the issue of women and children's participation in the homely-based textile and clothes production in Uttar Pradesh through applying the mixed methods. A deductive analysis shows that 10% of children and 30% of women are employed and women earn the wage of $0.7 and children get $0.3. This sector is set forth by undue intimacy, long working hours, low payment rates, and unsafe working conditions. Policies reform, launch of community service programs, and economic empowerment as well lead economic revitalization thereby responding to employment standard, family life and children education requirements. The Indian legislation is rather complete as to children labour, home-based employment, and earlier discussed labour rights. Nevertheless, there is a significant gap in implementing it, especially in the state of Uttar Pradesh. The recommendations are raising awareness, formalizing the informal workers' status, and reinforcing the existing enforcement mechanisms. In the years to come, the research to be undertaken in the informal labour market needs to focus more on the breaking down of barriers and penetration into the uncharted areas.

Key Words: Labour, Embroidery, Culture, Finance, Community etc.

AN EMERGING PROBLEM OF CLIMATE CHANGE IN JURIDICAL PERSPECTIVE

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Abstract

This paper provides an in-depth analysis of the emerging trend of climate change litigation within the juridical landscape of India. Through an exploration of recent case law and the historical context of judicial activism and environmental considerations, it highlights the unique characteristics of the Indian judicial system that enable the integration of evolving principles of climate change law. The paper examines the intersection between domestic legal frameworks and international environmental principles, illustrating the judiciary's proactive stance in applying global standards at the national level. However, it also identifies challenges and roadblocks hindering the progress of climate litigation in contemporary times. By delineating the dichotomy between judicial enthusiasm for climate action and practical impediments, this paper offers insights into the evolving role of the Indian legal system in addressing the complex challenges posed by climate change.

Introduction

India stands at the forefront of global attention when it comes to the intricate interplay between climate change and legal response mechanisms. With close to twenty percent of the world's population, spanning 2.4% of the Earth's land area, and hosting a staggering 7%-8% of all recorded species, India's environmental landscape is not only rich but also profoundly vulnerable to the impacts of climate change.[1] The livelihoods of over 650 million people in India are intricately woven into climate-sensitive sectors such as agriculture and forestry, making the nation acutely susceptible to shifts in weather patterns and ecological disruptions. Projections indicate a worrisome trajectory for India's climate, with minimum and maximum temperatures expected to rise by two to four degrees Celsius in the northern regions and over four degrees Celsius in the southern parts by the 2050s. This forecast underscores the urgency of robust legal frameworks and judicial interventions to mitigate and adapt to the unfolding climate crisis. Indeed, the fate of India, and by extension the planet, hinges significantly on

[1] India (2022) IUCN. Available at: https://www.iucn.org/our-work/region/asia/countries/india#:~:text=India%2C%20a%20megadiverse%20country%20with,and%2091%2C000%20species%20of%20animals. (Accessed: 2 May 2024).

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Community Engagement and Legal Empowerment: Elevating Community Activities to Secure Social Justice and Security for the Senior Residents in Uttar Pradesh by Uutilising Legal Institutions

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Abstract:

Uttar Pradesh, the most populated Indian state, features elderly individuals who are rather disadvantaged in various aspects, such as inequality in the ratio of gender, shortage of healthcare services, and financial insecurity. The elderly population unable to overcome social and cultural concerns, financial constraints, low awareness, health-related challenges, and lack of proper law and policy framework are the contributors to the problems faced by the senior residents. The problem of community's unwillingness to use and believe in legal institutions and attribution of their ineffectiveness to a lack of trust hampers the right usage of legal authorities. In many regions of the world, community support networks are disregarded, weak and lacking too many resources and on the other hand, courts do not always link to social or healthcare services. Organizational restructuring and ways of improving many issues such as those concerning low outreach and accessibility are the obstacles that stand in the way of the legal professionals. This paper of a research highlights community engagement in senior residents'in UP thus emphasizing on the fresh approaches to make seniors' lives secure and just. Matter of investigation focuses, namely current legislation review, communities legal entities cooperation and technologies innovations use. This research on the community regulation and legal emancipation of elders residing in Uttar Pradesh can drive positive change in public policy by filling voids in the current system and suggesting policy solutions from evidence-based information. If the research finds that these initiatives are effective, policy reform can ensue. Such collaboration between the governments and non-governmental organizations can boost as well. The study aims at the discovery of the hindrances the seniors have in the use of the legal institutions and how community interaction within the institutions can help the better delivery of the institutions and securing of justice. Engaging communities with simple procedures or in rural areas through traditional methods of communication is not enough for information to be communicated successfully regarding legal concepts and rights. Community practice in Uttar Pradesh is often synchronized and shallow, to rather underestimate the challenges the elderly population faces, hence eradicating them without holistic care.

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A CIVIL LEGAL FRAMEWORK TO DEAL WITH ADVERTISEMENTS IN INDIA

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ABSTRACT

In today's world no business can survive without advertisements. Every product needs differentiation from other products which is done by promoters and advertisers through their advertisements. The advertisers use different mediums for this purpose like television, radio, newspaper as it is not limited to print and broadcast media but we get these advertisements from digital space i.e. YouTube, Mobile Apps, Websites etc. with the internet revolution, the area of advertisement has become much more wider now. Advertisement is an important source to disseminate the information about the new products and services available to the consumers. It is also important that the information which is given should be true, trustworthy, useful and not offensive. In India, whenever any product is advertised companies are adding some unnecessary puffing, imaginative stories, and wrong data to impress customers. And there is no denying the fact that at times ever the literate consumers are misled due to such misleading advertisements. This is an impediment in the way of consumer justice.

KEY WORDS: Constitutional, Legislations Etc

INTRODUCTION

Consumer justice can be inferred from the Preamble, Fundamental Rights and from the Directive Principles of State Policy as enshrined in our Constitution. The Constitution of India, as we all know is the supreme law of the land. The Constitution of India gives justice, to its entire citizen, social, economic and political'. The Fundamental Rights protect the rights of every person, it prohibits any kind of discrimination against the person on the basis of religion, race caste, sex etc. and also gives right to religion (freedom of conscience), employment, freedom of speech and expression. However, all these rights come with reasonable restrictions. The Directive Principles of State Policy are made for the welfare of the society as it is the duty of the state to use these Directive Principles as guidelines while making rules as they are not enforceable by any court of law.

When we perceive the Fundamental Rights and Directive Principles of State Policy the rights of consumers are also impliedly a part of the Constitutional framework. If through the advertisements consumers are made to believe that fairness is an attribute of beauty, then it can be considered to be highly violative of articles 14 and 21 of the

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AN ANALYSIS OF ANTI-CORRUPTION LAWS IN INDIA

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ABSTRACT

A significant and pervasive feature of modern public life is corruption. It is among the greatest dangers to a society's well-being. Corruption destroys the standard of living for the average person and lowers the quality of services. One of the nation's most impacted by the corruption problem is India. A long shadow of corruption looms over India's progress towards prosperity. From small-scale bribery to large-scale theft, corruption penetrates every aspect of society, undermining institutional credibility, impeding economic expansion, and sustaining inequality. The Prevention of Corruption Act, 1988 ("PoCA") is the cornerstone of India's extensive network of anti-corruption laws, which it created in response to this widespread problem. The PoCA and its modifications make it illegal for public employees to engage in bribery, fraud, or taking unfair advantage of others. To strengthen the fight against corruption, other pertinent laws including the Prevention of Money Laundering Act and the Benami Transactions (Prohibition) Act have been included.

KEY WORDS: Corruption, Bribe, Laws, Society, Etc.

INTRODUCTION

"Behind every great fortune there is a crime."[1]

"Corruption" is defined in a way that is both fluid and amorphous, including a range of aspects that each has an impact on human dignity. Technology advancements and more public knowledge have led to a significant shift in the causes of corruption, with bribes becoming scams or scandals in their stead. The term "corruption" refers to a crime that is carried out in secret between parties with mutual understanding. The act of corrupting someone involves a masterful, well-planned, and sophisticated crime that takes the shape of a scam, scandal, fraud, etc. It is very hard to establish that corruption benefits givers and recipients alike since that is the only reason why people are fed up with corruption in general.

The act of a public worker engaging in criminal wrongdoing by exploiting their position to their advantage in order to get a valued item or financial benefit for themselves or for another person is known as corruption.[2]

THE CORRUPTION-RELATING FACTORS

The following are significant contributing elements to corruption:

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[1] The Godfather, Mario Puzo, Signet, 1969.
[2] Bishambhar Lal v/s State of Punjab, AIR 1966 Punj.17.

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CONSTITUTIONAL AND LEGISLATIVE REGIME REGARDING RIGHTS OF PRISONERS IN INDIA

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ABSTRACT

The Indian socio-legal system is basically based on the concepts of nonviolence, mutual respect, and human dignity of the individuals. All human beings are born free, independent, and equal in dignity and rights. They are equipped with conscience and rationality and should act accordingly, living in a high spirit of brotherhood and love. The entire mankind is treated as members of one human family; the rights are inalienable and are considered as foundation of freedom, justice, and peace. If a person commits a crime, it does not mean that by committing this crime, he/she ceases to be a human being and that he/she can be deprived those aspects of human life which constitute human dignity of an individual. It is the truth that the philosophy of the rights of prisoners appears to have derived directly from consideration of human dignity of human beings.

KEY WORDS: Prisoners, Personal Liberty Etc

INTRODUCTION

The concept of human rights has obtained much importance in all over the world in the contemporary times due to pre-dominance of ideas like equality, liberty, and Justice. Human rights are those minimal rights to which a person is naturally entitled. Human rights are inherent in all individuals by virtue of being human and irrespective of their caste, creed, religion, sex, language, ideology, and any other status. These fundamental rights originate with the birth of the individuals and are very essential for the adequate development of the human personality, progress, and happiness. Due to their unexplainable link with human beings, these rights are known as human rights. Human rights are neither merely ideals nor aspirations, nor as the existence of set of laws. These rights are inherent by virtue of the fact that we are human beings with an inalienable right to human dignity. The human rights are inalienable because the enlightened conscience of the society would not permit to surrender of these rights by any person even of his own will. The human rights are inviolable, because they are not only essential for the development of human personality, but also, because without them a person would be lowered to the level of animals. The horizon of human rights in the world is expanding. At the same time, the crime rate in the society is also increasing. Therefore, one of the most challenging tasks before the government and the society to cope a balance between the needs of law enforcement and the protection of the individuals from violation of human rights. Oppression by the police and other enforcement authorities of the State is indeed a major concern and prime

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COPYRIGHT AND NATURE AND SCOPE OF ITS RELATED RIGHTS

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ABSTRACT

The term 'copyright' denotes a cluster of rights. The cluster of rights comprised in copyright are bestowed upon an intellectual work's creator by statute, not in recognition of any inalienable right of the creator over his creation, but so as to help the creator in preventing any other person from misappropriating such intellectual creation. Thus, copyright is a negative right, as it embodies what is not permitted to be done with respect to its subject-matter. The reason why copyright is bestowed upon creators is so that these rights may propel the creative endeavours of a greater number of persons, thereby leading to creation of new knowledge. There is, however, another reason underlying the grant of copyright, which does not concern the creator, but rather is concerned with the benefit of the public at large. The said two reasons underlying copyright protection of intellectual works often conflict with each other, but are indisputably equally important.

To ensure harmony between the two conflicting reasons for copyright protection, copyright legislations have prescribed the requirements and contours of copyright in such a manner that there exist certain limitations and exceptions to the exclusive rights of copyright. Limitations and exceptions to copyright have been recognised at the international level, vide Article 9(2) of the "Berne Convention for the Protection of Literary and Artistic Works 1886" (Berne Convention). This has been done by laying down three steps to be complied with by countries which are members of the Berne Convention in order to decide which limitations and exceptions to copyright are to be provided in their respective domestic legislations. The first step is to identify special circumstances in which it may be permitted to 'copy' a copyright-protected work. The second step is to ensure that such special circumstances do not hinder the ordinary use of copyright-protected works. The third and final step is to ensure that such special circumstances do not unfairly disadvantage the creator or owner of the copyright-protected work. After fulfilling the said three steps, a country is required to incorporate these special circumstances as the 'limitations and exceptions' to the exclusive rights of copyright in their respective copyright legislations.

KEYWORDS: Copyrights, Conventions Etc

INTRODUCTION

Copyright and related rights are one of the types of intellectual property rights. The term 'copyright' collectively refers to a cluster of rights which are granted by the statute. These cluster of rights ensure that when a person creates an original work, such person enjoys exclusivity over certain dealings concerning the work. The said

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AN ANAYLSIS ON CORPORATE GOVERNANCE AND SOCIAL RESPONSIBILITY

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ABSTRACT

The set of rules used to determine the performance and course of a firm is known as corporate governance. It provides a summary of the laws and guidelines that apply to the individuals in charge of incorporated businesses. It is they who consent to assume accountability.

In the direction of the stockholders,in the current corporate world, the word "corporate governance" is broad. Corporate governance's legal garb can be tailored to each wearer's exact specifications. The purpose of this work is to examine corporate governance from an Indian perspective. The article concludes with an overview of the ways in which corporate governance is impacting India's current economic situation.

The growing notion of social responsibility transcends corporate cause and is essential for businesses to take the lead in there. The arrangement of rules used to decide the exhibition and course of a firm is known as corporate administration. It gives a rundown of the regulations and rules that apply to the people responsible for consolidated organizations. They agree to accept responsibilitytoward the investors. In the ongoing corporate world, "corporate administration" is expansive. Corporate administration's lawful attire can be custom-made to every wearer's accurate determination. The reason for this work is to inspect corporate administration according to an Indian viewpoint. The article closes with an outline of the manner in which corporate administration is influencing what is going on.The developing thought of social obligation rises above corporate reason and is fundamental for organizations to start to lead the pack in their While some fight that organizations can miss out on critical advantages from CSR, others counter that it can really hurt an organization's main concern.The arrangement of rules used to decide the exhibition and course of a firm is known as corporate administration. It gives a rundown of the regulations and rules that apply to the people responsible for consolidated organizations. They agree to accept responsibility.

Toward the investors,in the ongoing corporate world, "corporate administration" is expansive. Corporate administration's lawful attire can be custom-made to every wearer's accurate determinations. The reason for this work is to inspect corporate administration according to an Indian viewpoint. The article closes with an outline of the manner in which corporate administration is influencing what is going on. The developing thought of social obligation rises above corporate reason and is fundamental for organizations to start to lead the pack in their While some fight that organizations can miss out on critical advantages from CSR, others counter that it can really hurt an organization's main concern. The reason for this exploration is to decide why organizations take part in CSR and how they carry out

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DEVELOPMENT OF INSURANCE SECTOR IN INDIA WITH THE SPECIAL REFERENCE TO HEALTH INSURANCE

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ABSTRACT

Insurance is a co-operative tool to spread the loss occurred due to any kind of unknown risk or unfortunate circumstance to life or any asset of the insured, to the number of persons who are exposed to it & agree to ensure themselves against that risk. In today's era no one is unexposed to innumerable risks connected with life, business or health. So people are discovering or inventing new plans to overcome the uncertain losses. And insurance provides a good or solid defence against these kinds of losses. Insurance is a very simple mechanism, which can be understood easily without any confusion. Main purpose is to share the risk of insured person with the common group of insured persons. The losses occurred due to happening of certain events cannot be prevented by insurance but can be distributed amongst the agreed persons. Risk is shared by payment of premium, which is calculated on the basis of probability of loss. Insurance can also be termed as social device as it covers large number of persons from the society.

KEY WORDS: Insurance, Health Etc

INTRODUCTION

Insurance has an ancient and deep-rooted history in India. One of the most sacred books of Hindu India "Rig-Veda" also mentions the word "YOGAKSHEMA". Which suggests to the well – being and security of the people from the risks occurred due to calamities such as fire, floods, epidemics and famine. Main provision "for sharing the future losses" or "Pooling of resources that could be redistributed in times of calamities" was also recognised in the writings of Manu (Manu smrithi), Yagnavalkya (Dharmasastra) and Kautilya (Artha-shatra). The concept of "YOGAKSHEMA" used in „Rig-Veda" mentions that 3000 years Aryans carried some form of community insurance in our country. Some existence of insurance was also noticed during the Buddhist period, which was to help the family of a deceased person by building a house and protection for widows. Pooling of resources that could be redistributed in times of calamities also comes under insurance. The Earliest form of insurance was in the form (nature) of Marine Insurance. Ancient Indian history has preserved the earliest traces of insurance in the form of „marine trade loans or carriers" contract which comprised an element of insurance. Insurance in India has evolved overtime very well drawing from other countries especially from England.

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EVALUATION OF MERGER AND ACQUISITION PROCESSES IN THE BANKING SECTOR

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ABSTRACT

The commercial landscape is undergoing a significant transformation marked by an increase in mergers, acquisitions, and corporate restructurings. These transactions, driven by strategic and financial motives, are reshaping markets globally. In India, mergers and acquisitions in the banking sector are particularly advantageous, yielding benefits for both bidders and targets. Research indicates substantial gains for both parties involved, with larger mergers proving especially profitable. Additionally, Indian bank M&A activities contribute significantly to the broader global literature on bank M&A. The process of mergers and acquisitions involves various strategies, including mergers, acquisitions, and amalgamations, each with its own legal implications and operational consequences. These transactions can either involve internal restructuring within a corporate group or external deals with publicly traded companies. Overall, mergers and acquisitions play a crucial role in reshaping corporate structures and market dynamics, both domestically and internationally.

INTRODUCTION

Combinations and acquisitions are the most prevalent types of commercial restructuring used to increase or expand the size and volume of a firm. Combinations and accessions refer to a variety of fiscal transactions that combine firms or methods, such as combinations, accessions, connections, tender offers, asset acquisitions, and operation accessions. M&A also refers to the divisions inside fiscal organizations that deal with comparable transactions. The commercial world is presently witnessing a commercial reorganization that has fundamentally changed the request and is sweeping over all disciplines. Combinations are the blending or mingling of two equal-sized firms, one economically weaker with another stronger, one with a strong distribution network with another weaker, or any other combination of two separate organizations merging to establish a new identity and market. Typically, these mergers occur forbudgetary or strategic reasons. On the other hand, friendly or aggressive selling can result from preemption or attachment of one reality to another. The agency receives mature power and/or money from the target company and makes decisionsto achieve the goals of the acquiring organization. Only recently has itbecomewidespread even in poor countries. Between 1990 and 2001, the total number of combinations and samples increased chronologically by approximately threefold. This trend differs from previous scenarios that viewed unions and alliances as risky and reproduced images of darkness and closed commercial entrances. However, with global beneficial integration and the removal of trade and investment barriers, there is nowa transnational element. Back in India, combinations and coriander are not a new miracle of Indian frugality. Companies have

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EVOLUTION OF LIMITATIONS AND EXCEPTIONS TO COPYRIGHT AND RELATED RIGHT

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ABSTRACT

The two terms 'limitations' and 'exceptions' are often used simultaneously and interchangeably in the copyright discourse as it is not possible or feasible to draw a clear demarcation between the two. They both refer to the permitted free uses of copyrighted works and non-voluntary licensing of rights over such works which are stipulated by copyright legislations in view of overriding public interest or other relevant justifications. There are many limitations on copyright protection such as limitations regarding subject-matter, duration, criteria of originality, requirement of fixation, and the like; however, these limitations, although they delineate scope of copyright protection, do not come within the ambit of the connotation acquired by the term 'limitations and exceptions' in copyright discourse. The limitations and exceptions to copyright and related rights function to strike a balance between the conflicting interests of owners and users of copyrighted works. National copyright laws have framed their respective limitations and exceptions according to the peculiar socio-economic and historical influences requiring the fashioning of such exceptions. It is often debated whether limitations and exceptions serve as defences for users or their right to make certain usages of copyrighted works. According to Andrew F. Christie, the fine line of distinction between exceptions and limitations is that exceptions are more specific than limitations. Exceptions are specifically carved out by the legislature to expunge liability of copyright infringement in the permitted acts so excepted from copyright owners' exclusivity; exceptions may either be complete where the permitted actions are specifically enumerated, or partial where the permissibility of each action is to be decided as per laid down criteria.

KEYWORDS: Copyright, Evolutions Etc

INTRODUCTION

The Copyright Act 1957 (India) provides for limitations and exceptions to copyright, primarily vide Section 52 of the said Act, which lists the exceptions to infringement of copyright, or the permitted fair dealing of copyrighted works, and Sections 31, 31A, 31B which stipulate for grant of compulsory licenses under specified circumstances identified by the legislature as involving an overriding public interest. The system of 'fair dealing' enumerates a list of exceptional circumstances permitting free use of copyright-protected works without prior knowledge or consent of the copyright owner. The judiciary in India, while deciding questions regarding the scope and interpretation of exceptions to copyright, has always sought to balance the

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EVOLUTIONS AND ETHICAL ISSUES IN INDIAN ADVERTISING AGENCIES

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ABSTRACT

In this research an attempt is made to understand the important framework of morality and the difference between ethics, moral and morality. This chapter also lay light on the relationship between advertising and ethics, importance of ethics in advertising and its impact on the viewers. Determining ethics of advertising is done on the basis of three criteria: social, professional and personal ethics, which gives a clear understanding of ethics. Also the study has been made of specific ethical issues that arise in Indian advertising and the issues related to ethics in Indian adverting are categorized to make the study easy to understand. This Chapter includes the study on various issues like lack of truth in advertising, targeting the consumers, stereotyping, celebrity endorsements, surrogate advertising, ethical advertising etc. Further the Indian advertising regulatory acts enacted by the Indian Government and the role of self-regulatory voluntary organization of the advertising industry named as Advertising Standard Council of India (ASCI) is studied. Apart from this, the working process of the complaints filed against some of the advertisements by the consumers to ASCI and the decision taken by Consumer Complaint Council will be discussed in brief. The references for a part of this study are internet sources because there are no books available.

KEY WORDS: Advertisement, Ethics Etc

INTRODUCTION

The word "Ethics" takes its origin from the Greek word "ethos", which means custom, habit, character, disposition or way of living; ethics is a branch of philosophy that is concerned with human conduct, more specifically the behaviour of individuals in society. Traditionally it's the study of what makes the human action right and wrong. Ethics addresses the questions about morality that is concepts such as virtue and vice, justice, right and wrong, good and evil etc. Ethics examines the justification for moral judgments. Ethics is generally known as moral philosophy. In other words it is the moral principles of conduct.

"Ethics" according to Oxford dictionary is defined as "moral principles that govern a person's behaviour or the conducting of an activity". The definition of "ethics" is different from scholar to scholar, Albert Einstein once said, "I do not believe in the immortality of the individual, and I consider ethics to be an exclusively human concern without any superhuman authority behind it." Einstein addresses that a man's ethical behaviour should be based effectually on education, sympathy, and social ties

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HISTORICAL AND CONSTITUTIONAL DEVELOPMENT OF FREEDOM OF SPEECH AND EXPRESSION UNDER THE INDIAN CONSTITUTION

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ABSTRACT

Media plays very important role in the society. As the society changes with the passage of time the role of media has been changing with it. For the better understanding of the freedom, rights and role of media in the society we need to understand the historical background of role of a media. Hence, my second chapter consist of historical background of freedom of Media in India. Media has been bestowed with fundamental right of freedom of the press guaranteed under freedom of speech and expression36 for effectively playing its role. Media role has been growing with changing time as it is a source of information of all aspects of the country social, political, economic, cultural aspects. India is a democratic country and hence, right of freedom of speech and expression is considered as one of the most important rights guaranteed under Indian Constitution. Freedom of the press also holds importance to ensure democratic characteristics of India as it by providing information to the masses helps in shaping their views and opinions and at the same time media also draws attention of public on various policies of government. The media also helps in restraining arbitrary actions of the government and bringing forward data useful to measure the performance of the government.

KEY WORDS : Preamble, Historical View Etc

INTRODUCTION

The right of freedom of speech and expression is enshrined under Article 19(1)(a) of part III of the Indian Constitution. Freedom of the press is not separately guaranteed under Indian Constitution and hence, it is included in right to freedom of speech and expression. Right to freedom of speech and expression finds place in Article 19 of the Universal Declaration of the Human Rights 1948. Right to freedom of speech and expression is a very wide right and consist other rights in it like, right to opinion and right of receiving and giving information through any medium oral or print by various forms of media. Article 19 of the International Covenants on Civil and Political Rights, 1976 also speaks about the right of freedom to speech and expression. Right to freedom of speech and expression is a fundamental right under Indian Constitution which makes right of the press as a fundamental right being part of it. The media is considered as the fourth estate of the country due to its crucial role in society.

It doesn't just ensure the democracy in the country by providing information useful to form opinions of the public but also helps in proper functioning of the agencies

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POLICIES RELATING FINANCIAL BUSINESS OF INSURANCE SECTOR WITH REFERENCE TO HEALTH INSURANCE SECTOR

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ABSTRACT

Health insurance is a contract between Individual or group (insured) and insurance company (insurer). In order to cover medical expenses incurred due to illness or injury due to an accident. In other words it can be said that purchasing health care health care coverage in advance by paying a fee called „premium". Health is a human right, its affordability and accessibility has to be insured. Health insurance can also be related with the economy of the country. If people are healthy, economy is healthy which means healthy people can contribute properly in the economic development of the country. Even social development can be ensured with sound health insurance structure of the country. Health insurance being a personal insurance it covers expenses incurred on medical treatment by the insured. Treatment amount can be re-imbursed by paying a lump sum amount or providing cashless treatment at network hospitals

KEYWORDS: Insurance Sector, Rsby Etc

INTRODUCTION

In India, health system works according to the constitutional provisions that comprise of various governments health departments. These government health departments are available at National, State and local levels. Public health system at the National level works through its official organs, which are Central council of health, Ministry of health and family welfare, department of medical research and directorate general of health services. The Ministry of labour, which is government department, regulates and administers the ESIC and Rashtriya Swasthya Bima Yojana (RSBY). Public health system at the state works through its official organs like state health directorate and the state Ministry of health and family welfare. According to constitution of India, Public health care facilities come under the state list. Therefore state has independent rights to make health care plans at the state level and the national healthcare programmes sometimes also support these state level healthcare plans. Public health system at the district and local levels also comes under state but are managed by chief district medical officers being the head in the district of the health system with help of health officers looking after municipal corporations and other local corporation's activities regarding the health care system. Public health sector in rural areas is operated mainly through primary health centres and community health

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JUDICIAL RESPONSE IN PROTECTING AND PREVENTING THE RIGHTS OF PRISONERS IN INDIA

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ABSTRACT

The jurisprudence of right of prisoners in India has been evolving one. From Sunil Batra to Re Inhumane Conditions in 1382 Prisons and till now the judiciary has decided upon the right of prisoners, weather under trial or convicted, from time to time. Prisoners are human beings and the mere fact that they are behind the bars does not mean that they cease to have human rights or deserve to be ill-treated. Unfortunately, the reality is that once a person enters prison, he/she practically loses their human rights and is conveniently forgotten by the society. If such a prisoner happens to be a woman, and then the horror simply gets amplified. The Indian socio-legal system is based on non-violence, mutual respect, and human dignity of the individual. If a person commits any crime, it does not mean that by committing a crime he ceases to be human being and that he can be deprived of that aspect of life which constitutes human dignity. Rule of law and human rights are intimately inter-related concepts. Rule of law is the basis for the governance of human society. Whenever we talk of upholding rule of law, we visualize a system of justice which accepts and respects the basic rights of the individuals. If a society fails to evolve effective machinery for protecting human right its edifice of democracy will suffer it.

KEY WORDS: Judiciary, Legal Aid Etc

INTRODUCTION

The jurisprudence of prison justice in India is based upon the constitutional law and is being developed through case law. The human rights contained in Part III of the Indian Constitution bear vital significance on the notions of crime and criminality and the nature of the sentence which an accused must serve in prison setting. The Judiciary under our constitutional scheme has been performing positive and creative

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THE JUDICIAL APPROACH TO PREVENT AND CURE THE CORRUPTION PRACTICES IN INDIA

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ABSTRACT

Judicial precedent or case law consists of law found in the judicial decisions. A judicial precedent is the principle law on which a judicial decision is based. It is the ratio-decidendi otherwise known as the reason for the decision. It is not everything said by a judge in the course of his judgment that constituents a precedent, only the pronouncement on law in relation to the material facts before the judge constitutes a precedent. The doctrine of judicial precedent as a common law doctrine applies to only those Courts which are empowered to administer adjective common law of which forms part of the doctrine. Customary Courts, Sharia Courts of Appeal and area Courts are not empowered to apply adjective common law. Therefore, the common law doctrine does not apply to them nor does any legislation provide for a precedent system in customary Courts. As a common rule under the doctrine of 'stare decisis' a Court is bound to follow decisions of a higher Court in the hierarchy. But a lower Court is not bound to follow a decision of a higher Court which has been over-ruled. Further-more, a lower Court is not bound by a decision of a higher Court where that decision is in conflict with a decision of another Court which is above such higher Court in the hierarchy. In principles, a lower Court is entitled to choose which of the two conflicting decisions of a higher Court of equal standing it would follow. It should be noted that a binding precedent may be abolished by the legislation.

KEY WORDS: Corruption, Judicial Activism Etc

INTRODUCTION

The Indian Constitution has created a democratic, republic and a trinity of instrumentalities to enforce its paramount provisions without fear or favor, affection or ill-will. The executive echelons, when they exceed their power as inscribed and circumscribed in the 'suprema lex', are subject to scan, scrutiny and correction by the higher judiciary. The legislature has vast law-making powers and is functionally competent to perform an inquest into the administration. But, when it transgresses its constitutional bounds, the court can quash its action by writs, or command fresh operation by means of appropriate directions. The dishonest practices indulged in by the public men and bureaucrats have already been criminalized. The drawback in the Indian Penal Code in the matter of offences dealing with bribery and accepting of illegal gratifications by public servants have been sought to be remedied by passing a specific legislation, "The Prevention of Corruption Act". State legislatures have also taken steps to supplement in the corruption control. Even the National Police

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UNDERSTANDING THE RIGHT TO SPEEDY TRIAL: INDIAN PERSPECTIVE

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ABSTRACT

In present time, the biggest challenge which the Indian legal system is facing is the ever-mounting arrear of cases right from lower courts to Supreme Court and that is inclusive of both civil and criminal cases. In criminal cases, there are provisions in the constitution like Article 21 which contain within its domain the RIGHT TO SPEEDY TRIAL as has been observed by the apex court in its various pronouncements that this right is basic fundamental right of every citizen within the ambit of Right to Life contained in Article 21 of the Constitution of India. But in spite of such importance given to this fundamental right the factual position in the country is quiet contrary, there are thousands of under trial prisoners languishing in jails throughout India and in many cases the trials have even not started for years. According to statistics as reported in Prison Statistics India-2013 there are 278503 under trial prisoners in India. In particular, there are 19,331under trial prisoners in Maharashtra; this is the plight when Bombay High Court has constituted a special task force for ensuring speedy trial, situation in rest of the country is still worse.

KEY WORDS: speedy trial. Constitutional Etc

INTRODUCTION

The right to speedy justice is not a fact or fiction but a "Constitutional reality" and it has to be given its due respect. The courts and the legislature have already accepted it as one of the mediums of reducing the increasing workloads on the courts. The right to a speedy trial, and its resulting impact on both the defendant and society as a whole, makes this Sixth Amendment guarantee a crucial portion of the Bill of Rights and another important part of our legal heritage. Repeated delays and continuances in the criminal justice process prevent victims from ever reaching emotional, physical, and financial closure to the trauma suffered as a result of the crimes perpetrated against them. Such delays in prosecution can also limit the ability of victims to receive justice when their memories, or those of other witnesses, fade with the passage of time or when the victim's health deteriorates. The Hon'ble Apex Court on several occasions has expressed its concern in respect of delay caused in Courts and has also gone to the extent of saying that speedy trial is not only the right of the accused but of the victims of the crime also. With the increase in rate of pending cases and declination of pronouncement of justice, society now considers Justice delayed is Justice denied. The judiciary day by day, due to its delayed process losing faith of people to whom it is obliged to provide justice. Supreme Court by its decision confirmed that the speedy trial is deemed as fundamental right included in Article 21 of the Constitution of India. In spite of this, the condition is

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Covid Pandemic - Reversing the Impact of Child Labour

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Abstract

Child labour is not a regional problem but a global problem that is found in large numbers, mainly in developing countries where people with low socioeconomic status and resources live. Unfortunately, poor families and their broods are the first victims of forced labour. are there. The major causes of child work are social and family poverty, dearth of social safety and education; illness of guardians; absence of admission to schools; orphaned children; and uneducated guardians, among the myriad reasons. Child work is a major obstacle to the social, economic, and multidimensional development of every child. Approximately 152.09 million children (89 million lads and 65 million young women) are at work, accounting for 10% of the teenager population. Currently, COVID-19 has had a profound effect on the robustness, livelihood, and socioeconomic life of the people. This has controlled to a reduction in adult labour, which has controlled to an increase in inflation and unemployment, resulting in vulnerable and poor children being most endangered becoming child labour. India has the highest figure for child labour compared to other developing countries, with about 11.2 million children working or seeking work. This article emphasizes the problems, roots, penalties, and other consequences of child work. It reviews international laws and judicial issues in India.

Keywords: Poverty, child development, child health, exploitation, COVID pandemic, abuse.

Introduction

It is clear from the current global figures that the figure of child workers globally is close to 160 million—in 2020, 9.4 million children will have been pushed into forced work. Looking at the I.L.O and UNICEF reports, it can be said that 89 million boys and 65 million girls will be engaged in forced work worldwide in 2021–22, which is 10.02 per hundred the residents of children. This figure has increased from 6.5 million to 79 million in the last 20 years. No meaningful effort has been made to eliminate forced labour during the period of the COVID pandemic. giving to this report, children aged 5 to 17 years are doing hazardous work that is causing harm to their health, safety, or morals. From the source of the I.L.O report, the lockdown during COVID-19 has increased unemployment, illiteracy, and poverty, because of which the delinquent of starvation and penury has increased in society due to child labourers. Many more new children were forced into child workers as their parents became unemployed. The situation worsened with the closure of the school. Globally, this number will increase to around 10.1 million child labourers by 2022-23 in COVID-19. Child workers are a worldwide pandemonium that undermines children, deprives them of teaching, and

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RELEVANCE OF GANDHIAN PHILOSPHY OF SWARAJ IN CONTEMPORARY INDIAN DEMOCRACY

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Abstract

Most Indian population could not get benefits of the economic development brought by the economic liberalisation, and one of the reasons is the flawed administrative system of Indian democracy. Even, the implementation of 73rd and 74th Amendments and Panchayati Raj System could not bring the desired benefits to the rural people as all provision of these Amendments were not implemented and socio-political factors. In this research article , the Gandhian philosophy of Gram Swaraj and its importance in contemporary Indian democracy has been briefly discussed. Gandhiji introduced Gram Swaraj as a concept of his ideal of stateless democracy and wanted real democracy to work in India. It is a practical embodiment of truth and non-violence in the realms of politics, economics and sociology and offers an effective remedy for many of the political ills of contemporary political systems. The concept of Gram Swaraj is not political; it touches all aspects of life: cultural, social, economic and ecological. It provides an ideal non-violent social order in which self-reliant, self-sufficient and self-governing villages function independently in vital matters leading to holistic village development.

Keywords: Gram Swaraj, Stateless democracy, self-reliant, self-governing

Introduction

Life of man and society is affected very badly by the destructive armaments and warfare, extreme centralization, consumerism, and moral degeneration. Materialism has engulfed the modern man and he has become ready to sell his freedom also, just for the sake of few more material comforts. It has resulted in the steep fall in the moral standards of man. Consequently, there is a loss of integrity, true bliss, and authenticity in his life.

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Judicial Activism and its Impact on Governance: A Comparative Analysis

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Abstract

This research paper explores the concept of judicial activism and its impact on governance in different countries. Judicial activism refers to the tendency of judges to interpret laws and legal issues in a broad and progressive manner, often going beyond the strict interpretation of the law to address societal issues. This paper examines the historical development of judicial activism, its theoretical underpinnings, and the factors that contribute to its rise in different legal systems. It also analyzes the implications of judicial activism on governance, including its role in shaping public policy, balancing power between branches of government, and promoting social change. The paper concludes with a comparative analysis of judicial activism in select countries, highlighting the varying approaches and outcomes in different legal and political contexts.

The functioning of a democratic country like India is dependent on the three significant pillars of the constitution which are the legislature, the executive and the judiciary. All these branches are deeply concatenated and critical for an efficient functioning democracy. The three wings need to be independent of each other as well as have a subtle degree of influence to impart a sense of balance to the other wings to check for any autocratic abuse of power. The doctrine of separation of powers is deeply embedded in the Indian Constitution. The most important agency among them is the Judiciary which has a chaperoning role in the administration of the country by upholding the principles constituted in the constitution and conserving the rule of law. The evolution of constitutional democracies around the world has highlighted the importance of the protection of individual rights as human rights are an important is the supreme objective of the written law in force. The courts should exercise reasonable care in the interpretation of the law and uphold the basic postulates of the constitution constantly. In a country like India which is exponentially diversified and has one of the most volatile political landscapes, the need for the interference of courts in the

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RESOLVING ENERGY EFFICIENCY DISPUTES VIA ARBITRATION

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ABSTRACT

There has been a noticeable increase in the interdependence between the arbitration and energy industries in recent times. Arbitration has been necessary at some point for resolving energy disputes related to investment projects and/or energy purchase or supply agreements. Amidst the various advancements in the energy sector, there exists a vague and uncertain domain of the organization responsible for resolving these conflicts. Japan, China, and South Korea are the three countries that import the most liquefied natural gas (commonly known as "LNG") in the world. Asia is home to all three of these countries. It is one of the regions that is seeing the most rapid economic expansion, and the Asia-Pacific region, which is home to a significant portion of the world's economy, is one of the regions that is experiencing this growth. In addition to being one of the economies that is increasing at the quickest rate in the world, the Indian economy is also one of the most rapidly urbanizing economies in the world. By the year 2040, India will be responsible for around 25 percent of the total energy consumption that occurs throughout the world. In general, energy projects are lengthy, complicated, and require a substantial quantity of financial resources. Additionally, they require a significant amount of time. In addition, the industry is susceptible to a significant amount of sensitivity to things like geological occurrences, political shifts, and environmental legislation. Because of these circumstances, disagreements are rather prevalent in the energy industry. Arbitration has developed as the method of choice for resolving these differences, particularly on an international scale. This is especially true in the case of international disputes. The increasing demand for arbitration in energy disputes is the

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LIQUIDATION OF THE COMPANIES UNDER THE BANKRUPTCY AND INSOLVENCY

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ABSTRACT

The term Insolvency is not defined in the Insolvency and Bankruptcy Code, 2016 (IBC), but UNCITRAL Legislative Guide on Insolvency law defines the term. Insolvency occurs 'when a debtor is unable to pay its debts as they mature or when its liabilities exceed the value of Assets.' Bankruptcy is a legal status. Insolvency is a financial condition. An insolvent company or a debtor is unable to meet its obligations as they become due or its liabilities exceed the value of its assets. When a debtor is unable to pay its debts and other liabilities as they become due, legal system is required to provide a legal mechanism to address the collective satisfaction of the outstanding claims from assets of the debtor. A range of interests are required to be addressed and accommodated by such legal mechanism. There may be many parties affected by the proceedings, including the debtor, the secured creditors, unsecured creditors, employees, guarantors, suppliers of goods and services etc. The mechanism that is required to be adopted should not only strike a balance between aforesaid stakeholders, but also be relevant to social, political and other policy considerations that may have an impact on the economic and legal goals of the insolvency proceedings.

Key words: Insolvency, Bankruptcy, Liqidity etc

INTRODUCTION

The current Indian Insolvency and bankruptcy regime is highly fragmented, with multiple judicial forums and lacking clarity in terms of jurisdiction and certainty of decisions. Further, decisions are appealed, cross appealed and stayed by courts having

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ROLE OF MEDIA PRESS, MEDIA CONTOL AND FREEDOM IN LIGHT OF PRESS ETHICS

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ABSTRACT

Without media or free press vote based system can't be fruitful. In basic words. In sense for the dynamic and careful interest of free press is basic in fair society. It is voice of the individuals. It assumes a significant job in the moulding of a solid vote-based system. Media is viewed as heart. As a significant wellspring of data, it mindful the individuals in all nations of the world. The commonly vote-based system and individuals aware various happenings grounds, for example, sports, governmental issues, financial, and social, and so forth. Media resembles mirror likewise which representations the essential reality and some of the time it might be cruelIn this reserch paper freedom of media its wrongful curtailment and its over reach has been discussed it heighlights the importance of Freedom of media and why it should be protected it is undcer control and their should be reasonable restriction the balance between the two is what is required and is essential for healthy there has been times when media has gone beyond its territory and even more disturbing is the incidentens when its freedom has been curtailed

Keywords: Free press, vote based system ,Freedom of media, Majority rule governmen

INTRODUCTION

"Without freedom of the press, there are no real democratic societies. Without freedom of the press, there is no freedom" ------**(António Guterres, Secretary General of the UN)**

Today our life is brimming with broad communications. Our day starts with a paper conveyed to us with our morning cup of tea. A few of us switch on to radio or television while preparing for the afternoon and attempt to retain the most recent advancements since the paper headed to sleep (sent for printing) the previous evening. Both on radio and television

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EVOLUTION OF LAW AND POLICY RELATING TO LABOUR MANAGEMENT

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ABSTRACT
The origin and growth of labour law can be traced to the rise of modem factory system. Under the handicraft system, every production unit was small and there was direct personal contact between the employer and the craftsmen. After the industrial revolution, large scale industry came into being. In a modem industrial unit, a large number of workers are employed. As the workers had no bargaining capacity with capitalist employer, they had to work on nominal wages for long hours and under the unhealthiest conditions. Even women and children were employed under conditions which were detrimental to their health, safety and welfare. The workers were unable to protect themselves from exploitation by the Industrialist. As a welfare state, the government stepped into protect the interests of workers. It enacted labour laws to impose statutory obligations on employers to provide reasonably good working conditions and facilities to workers. On the recommendations of the Factory Commissions appointed in 1880 and 1890, the first Factories Act was passed in 1881 and amended in 1891. The Mines Act was passed in 1951 to ensure safe working conditions in mines. However, the labour laws enacted before First World War were designed mainly to protect the interest of Great Britain. Such protective legislation was of an elementary and haphazard nature.
KEY WORDS : Labour, Industries Etc

INTRODUCTION
The term Industrial relations' or labour management relations' or employee relations is difficult to define precisely because it is too complex. This is particularly so in a democratic society which allows freedom of action to the workers and their organisations and to the employers and their organisations and a series of laws are enacted to regulate their relations. In a totalitarian country trade union are banned, as in Germany under Hitler or Italy under Mussolini. But even such a society has to enact laws to provide an acceptable relationship between the industrial employer and employees. In a Communist country where all persons employed are workers, industrial relations cannot result in any form of industrial action. But changes are taking place even in the so-called Communist countries; the upsurge of industrial workers in Poland and Yugoslavia are cases to point. Industrial relations as being synonymous with employer and employee relations may be defined as the relations between employers and employees in industry. According to Encyclopaedia Britannica, the industrial relations include individual relations and joint consultation between employers and work people at the place of work, collective relations between employers and the organisations and the trade unions and the part played by the State in regulating these relations.

APPROACHES TO INDUSTRIAL RELATIONS
Industrial relations which refer to the formal process of consultation and negotiation are as old as industry and being inherent in industry, will always remain as a feature of industrial life. The participants in it are mainly three - the workers and their organisations, the employers and their associations and the agencies of the government. The participants should build up a stable, workable relationship among themselves and provide for the people a constant flow of consumption goods. The sectional groups in society sacrifice its broader interests to further their own ends and the conflict between the two assume the shape of industrial unrest. The agencies of Government which is the custodian of the interests of the community as a whole, play a significant role in shaping the pattern of relationships in the industrial setting. Industrial relations are collectively conducted between the workers and the employers through collective bargaining. In the pre-industrial society, productive work was mostly organized on a small scale. Workmen frequently owned the simple instruments which

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NATIONAL LABOUR COMMISSIONS REPORTS ON LABOUR MANAGEMENTRELATIONS - A REALISTIC STUDY

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ABSTRACT
The state having realized the importance of employer-employee relationship started controlling and balancing the relationship so as to enable the economy to survive. This era was marked by employee friendly labour legislations, popularly known as welfare legislations. The social welfare legislation is in tune with the objectives laid down in part IV of the Constitution. The rapid industrialization that took place after independence led the government to take steps for labour protection. Laws relating to minimum conditions of employment, wages and other monetary benefits, social security and industrial relations were enacted towards ensuring labour protection. The First National Labour Commission was set up in December 1966 to examine the ways and means of extending the labour welfare measures beyond the organized sector. The recommendations of the First National Labour Commission covered issues like recruitment agencies and practices, employment service administration, training and worker's education, working conditions, labour welfare, housing, social security, wages and earnings, wage policy, bonus to workers and employers and industrial relations machinery.
KEY WORDS: Labour Commission, Trade Etc

INTRODUCTION

The recommendations of the First National Labour Commission were sought to be implemented through amendments to existing labour laws as well as by identifying the areas where fresh legislation would be necessary. Examples of the former are amendments to labour laws like the Workmen's Compensation Act, 1923 (for removal of wage ceiling for coverage) and the Industrial Disputes Act, 1947 (mainly in respect of the unfair labour practices). The Employees State Insurance Act, 1948 (for enhancement in the wage limit for exemption from payment of employees' contribution), Factories Act, 1948 (for making penalties more stringent for violation of safely requirements and provision of welfare facilities) and the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (enhancement in the rate of contribution and making default of dues a cognizable offence).

New legislations that were enacted in the light of the recommendations made by the First Labour Commission, include the Contract Labour (Regulation Abolition) Act, 1970, Equal Remuneration Act, 1976 and Child Labour (Prohibition Regulation) Act, 1986. Market economics and pressure from world capitalists forced the governments including India to open up its economy to the benefit of private and global investors. And since then the cry for labour law reforms started in India. The pro reformers felt that the employee friendly labour laws are an obstacle in business. The Government of India meanwhile appointed the Second National Commission on Labour to investigate the whole question of rationalization of the existed labour laws in the organized sector so as to make them more relevant in the changing economic conditions under the impact of globalization. Though the report and the suggestions for labour law reform have been submitted to the government, it has not gone ahead with its implementation due to political compulsions. Suggestions for labour law reform by the commission have invited criticism from workers representatives. Welfare laws still exist. It is the economic scenario, which has undergone change. We are yet to change the laws to suit the needs of the changing economic scenario.

FIRST NATIONAL LABOUR COMMISSION 1969, REGARDING INDUSTRIAL RELATIONS

The Royal Commission on Labour was appointed as far back as 1931. The Labour Investigation Committee (Rege) reported in 1946. Since independence industrial landscape has undergone a thorough change. Necessity was felt for a fresh and comprehensive review of the labour situation in the, country. Consequently, the National Commission on Labour, headed by Dr. Gajendra Gadkar, was

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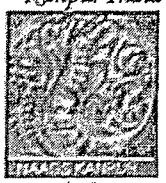

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RIGHT TO LIFE AND PERSONAL LIBERTY-ITSJURISPRUDENTIAL FOUNDATIONS

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ABSTRACT

Liberty is the quality of a man. It is man, as distinguished from other living beings, who demands freedoms and evolves institutions to secure it. Animals, birds and insects are governed by the rule of the 'struggle for existence and survival of the fittest-the fittest is the one physically strongest and cleverest.' They have no aim of life beyond mere existence. Man as Homo Spines has distinguished himself from other living beings as he claims to have an aim in his life; he has created the whole complex of institutions civilization and culture- in pursuance of this aim. Animals are mere slaves of nature; man has largely learnt to tame, control and harness nature to serve his purpose of life. Freedom is the distinctive quality of man.

'Man is born free, but everywhere he is in chains'3 observed Rousseau. The Cannon of this observation has been reflected and translated as a global phenomenon and hasbeen incorporated as a necessary, essential and sacrosanct conditions of all human lives. The nature has given not a life to all human beings but as well as freedom to act according to their choice and to flourish as a human being. Freedom which is sine-qua non for the physical, mental, psychological, spiritual etc. development ofall human beings without which the human personality would be incomplete. The rationale behind such freedom is not only an individual empowerment but thepathology of it lays the foundation for the collective, universal development of the Society at large

KEY WORDS: Article, Jurisprudence, Right to life, personal liberty

INTRODUCTION

The struggle for liberty has furnished the noblest, the most thrilling and the most inspiring saga in human history. If there it one cause for which men would fight and die willingly, for which they would undergo the severest of hardships, for whichthey would face the firing squad and kiss the gallows with resolute heart andbeaming face, it is that of liberty for they look upon it as the very quintessence of a civilized and decent existence, something bereft of which life would be without putting and dignity, something without which life would loose all significance and meanings. The rule of law is the very main spring of democracies but it is an error toemphasize law without putting a proper stress on liberty. Law and liberty are counterparts of each other, law draws attention to the duties and obligations of the citizen, liberty-the freedom which the citizen enjoys upon which the State can make no encroachmen.

RIGHT TO LIFE AND PERSONAL LIBERTY-ITS JURISPRUDENTIALFOUNDATIONS

Doctrine of rights is a product of natural law theory, evolved since ancient times, which paved the way for recognition of individual identity and autonomy. Advancement of civilizations and progress of societies was required to keep pace with the changing time and therefore, the doctrine of rights has also

LEGISLATIVE HISTORY OF ARTICLE 21 OF INDIAN CONSTITUTION BACKGROUND

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ABSTRACT
Numerous social scientists support the idea that only an independent and strong judiciary can be custodian of human life and dignity. Most of the works of the judges was done in early 80's particularly after Maneka Gandhi's case. Instead of playing their traditional role of mechanical interpreters and appliers of law, the judges have assumed the role of policy makers. As a result of judicial activism of theSupreme Court, the concept of life embodied in Article 21 of the Constitution has gradually broadened. The real meaning of judicial activism has rightly been explained by P.B. Vadodaira as, 'there cannot be and there is no judicial activism proper be. Judiciary has always remained active. It cannot afford to be passive. While other two wings of the Government i.e. executive and legislature sometimes remain passive and sometimes become oppressive but judiciary functions within its framework and is bound to work within its parameter because of constitutional device of division of powers. The main and prior function of the judiciary is to deliver justice to all without fear or favour. The judiciary endeavours to protect oppressed, powerless, poor and helpless people against the injustice committed by omnipotent persons, authority or body. Judiciary protects the weakest persons from the oppressive acts of either executive or legislature.

KEY WORDS:
Constitution, Article, Right, life, Dignity

INTRODUCTION
The Supreme Court had propounded various propositions making Article 21 more meaningful and expansive. The Court had accepted the contention that „procedure established by law" under Article 21 necessarily includes the due process clause of the US Constitution. It said that Article 14, 19 and 21 are not mutually exclusive, butthere is a clear link or nexus between them. Krishna Iyer J. has said that no Articlein Part III of the Constitution is an island. Just as a man is an indivisible but separate limbs, cardinal rights in an organic Constitution have a symbiosis while according a wider meaning to right to life he said, 'the attempt of the Court shouldbe to expand the reach and ambit of the fundamental rights rather than attenuate their meaning and content by a process of judicial construction.' The spirit of man is at the root of Article 21 and personal liberty makes for the worth of the human person. Travel makes liberty worthwhile.

The dynamic and progressive interpretation of Article 21 given by the Court sensitized the human rights jurisprudence and role of judiciary as an activist or creationist in India. Procedure established or prescribed by law never could be equated or characterized as reasonable or due it if is an arbitrary or fanciful. Maneka"s multidimensional decision has acquired a supreme constitutional importance and value in a democratic India, which has been nourished further by thejudiciary, vis-à-vis right to life and personal liberty. The emergence of the Indian Supreme Court as a custodian of people"s rights and a democratic, functional institution is the most significant and important development in the judicial historyof independent India. It is being envisaged not as a redressal forum of elite class in the society preoccupied with rendering merely lip service to the people. Instead, it is seen and perceived as a forum for raising, redressing and articulating the problemsof the have-nots, deprived, oppressed, the downtrodden, women and children, environmental groups, consumer forums, victims of bureaucratic exploitations and abuse of powers and positions by persons holding high public offices. It has become a representation, articulation and protection of the basic human rights of the people vis-a-vis society.

RESEARCH ANANLYSIS

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RIGHT TO INFORMATION UNDER THE CONSTITUTION OF INDIA: AN ANALYSIS

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Abstract

The real Swaraj will come not by the acquisition of authority by a few, but by the acquisition of capacity by all to resist authority when abused.-- Mahatma Gandhi

Right to Information is like a protective shield of any democratic government. This right is necessary for the smooth functioning of the democratic machinery. Right to Information is an inseparable part of the freedom of speech and expression codified in Article 19(1) (A) of the constitution, which is understood to be the first requisite of liberty.

It reserves a valuable position in the stepping stones of liberties providing security and stability to other liberties. The expression "**freedom of speech and expression**" in Article 19(1) (a) has been taken to append the right to gather information and distribute or publish the same. Propagation and acceptance of information are the two sides of the same coin.

An important characteristic of freedom of speech and expression is considered the freedom to receive and disseminate information without any obstruction. Without sufficient information, a person cannot take an informed decision. Good and proper governance isn't extended just by having a democratically elected government but also ensuring ones right to various freedoms. Ten years after the RTI Act coming into force; its initial goals of accountability and transparency of public institutions continue to escape the veil of reality. All the pillars of democracy, while maintaining its stance on government accountability, continues not to be transparent and not complying with the RTI Act.

Keywords: Fundamental Rights, Right to Information, Constitution, RTI, Information, Article 19(1).

Introduction

The date of 12th October, 2005 shall be remembered as a new era of empowerment for the common man in India. It is applicable everywhere except the state of Jammu and Kashmir. This law was passed by Parliament on 15th June 2005 and came fully into force on 12th October 2005. Information disclosure in India was restricted by the Official Secrets Act 1923 and various other special laws, which the new RTI Act now relaxes.

Access to information is recognized as one of the indispensable human rights across the globe, therefore all the information under the domain of the public authorities should be accessible by the public. Everyone has the fundamental right of freedom of expression under Article 19 (1) (a) of the Constitution and this includes the right to seek, impart and receive information.

Right to information means right of every citizen to access information of public interest, which is under the control of public authorities, in order to ensure transparency, accountability in administration and participation of common man in governance. Information is needed by human beings to realize their full social, political and economic potential. It entails a spectrum of knowledge about various issues and involves different stakeholders from market to government. It is the key which helps make decisions. It is also a public resource collected and stored by government in trust for people.

Almost every society has made endeavors for democratizing knowledge resources by way of putting in place the mechanisms for free flow of information and ideas so that people can access them without asking for it. People are thus empowered to make proper choices for participation in development process.46 Access to information is a foundational human right as without its protection, it is almost impossible for people to fully exercise their other rights and freedoms.

Right To Information And Constitution:

1. Part III of the Indian constitution deals with basic and inalienable rights termed as Fundamental Rights. These rights include the right to equal protection of the laws and the right to equality before the law, the right to freedom of speech and expression and the right to life and personal liberty. A remedy for enforcement of rights conferred by this part is provided under Article 32. Article 19 (1)

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RIGHT TO EQUALITY UNDER THE CONSTITUTION OF INDIA: AN OVERVIEW

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Abstract
The right to equality is one of the fundamental rights in the Indian Constitution. There, we will know about equality rights and their articles which it explained under the Indian constitution.
This right is provided equality to all applicants for employment and is similarly handled to all which also protects from untouchability and titles and ensures to treating everyone same.
The purpose of this exploration is to identify the overarching" right to equivalency" idea. There's no need for a further explanation because the term" Right to equivalency" is tone-explicatory. And it's one of our abecedarian rights. This studybid outlines the specifics and exceptions that are allowed by the Indian Constitution that certain missing features need explanation. It's also helpful to understand the defense for the recognition of demarcation in the Indian Constitution.
The right to equivalency is mentioned in Articles 14 through 18 of the Indian Constitution. Composition 14 outlines the fundamentals of the rule of law, and Articles 15, 16, and 18 handy how it should be applied. Equality of occasion and status is guaranteed under the Preamble of the Indian Constitution. Equality is the foundation of the Indian Constitution.
The right to equivalency is guaranteed by Composition 14 of Indian law. That's one of the abecedarian rights. This ensures that everyone has the same access to the legal system and equal protection under the law. Indian citizens and non nativeslikewise are entitled to the same freedoms. Composition 14 states that the state is to be India. No boneis pure from the law, as stated in composition 14. Everyone is equal before the law.

Keywords: Fundamental Rights, Right to Equality, Constitution, Article 14, Article 15. Article 16, Article 17. Article 18, Human Rights.

Right to Equality

The vital rights—the core human rights—of its residents are codified in Part III of the Indian Constitution. The rights protected by using Articles 14 via 18 encompass equality, which is one of them. The most extensive of the bunch is Article 14. The foundational thoughts of equality are introduced here. This applies to all instances that are no longer addressed by way of sections 15 thru 18.

The Indian Constitution guarantees us the right to equality as a fundamental right. But have we ever stopped to think about what this implies, and if we are actually living up to this promise? In this article, we will explore how far India has come in terms of achieving true equality for all its citizens. We will look at the current state of affairs and review some of the efforts that are being made to ensure that all people can enjoy the same rights and privileges regardless of their race, gender, religion or other characteristics.

Article 14

Even after seventy-three years of independence, our u . s . has but to journey full freedom. In our country, there is nevertheless discrimination and different ills. Even the drafter of our Constitution was once influenced by this taboo. People are nevertheless subjected to prejudice in quite a number of settings nowadays on the foundation of matters like race, religion, sex, caste, and origin.
The writers of our Constitution protected Article 14 as a vital proper to all individuals, even these who are now not residents of our nation, in mild of the situations in India.
The principal goal of this article is to make clear Article 14. When we take a look at a man abusing his wife, a younger girl who can't whole her schooling due to parental pressure, or a man from a decrease caste being depicted as being below these from an higher caste. These discriminatory movements serve as illustrations, Here, we see how necessary the function of the nation is in upholding citizens' equality. .

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DEVELOPMENT OF PROCEDURAL ENVIRONMENTAL RIGHTS INGLOBAL ENVIRONMENTAL LAW AND IMPLEMENTATION OF PROCEDURAL RIGHTS IN INDIA

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ABSTRACT
In principle, it wouldn't be wrong to signify that the seeds of present day improvement and development and consequent results thereof are very tons found in Hindu's classical literature like Vedas, Vedangas, Smrities, Commentaries and Digest epics like Ramayana and Mahabharata and Artshashtra and many others, in the comparable context, in the modern times Mahatma Gandhi stated "the sector has enough for absolutely everyone's want, but no longer sufficient for all people's greed."there was splendid development and material progress specially in the 19th and 20th centuries but to a exceptional extent this has been achieved with none regard for enhancement of excellent of life in a holistic manner. Though, there was massive proliferation of developmental sports in the domain of science and technology that led mankind to gather electricity to exploit nature at an extraordinary scale, but all this has been accomplished underneath a angle which is narrow and based totally on individualistic egocentric concerns of the mankind. within the call of improvement no longer best nature has been mutilated resulting in ecological crisis however thisunparalleled and unplanned fast increase has additionally generated troubles of inter- generations and intra-generational inequality and inequities.

Keywords: Environment, Stockholm declaration etc

INTRODUCTION
The contemporary version of development has originated within the context of a materialistic and aggressive idea of human being with the universe and assumed the aim of human undertaking should be; to have mastery, victory and manage over nature. Within the zeal to triumph over nature there has been excessive abuse and exploitation of nature or even human groups. This model of improvement has resulted in loss of concord among human beings and nature, stressful the balance among human desires and natural sources and ultimately deteriorating the over-all fine of existence. since the submit industrialization era, mankind has been makingindiscriminate transgressions on our planet and the surroundings in the greed ofmaximizing capital profits inside the name of so-called improvement; by some means, somewhere ignoring the fact that development can preferably lead us to a higher destiny best if it's miles sustainable development. Consequently the genesis of the concept of „sustainable improvement" reveals its roots in global environmental affects that led the mankind to re-reflect on consideration on the system of the so-known as
Improvement and environmentalists, planners, scientists, sociologists, economists together professed the idea of "sustainable development" for the first time in submit industrialization era in the Brundtland file in 1987.
Thereafter the mankind noticed a brand new era where at nearly every worldwide or national conference, symposia, meetings, negotiations the concept of „sustainable development" got further and in addition professed. Then the 1992 Rio declaration performed an instrumental function in bringing international to the route of Sustainable development each regionally in addition to internationally. The principle
10 and principle 15 of the Rio statement suggested that the key to sustainable development is efficient participation of all stakeholders and Precautionary principle. The precept similarly went beforehand and finally gave three collectively interdependent pillars to sustainable development i.e. get right of entry to facts, get right of entry to Justice and access to Public participation in environmental choice making those access standards can be traced in Aarhus conference also more

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PUBLIC PARTICIPATION IN ENVIRONMENTAL CHOICE MAKING: EXPERTISE, CONCEPT AND FRAMEWORK

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ABSTRACT

The natural environment encompasses all dwelling species and non living matters gift on the earth but it is the surroundings that envelopes they all to permit the interaction of all living species. The term „environment" in Sanskrit and Hindi language is referred to as "Paryavarana" literally that means "Pari-Aavarana", i.e. external covering or a factor encircling or encompassing human existence on the earth. 1 In other phrases nearly everything surrounding us is known as "Paryavarana", i.e. the "surroundings" which we eat immediately and not directly in stated or unsaid manner. It's far not anything less than amazement that within the complete solar device, it's only our planet Earth that gives favorable environment for increase, improvement and subsistence of something as treasured as existence. In reality, it's not handiest us; besides people, it's animals, birds, timber and the entire aquatic international that come to exist as presents of nature. As a count of truth, „life" commenced on this planet some 4.6 million years ago and it's only inside the previous few heaps of yearsthat mankind has come into lifestyles. Until then, these creatures were residing in the world in ideal harmony and a especially disciplined manner. but due to the fact mankind began „developing" agricultural practices, taming animals for his very own egocentric hobby, digging mom earth for water, and step by step constructing human settlements inside the form of so-called civilizations, the very idea of „environmental impacts" took inception. Its miles for the reason that inception of so-referred to as civilizations that the arena of politics, rules, democracy, participation, selection- making and consensus building additionally took start.

Keywords: environment, public participation etc

INTRODUCTION

However, if we tread the history of environment on planet Earth, the balance of nature that existed then changed into quintessential and still remains fundamental and might stay so forever. Consequently, the balance that nature maintains isn't only vital in now a day's time, however shall remain extremely crucial even for the approaching generations, hence for our typical sustainable growth. It's exciting to notice that the Indian standpoint or the Hindu philosophy regarded man and environment as component and entire of the identical aspect, but this part and complete live in non stop, dynamic and but a non violent harmony in unique contexts and conditions. And it is on this way that „man" and „environment" have stayed in an ever-lasting relationship that each the counter-components have emerge as the circumstance of the other; which has been properly expressed in Rig Veda by way of the subsequent verse:

That means "in which there may be guy, there is surroundings". In reality, the Vedic rituals like Yajna i.e. offerings to Gods and Goddesses, have also been designed to satisfy the items of environmental conservation and keep the balance between "Pinde" and "Brahmande" (that is, the man and his/her, surroundings). In addition to the above verse, Rig Veda also points out the harmonious existence of man and surroundings by using highlighting an ecosystem in which welfare of ever relies upon on the other. It situates the connection of man and environment in the moral framework coming from inside and now not from somewhere outdoor. It is also noteworthy that in the historic instances, human life-style was towards mom-nature and the honor for nature, although the dependence on nature was the same even then. Even the earlier lifestyle helped humans believe that nature possesses supernatural powers, which can supply nicely or carry harm to mankind.

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UNIFORM CIVIL CODE: AN INITIATIVE TOWARDS SECULAR SOCIETY

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Abstract
The paper discusses the diverse personal laws governing different religious communities in India, leading to unequal treatment in areas such as marriage, divorce, inheritance, and adoption. It highlights the need for a uniform civil code to ensure justice and equality for all citizens.
The paper also explores the relationship between secularism and the UCC, emphasizing that a secular state does not necessarily mean an anti-religious state. It discusses the concept of positive secularism in India, which recognizes the state's role in regulating religious matters to promote social welfare and remove obstacles to governance.
The response of Indian courts to the philosophy of the UCC is examined, focusing on cases related to divorce and maintenance laws, polygamy, property and succession, and guardianship and adoption. Also highlights the judiciary's efforts to bridge the gap between personal laws and the interests of the community, particularly in protecting the rights of women and promoting social reform.
Overall, the research paper aims to analyze the role of the judiciary in promoting the spirit of the UCC and creating a more secular and egalitarian society in India.

Key Words:
Community, Succession, Polygamy, Secular

Introduction

India is a country ofmulti-religions andmulti-languages. A large number of people are governed by their own personal laws. It leads to different treatment allocated out to different classes of people in their personal laws.
There are different laws governing different religious communities like Hindu Marriage Act, Hindu Succession Act, Hindu Adoption and Maintenance Act, Hindu Guardianship Act govern various aspects of life of Hindus. Muslims and Christians are governed by their own personal laws. There are also numerous different sets and they're ruled by their customs, traditions etc. These codes are grounded on different personal laws of different religious communities, but this bracket grounded on religion faces numerous difficulties, whenever the question arises on matter of succession, marriage, divorce, inheritance, adoption, maintenance, guardianship, custody of childrenete.
There's difficulty in distribution of justice; hence decisive way were taken towards national consolidation in the form of idea of uniform civil code which was for the first time mooted seriously in the Constituent Assembly in 1947.
The uniform civil code as imaged in the Article 44 of the Constitution of India includes inter alia, entire scheme of family laws. As far as the uniform legislation is concerned, all the aspects have been covered except marriage laws. There's no uniform civil code of law applicable to the matrimonial relation of all, irrespective of ethnical or religious confederations. So through Article 44, the ultramodern State is called upon to perform its onerous responsibility of giving uniform civil code on the below subject, applicable to all the citizens of India.

COMPARATIVE STUDY OF COVERAGE OF PUBLIC AUTHORITIES UNDER RTI IN DIFFERENT COUNTRIES

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Abstract
This article is an attempt to study the extent and ambit of the Right to Information Act in different countries. This article delves into the comparative study of the expanse of the Freedom of Information Act with respective to public authorities covered within it. The article also points out certain problems with the existing legal framework pertaining to public authorities and provides suggestions to improve the same.
Key words: freedom of information, public authorities, transparency, accountability, right to information.

Introduction

Not only does a citizen have the right to know, but the Government also has a duty to inform. The right to know and the duty to inform are really two sides of the same coin. The Supreme Court should also appreciate that in cases where the Government has the right to withhold information in public interest, there is also a corresponding obligation on the Government to make public all information, the withholding of which is not in public interest. It is only when the right to know is coupled with the duty to inform that a citizen's fundamental rights and the Directive Principles of State Policy can have some meaning.

There are basically two kinds of information included within the Right to Know. Firstly, the type of information in which a person is personally interested and secondly the information in which the public at a large is interested. Where the question is regarding information in which an individual is personally interested, it is quite logical that he has right to know everything that personally affects him. Whereas the information in which the interest of public at large is affected is unlimited in its scope. But this does not give the people right to know everything. For example, the people do not have the right to know complete details of defence preparations, details of foreign policy and similar political affairs.

The people do, still, have the right to know the state of the environment and what the Government is doing to apply the laws and generally what are the programs and policies of the Government are. This will enable the people to effectively cover the "health" of the country. On the other hand, if applicable information of this kind is withheld, the result will be a total absence of meaningful public debate and public participation in the affairs of the country. In the long run, this will also clog the Government in taking the right opinions which also have popular blessing. Of course, there are bound to be slate areas. still, these slate zones would be veritably rare. But wherever possible, the people should get the benefit of mistrustfulness or any similar disagreement should be expeditiously arbitrated by a competent court. on graces.

The state of the Freedom of Information Act differs from nation to nation on the basis of the quality of world's access to information laws. According to Global Right to Information conditions, Mexico ranks at the top of the list to come a country which has a estimable legal frame pertaining to Freedom of Information well- conceived, well- articulated and unambiguous in its intent to guarantee of the right of citizens to gain information about their administrative branch. It rests on a premise of exposure, defining all government information as public(Composition 2), and directing government agencies and realities to favor " the principle of hype of information "(Article 6) over secretiveness.

Tajikistan on the other hand ranks amongst the smallest. The compass of the RTI act is limited and perpetration has been wrong. There also appears to be low mindfulness of the act among the millions which has lead to confined operation of the act.

REASON FOR LIABILITY OF PUBLIC AUTHORITIES

Public authorities are held liable under the Freedom to Information laws of colorful nations because by virtue of the functions of similar authorities they're answerable to the people of the nation whom they serve. These public authorities exercise functions which may affect the lives of the people, and as a natural corollary the people should be empowered to seek information and ask questions regarding

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SOCIAL AND LEGAL MEASURES RELATING TO ENVIRONMENT PROTECTION

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ABSTRACT

Environmental Law is based on science. As such, it has to derive its strength from many other disciplines like biology, biotechnology, ecology, economics, chemistry, geology, geography, hydrology, medicine, engineering etc. Professor Upendra Baxi way back in 1986, suggested to the then Chief Justice of India, to establish a special cell on 'Science and Technology' in the Supreme Court itself where scientist would interpret scientific facts and evidences for the judges to decide and give judgment on environmental cases arising out of environmental law violations. Our recent Biological Diversity Act, 2002, is a most significant piece of legislation. It responds to concerns arising out of developments in biotechnology and information technology, and from the ongoing erosion of biological diversity. These developments imply that all organisms, even seemingly insignificant ones like microbes and worms on land, in rivers and in the sea are potentially resources of considerable economic value, worthy of efforts at conservation, scientific investigation, and of securing rights over the associated intellectual property. The link between human rights and environmental protection has become increasingly clear in recent years. Environmental damage is often worse in countries and in areas with human rights abuses. Where human rights are weak, civil society groups are not able to raise environmental concerns effectively. Rights of association, access to justice, access to information and freedom of expression are critical for the successof a country's environmental and human rights movements

KEY WORDS: Environment, Legal Legislations.

INTRODUCTION

India has come to establish probably the most comprehensive framework of legaland institutional mechanisms in the region to respond the tremendous challenges to the environment it is facing, owing to population explosion, poverty, illiteracy augmented by urbanization, industrial development. In India, we do have a plenty of laws which deal with various aspects of environmental protection; regulate theconduct of environmentally harmful activities and provide for remedies in cases of their breach. India is probably first country which has incorporated into its constitution specific provision for environmental protection. Stockholm Declaration 1972 was perhaps the first major attempt to conserve and protect the human environment at the international level. As a consequence of this Declaration, the States were required to adopt legislative measures to protect and improve the environment. Accordingly, Indian Parliament inserted two Articles, i.e. 48A and 51A in the Constitution of India in 1976. The laws can be broadly classified into Environmental movements, Common law doctrines under the law of torts, and the statutory enactments and Constitutional and Legislative provisions.

MOVEMENTS FOR THE PROTECTION OF ENVIRONMENT ININDIA

The genesis of concern for environmental protection in India "can be traced back to the early twentieth century when people protested against the commercialization of forest resources during the British colonial period". A large number of environmental movements have emerged in India especially after 1970s.These movements have grown out of a series of independent responses to local issues in different places at different times. The emergence of environmental movements is not restricted to any particular part of the country. The environmental movements have emerged from the Himalayan regions of Uttar Pradesh to the tropical forests of Kerala and from Gujarat to Tripura. The main environmental movements are ChipkoAndolan, Save the Bhagirathi and Stop Tehri project committee in Uttar Pradesh, Save the Narmada Movement (Narmada Bachao Andolan) in Madhya Pradesh and

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COMMON LAW PRINCIPLES AND LEGISLATIVEENVIRONMENTALISM IN INDIA

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ABSTRACT

India has a long tradition of protecting and worshipping the nature. Eversince Vedictimes, the main motto of social life was to have in harmony with the nature. Sages, saints and the great philosophers of India lived in forests and on mountains where they mediated and expressed in the form of Vedas, Upanishads and Smrities. These ancient scriptures of Hindu religion give a detailed description of trees, plants and wild life and their importance to the community. Vedic Seers and ancientMaharishis have luminously revealed that "God sleeps in minerals, wakes in animal, thinks in man This could be extended to say that God swims in fish, flies in bird, andsings in wind. Hindu mythology recognizes not only omnipotence but also, there from, omnipresence of God. Hinduism preaches that every species and plant bear an element of God and they be treated accordingly. It follows, therefrom, that damage to any part of the environment is an injury or insult to God. The entire environment was, thus, held in the highest esteem as if it represented the Almighty. Invisible God has been omnipresent. Similarly the environment is all pervasive.

KEY WORDS:

Environment, Pollution, Negligence,

INTRODUCTION

International efforts for the protection and preservation of the global environment started with the convening of the Stockholm Conference on the Human Environmentin 1972. The journey from the Stockholm Conference to the Johannesburg Earth Summit, 2002, on Sustainable Development led to the recognition that all human beings are entitled to a healthy and productive life in harmony with nature. It wasthis recognition that was responsible for the enactment of various environmental laws in India, which are designed not only to preserve and protect environment, but also to prevent environmental pollution. In the enforcement of these laws, the Indianjudiciary has played a seminal role and used public interest litigation as a convenienttool to create a new environmental jurisprudence in the country. „Environmentalism"is a fairly new movement in the world in the recent years. It has become anoverriding concern in national plans and policies among the developed and developing countries. Today, no development project is considered complete without an environment impact assessment. Provisions for protection and improvement of environment and safeguarding of forests and wildlife of the country,thereby, preserving the „ecological balance" are contained in Articles 48A and 51 A(g) of the Constitution of India. One of the most important fundamental rights dealing with "right to life" is incorporated in Article 21 of the Constitution. Applyingthe doctrine of emanation, the Supreme Court of India has widened the scope of Article 21 by stipulating that a clean environment is essential to human survival. Also, on the foundation of the „affirmative duly" doctrine enunciated in *Maneka Gandhi's case,* the Supreme Court has enunciated the theory that it is open to the court to enforce the duty implied by Article 48 A through the device of issuing directions under Article 32 (2).

COMMON LAW PRINCIPLE

Common law is the body of customary laws of England which is based upon judicial decisions and is embodied in the reports of the decided cases. Common law had been administered by the common law courts of England since the middle ages. All the English speaking countries, as also the countries that have been or still are linked with England, save certain exceptions, are members of 'he Common Law Family. In the legal systems of such countries also, the courts administer the common law
Actions brought under tort law are among the oldest of the legal remedies to abate pollution. Most pollution cases in tort law fall under the categories of nuisance, negligence and strict liability. To these

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STRIKING THE BALANCE: DEBATING GENDER-INCLUSIVE HUMAN RIGHTS IN INDIAN LAW

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ABSTRACT:

This paper examines the talk surrounding the inclusion of gender-inclusive human rights in Indian law. It explores the benefits and demanding situations related to recognizing human rights which might be currently now not explicitly acknowledged in the criminal framework. The paper discusses the significance of human rights in promoting justice and equality, with a selected focus on gender-related issues. It highlights the existing human rights landscape in Indian law, emphasizing the rights diagnosed in the constitution and other relevant rules, at the same time as additionally figuring out the rights which are presently absent. The benefits of consisting of gender-inclusive human rights are discussed, inclusive of more desirable protection for marginalized groups, compliance with international standards, and promotion of social justice. However, concerns concerning capability conflicts with cultural and conventional norms, feasibility, enforceability, and capability misuse of these rights also are explored. The paper emphasizes the need for a balanced technique that respects diverse views, upholds human rights ideas, and fosters inclusivity. It concludes by underscoring the significance of ongoing dialogue and engagement to navigate the complexities and reap a complete framework of gender-inclusive human rights in Indian regulation

KEYWORDS: gender-inclusive human rights, Indian regulation, debate, justice, equality, marginalized organizations, cultural norms, international standards, social justice, conflicts, feasibility, enforceability, misuse, communicate, inclusivity

INTRODUCTION:

Human rights are fundamental entitlements that belong to every man or woman, no matter their nationality, race, gender, religion, or any other characteristic. they're based totally at the concepts of dignity, equality, and equity, and are recognized as customary requirements that each one people are entitled to enjoy. The idea of human rights performs a crucial position in state-of-the-art society, serving as a cornerstone for justice, democracy, and social development. This significance is especially obvious in the framework of Indian regulation, wherein human rights are enshrined within the charter and guarded through various prison mechanisms.

inside the Indian context, the significance of human rights may be traced returned to the united states of America's conflict for independence and its commitment to attaining a simply and inclusive society. The charter of India, followed in 1950, lays down the essential rights and freedoms that each citizen is entitled to those rights consist of the right to equality, the right to freedom of speech and expression, the right to lifestyles and personal liberty, and the right to safety towards discrimination.

The significance of human rights in modern-day Indian society can be seen thru their position in selling social justice and fighting numerous forms of oppression. Human rights standards had been instrumental in addressing historic injustices, consisting of caste discrimination, gender inequality, and spiritual intolerance. They offer a criminal framework to undertaking discriminatory practices, shield prone groups, and make certain equal opportunities for all people.

Furthermore, human rights serve as a device to keep the government accountable and maintain the rule of law. The constitution of India includes provisions for the safety of human rights and establishes establishments which include the country wide Human Rights commission (NHRC) to shield these rights. The NHRC plays a crucial position in investigating and addressing human rights violations, making sure that the ones accountable are held responsible.

In modern society, human rights are extra applicable than ever because of emerging demanding situations and the want to evolve to converting social dynamics. With advancements in era, the

GENDER EQUALITY: ISSUES AND CHALLENGES FOR WOMEN

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ABSTRACT-

Gender equality is a fundamental human proper that encompasses identical possibilities; get right of entry to, and treatment for people regardless of their gender regardless of significant progress made over the years, ladies hold to face various demanding situations and disparities in reaching authentic gender equality. This research paper explores the issues and demanding situations that girls come across in their pursuit of gender equality. It examines elements contributing to gender inequality, such as societal norms, cultural practices, discriminatory legal guidelines and regulations, and institutional biases. The paper also analyzes the effect of gender inequality on women's fitness, education, monetary empowerment, and political illustration. moreover, it discusses techniques and projects which can sell gender equality and empower girls, highlighting the importance of collective efforts from governments, agencies, and people in addressing these challenges.

KEY WORDS-gender equality, gender inequality, ladies' rights, challenges, opportunities, discrimination, empowerment, schooling, administrative centre, leadership, violence, stereotypes, social norms, coverage reforms, economic empowerment, political participation, intersectionality, international cooperation, technology, progress, techniques, focus, activism, sustainable improvement desires (SDGs)

INTRODUCTION

Gender equality is a essential precept that asserts that every one individuals, no matter their gender, must have equal rights, opportunities, and get admission to to assets. It acknowledges that each men and women have to be able to revel in the same social, political, financial, and cultural rights and advantages.

Traditionally, women have faced good sized discrimination and inequality in numerous factors of lifestyles. They have been subjected to patriarchal systems, social norms, and cultural practices that perpetuate gender-based disparities. Women have been systematically disadvantaged in phrases of schooling, employment, political participation, get admission to healthcare, and decision-making methods. Those inequalities not most effective undermine the essential rights of ladies but additionally avoid social progress, monetary improvement, and sustainable peace.

The importance of gender equality lies in its potential to create an extra just and equitable society. While ladies have equal get right of entry to schooling, employment opportunities, and selection-making positions, societies advantage from their diverse views, talents, and competencies. Gender equality isn't always entirely a ladies' problem; it's miles a human rights difficulty that impacts each person. It promotes social concord, reduces poverty, fosters financial boom, and contributes to standard development. it is vital to retain raising awareness, engaging in research, and advocating for regulations and actions that sell gender equality. by way of understanding the background and importance of gender equality, society can work in the direction of developing a global in which all individuals, no matter their gender, have identical opportunities, rights, and freedoms.

MOTIVE OF RESEARCH PAPER

The reason of this studies paper is to discover the problems and demanding situations that girls face in their pursuit of gender equality. It ambitions to provide a comprehensive understanding of the elements contributing to gender inequality, examine the effect of such inequality on various components of ladies' lives, and speak strategies for selling gender equality and empowering ladies.

The scope of the studies paper encompasses more than one dimensions of gender equality. It examines the demanding situations and disparities that ladies encounter in areas along with training, the place of business, health and reproductive rights, and political representation. It additionally delves into the underlying elements that contribute to gender inequality, together with societal norms, cultural practices, discriminatory legal guidelines and policies, and institutional biases.

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LEGISLATION THAT REGULATES SCIENTIFIC CAREER IN INDIA

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ABSTRACT
Clinical disregards are extraordinarily essential component for patient. Instances of disregards in the clinical profession are not a new phenomenon. Clinical Disregards is being dedicated in everywhere in the world every day. The primary motive of this take a look at is to recognition scientific Disregards regulation in India. Clinical Disregards is a problem of great human rights challenge that at once influences proper to existence and right to fitness care. The overpowering number of incidents of scientific disregards in India broadly speaking goes without any legal motion, leading to a frustrating situation wherein public agree with is absolutely lost on the scientific service providers. Despite the fact that the felony remedies to be had below the present laws are restrained or tough to get right of entry to, such efforts deliver a clear idea about the inability of the prevailing regulation and the underlying difficulties inside the judicial device. In order to confirm the criminal status of clinical disregards the existing legal regime has been measured in this newsletter. The charter of India acknowledges proper to health care and ensures proper to lifestyles. Clinical offerings encompass a extensive range of sports; from analysis to medicine, surgical operation and different styles of treatment. in this research the legal machine in India relating to scientific and fitness care services and operation of numerous clinics, laboratories and so on had been discussed and analyzed. This part starts off evolved with the evaluation of constitutional safeguards; then it infers India's responsibility to make certain proper to health care below the provisions of the worldwide treaties.

Key words: Clinical, Disregards etc.

INTRODUCTION
The relationship between a health practitioner and his patients considered sacred in India. A health practitioner is in contrast to "God". In the beyond days, cases of malpractice and disregards in clinical field have more than quadrupled. The problem arises in figuring out the legal responsibility. whether or now not the doctor changed into negligent or not, could be very technical and subjective query, it's tough to determine. There's continually a possibility of alternative treatment, but that does not suggest that the physician negligent for the deployment of the first remedy. In this example, a person who loses his life through a treatment cannot be taken into consideration, for reimbursement and his own family are left in a predicament. Next the clinical doctor will continually try to play safe and order more strategies to keep away from a liability, in a manner which changed into a burden on the economy. it's miles extremely essential for clinical specialists to understand the that means of the time period 'career', particularly in the present day situation of medico-criminal struggle. it's been defined by using the Oxford advanced Learner's Dictionary as a paid career especially one which requires superior training and training.career is different from 'career' as it requires special talent, training, knowledge and education. The character of work carried out by way of experts is extraordinarily specialised, which requires more mental than physical paintings.
The splendid court docket found in Indian clinical affiliation v. V. P. Shantha and Others that, "career in the present use of language entails the concept of an occupation requiring either simply intellectual skill, or of manual talent controlled, as in portray and sculpture, or surgical procedure, via the intellectual ability of the operator, as distinguish from an occupation which is finally the manufacturing or sale or association for the manufacturing or sale of commodities. the line of occupation may additionally vary now and again." one of the most vital elements of expert paintings is that it's miles bound by using a few ethical or ethical principles, which require a greater degree of honesty and integrity. Those ideas are besides criminal requisites and supply specialists admire and a

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LEGISLATIVE PROVISIONS REGARDING SCIENTIFIC NEGLECTFUL NESS IN INDIA

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ABSTRACT
Neglect fullness is sincerely forgotten to a few cares which we're certain to exercise in the direction of any person. It's far something much less than misconduct. Clinical neglect fullness isn't always distinct in regulation from any other form of neglect fullness. The basis of legal responsibility of professional neglect fullness is neglect fullness. Every other vital idea which clinical professionals ought to understand is the definition of 'medical practitioner'. it has been defined through the ultimate court docket of India within the Poonam Verma case as: "medical practitioner or practitioner approach a person who is engaged in the practice of modern-day clinical medication in any of its branches along with surgery and obstetrics, but not which includes veterinary medicinal drug or surgery or the Ayurvedic, unani, homoeopathic or biochemical gadget of drugs"
In India, the right to fitness care and safety has been diagnosed considering that early instances. India is a founder member of the united countries, and has ratified numerous global Conventions promising to cosy health Care rights of people inside the society. The charter of India, that is the ideal regulation of land, does not expressly address right to standards of state policy have a direct referring to fitness care. However Preamble, essential Rights and Directive ideas of nation policy have an immediate referring to health care of Indian citizens. Other than this, number of legal guidelines has been enacted to protect the health hobbies of the humans

KEY WORDS;
Neglectful Ness, Tort etc

INTRODUCTION
Neglect fullness in regulation is a sort of tort or civil incorrect however also can a wrong below crook and client law. It was an act of behaviour that is culpable because it misses the felony preferred required of an affordable character in shielding people against the foreseeable unstable or dangerous acts. Negligent behaviour towards others gives them a right to be compensated for damage of their physical and mental health, property, monetary status, or relationships. In 1856, B. Alderson, J. gave the conventional definition of neglect fullness in Blyth v. Birmingham Waterworks Company. It changed into described as, 'The omission to do something which a reasonable man, guided upon the ones considerations which by and large regulate the behaviour of human affairs, might do, or doing something which a prudent and reasonable man might not do. The defendants might have been responsible for neglect fullness, if by chance, they disregarded to do this which an inexpensive individual could have achieved, or did that which someone taking affordable precautions would no longer have done.' for this reason, neglect fullness in law is basically an unintentional breach of criminal duty that proximately reasons an enquiry to any other individual. The law considers the ones injurious acts to be culpable, in popular, which a fairly prudent man would foresee as being able to effective of damage and which he could carefully abstain from doing.[1]

1.1 THE LAW OF TORTS
Scientific neglect fullness as a Tort is the breach of a duty caused by omission to do something which an affordable medical practitioner could do, or doing something, which a reasonable medical practitioner could not do. The treatments for the violation of a proper under the regulation of Torts are

[1]Malcolmkhan and Michelle Robson, Medical Negligence , London , Canvedish Publication, 1997 edition, 34. p.23

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IMPLICATING RULES REGARDING SOVEREIGNTY UNDERCRIMINAL LAWS

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ABSTRACT
With growing globalization are becoming an increasing number of interdependent. This multi-lateral mutual dependence impinges on one of the important attributes of statehood: sovereignty, each internal and outside. One of the tenets of modem worldwide law is that the sovereignty of the unbiased state is much less wholesome these days than it has historically been. Even though a nation can nonetheless lie declare to sovereign powers within its territory, its freedom to legislate on matters thatwere once deemed to lie within its reserved area (domain reserve) has been significantly circumscribed. In its traditional that means, sovereignty presupposes supremacy or 'y superiority of the sovereign. It's far a characteristic of all unbiased States that manifests itself in each their inner and external conduct. The corollaries of sovereignty are equality, independence and distinctive jurisdiction over a defined territory. below modem global law and exercise, but the sovereignty of a nation is laden with such a lot of fetters that the state can now not lay declare to absolute sovereignty over all men and women and assets inside its area.

KEY WORDS:
sovereignty, justice etc

INTRODUCTION
Within the classical experience, sovereignty implies, inter alia, an unfastened will: the ability of a state to take selections impartial of any outside and internal manage, and allegiance of a mass of human beings however, this thesis argues, the States havevery little loose will even as making coverage choices because of this extreme dependence situation. each and each country selection needs to be molded to in shape and to take stock of the concerned country's own variegated ingredients in addition to the several gamers at the worldwide area with whom that country acts and reacts. All this bodes the absence of an unfastened will and, as a result, impinges on theidea of sovereignty of the state. When a kingdom-entity acts or reacts, omits or commits to a specific scenario it's far accommodating numerous outside and internal pressures certain external impacts which galvanize upon its internal policy decisions may want to adversely affect the hobbies of the people, and thereby impinge upon mass allegiance to the authorities and/or state involved. This work is, in some approaches, antithetical to the treatment of worldwide relations in John Rawls's idea of justice and its assumption that any idea of justice can deal with a society as a hypothetically closed self-enough because the methods of globalization are basically changing the expertise and importance of country wide and societal barriers and normally, however not necessarily, making them much less vital. Jeremy Paxman,one of england"s main broadcasters and political commentators, says that "in the 21 stcentury the nation State will imply less and less." accordingly, it will become obvious as we undergo this thesis, that the once oxymoronic idea of confined sovereignty has now turn out to be an integral part of the modern-day law of nations.[1]

UNDERSTANDING MEANING OF SOVEREIGNTY
As Thomas Friedman says, "globalization involves the integration of free markets, country- States and statistics technology to a degree in no way earlier than finished..."it consequentially also impacts the idea of sovereignty. "Sovereignty" is a phrase usedin the sphere of global law and additionally within

[1] Abass, Ademola (2006), "The International Criminal Court and Universal Jurisdiction", International Criminal Law Review, 6(3): 349–385

CRIMES AND JUSTICE IN GLOBAL POLITICS

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ABSTRACT
Earlier than addressing the problem of criminal activity and justice in worldwide relations, it is important to first make a short evaluate of how the concept of worldwide justice is handled in one-of-a-kind theoretical traditions. The concept of justice, as evolved over a time period, has been a subject remembers of intense debate among pupils and political thinkers. Ronald Dworkin claims that all tactics to justice are based totally on not unusual assumption, but have unique interpretations. He offers a summary egalitarian thesis i.e. "the pastimes of the contributors of the community be counted, and be counted equally." All modern-day theories of justice are searching for to cope with those two questions: "What people's hobbies are" and "what follows from supposing that those hobbies count number similarly." variations stand up, but, because of distinct answers to these questions. on the other hand, it has been referred to that contending theories of justice are based totally on values which might be intrinsically extraordinary; exceptional processes offer their own "ultimate political beliefs" like "equality in Marxism, liberty in libertarianism, utility in utilitarianism, contractual equity in liberal equality, common precise in communitarians, and androgyny in feminism." however, the application of the concept of justice in worldwide relations has remained complicated, the number one reason being the dominance of realism as a faculty of concept in mainstream global family members (IR) scholarship. Realism advocates selfish pursuit of pastimes through states. Realism has ruled IR to such an volume that IR as a department of social technological know-how has been viewed as without values, ethics and morality. Despite the fact that, current times, in part due to rapid globalization, increasing democratization process and dominance of human rights time table, the idea of justice is an increasing number of acquiring prominence in the realm of IR. on this connection it may be pertinent to cite the views related to writers like Hedley Bull, Terry Nardin, Michael Walzer and Chris Brown who take into account justice because the primary subject of IR concept.

Keywords: crimes, justice etc

INTRODUCTION
In addition to study ancient trends associated with worldwide prosecution of crimes, one needs to analyze the improvement of that aspect of global criminal law which for its normative and important content has been dependent on international humanitarian law and international human rights law. Each those branches of worldwide law include norms which limit and proscribe sure conduct.' worldwide humanitarian regulation (or laws of warfare) refers to both jus advert bellum and jus in bello. Former deals with justice of struggle or hotel to force and latter with justice in battle or means and techniques of using force Jus in bello places restraints on fighters in the course of hostilities. It prohibits positive activities during the course of conflict. Globalcriminal law mainly is worried with the ones rules at the same time as establish ' individual crook responsibility whilst there may be a transgression of humanitarian and human rights norms. To a incredible volume global criminal regulation hasdeveloped in the context of legal guidelines of struggle. Trends in worldwide crook regulation and legal guidelines of conflict are intertwined to such an volume that global crook tribunals are extra typically referred to as warfare crimes tribunals. All criminal trials are judged according with positive set standards of legality and legitimacy. Such standards aren't static; they may be dynamic and they evolve over the years. Inside the mild of these standards an evaluation is product of fair trials. In home context here are certain properly-hooked up principles of criminal law in terms of which legality and legitimacy of crook complaints are judged. First is the principle of crimen sine lege (i.e. no crime without regulation). It prohibits ex publish facto or retrospective

DISCHRAGE BY USING OPERATION OF DIFFERENT REGULATION

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ABSTRACT
The law of agreement cannot be created by deductions from a normal theory, however the presence of practical desires on the legal shape bequeathed by means of records. The perspectives of lawyers, jurists, judges and academicians alternate in keeping with the changing desires of the society and in every criminal machine one discover legacies from the past that conflict with modern views. it isn't simplest essential, alternatively very beneficial to observe the theories that underlie the concept of damages underneath law of contract, but it cannot be anticipated to discover a constant technique in anybody systems of regulation.

Keywords: Discharge, Contractual Obligations Etc

INTRODUCTION
The settlement may be discharged by means of the occurrence of demise, merger, insolvency, unauthorized alteration, and when rights and liabilities devolve at the identical birthday party (eg. as in case of a bill of change inside the arms of the acceptor, the opposite events are discharged. A agreement can be discharged if, after it's far made, overall performance becomes objectively not possible, as inside the following:
(1) demise or disability of one of the parties,
(2) particular challenge remember of the settlement is destroyed, or
(3) Trade within the law that renders performance illegal. industrial practicability performance can be excused if it becomes tons greater tough or high priced than contemplated whilst the agreement was fashioned. Frustration of purpose. A settlement can be discharged if supervening circumstances make it not possible to reap the reason the events had in mind. An event that makes it quickly impossible to perform will suspend overall performance till the impossibility ceases[1].

INDIAN SETTLEMENT ACT & DISCHARGE BY WAY OF SETTLEMENT
Section sixty six advertisements to mode of communicating or revoking rescission of voidable touch while phase refers to impact of neglect of promise to have the funds for promisor affordable facilities for overall performance. segment sixty two relates now not handiest to Novation however also rescission and alteration of agreement.' Concurrence of both events is wanted to make abandonment, cancellation or rescission of agreement powerful.^ apart from complete substitution or rescission of agreement, the section does observe to alteration or variant of settlement. however, the supply in segment sixty two especially deals with discharge of contract via Novation i.e. substitution through a brand new contract. In Roman law that is termed 'Navatio' which in keeping with Lord four Salbome in scarf v. Jardine approach "that there being a settlement in life, some new contract is substituted for it both between the same parties or between specific parties, the attention collectively being the release of the old settlement". There being a contract in lifestyles, some new agreement is substituted for it both among the same events or among different parties, the attention collectively being the discharge of the vintage contract. in the occasions of the prevailing case, there may be no novation of the agreement inasmuch as there is no substitution of a brand new agreement for the vintage one. in which payments made by means of a debtor have been now not appropriated toward any specific settlement, section sixty one of the contract Act would observe and the fee should be deemed to apply in discharge of the debts in order of time. in which a compromise or a agreement or an agreement units up a new agreement it amounts to a novation of agreement and when you consider that, in such a case, the regular incident might be as indicated in segment 62 of the Act, specifically, that the unique agreement would no longer be susceptible to be achieved, the effect

[1] Covell & Lupton, "Principles of Remedies", (2008), Lexis Nexis, at.p.3

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HISTORICAL DEVELOPMENT OF CONTRACT LAW

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ABSTRACT
Contracts are generally entered into so as to perform the bargain and to at the same time increase the asset base of every contracting birthday celebration. but, all contracts does not undergo the intended path due to the breach dedicated by way of the one of the birthday party. a party who either fails or refuses to carry out his duties that are imposed beneath the contract will commonly be taken into consideration in breach or in other phrases, a breach of contract is committed whilst a celebration with out lawful excuse fails or refuses to perform what is due from him beneath the contract. carry out defectively or incapacitates himself from performing. contracts are an vital part of day by day lives of the humans, all around the world. those are the most famous shape of civil transactions and also the principle base upon which civil responsibilities arise. each agreement imposes responsibilities at least on one of the events. If the contract is unilateral, it imposes responsibility best on one of the parties. in the extra not unusual case of a bilateral settlement, obligations are imposed on both parties

KEY WORDS: contract laws: theories etc

INTRODUTION
Management of justice has played a pivotal position in all styles of society from its inception. If we do not forget the history of mankind, it's far apparent that the top of every society, whether or not king or different leader, first checked out the establishment of peace by administering regulation properly. records famous that a society or nation, which turned into marked with the problem of regulation and order, could not develop or stay more, as its complete life changed into eaten away with the aid of unrestricted sports and lawlessness. now not simplest in India, but in other countries also, the increase of society has been hampered by means of mal-management of justice. The Pre-Independence records of India stands as testimony of the fact that prior to 1872, no machine should increase and therefore the united states needed to go through on all accounts. for you to understand and recognize the existing gadget and earlier than we are able to hope to improve upon it, it's far manifestly vital to inquire into the history of such gadget and the nature of legal guidelines administered by using the several Courts. The juristic concept of adjudication based totally on the utility of law to the information of a case by way of an professional or an unbiased authority have to always have differed from age to age. in this bankruptcy, an strive is made to examine the manner of improvement of contract regulation with special emphasis at the regulation of discharge with the aid of gazing several criminal structures and their effect on India throughout nicely-identified one of a kind durations.[1]

PRIOR TO BRITISH RULE
According to Modem notions, administration of justice is, absolute confidence, one of the maximum crucial functions of the nation. The common citizen becomes aware of the life of the nation and of its coercive strength while he seems on the functioning and selections of his Courts. The court is, no doubt, the most majestic symbol of the strength of the state. The management of justice, but, did no longer form a part of the nation's responsibilities in early times. The aggrieved party had itself to take such steps as it can to be able to get its wrong redressed by using way of dhama, confinement, use of force and stratagem.' there has been no trace of an organized justice vested either inside the King or inside the human beings. There still regarded to have prevailed the machine of wergild (Vaira), which suggests the justice regarded to have remained inside the palms of individuals who have been wronged. in the Sutras, then again, the King's area become identified in the reality that in case of its

[1] Kronman, "Contract Law and Distributive Justice", 89 (1980), Yale L.J. 472.

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INCULPATORY AND EXCULPATORY STATEMENTS UNDEREVIDENCE ACT

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ABSTRACT
This chapter discusses in detail the federal legal regime in relation to laws on relevancy of Inculpatory and Exculpatory Statements in judicial proceedings in the United States of America. It includes the relevancy and admissibility of inculpatory and exculpatory statements in judicial proceedings with special reference to conceptual dimensions of inculpatory and exculpatory statements in U.S.A. Further important concepts of voluntariness rule prevalent in America. inculpatory and exculpatory statements made to police officer with special reference to rule of self-incrimination in America dealing with Fifth Amendment to the American Constitution, doctrine of fruits of poisonous tree dealing with Fourth Amendment to the American Constitution, admissibility of illegally obtained evidences with special reference to Fourteenth Amendment to the American Constitution and inculpatory and exculpatory statements implicating coaccused are also detailed.
KEY WORDS: confession, Inculpatory And Exculpatory Statements.

INTRODUCTION
The court system in America is divided into two parts namely federal courts and the state courts, each of which is independent. This is because the United States Constitution creates a governmental structure for the United States which is known as Federalism. Federalism deals with sharing the powers between national government and state governments. The constitution gives exclusive powers to federal government in some matters and exclusive power to state governments in certain matters. This is known as separate sovereignty. So, both federal and state government need their own courts system to apply and interpret their laws. Regarding the matters falling within federal government, state court will have no jurisdiction. Likewise with regard to matters within the powers of state governmenta federal court has no jurisdiction.

RESEARCH ANALYSIS
1.1 RELEVANCY AND ADMISSIBILITY OF INCULPATORY AND EXCULPATORY STATEMENTS
Irrelevant evidence is not admissible. It is further provided in Rule 4035 of the Federal Rule of Evidence that court may exclude relevant evidence if its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence. Relevance is the basic and unifying principle underlying the evidentiary rules. First, it connotes the probative relationship between the testimonial or Material Evidence, Exculpatory Evidence or Inculpatory Evidence proffered by a party and the factual proposition to which the evidence is addressed. For example, Inculpatory Statement that X consumed Seven Highballs is relevant to show that he was intoxicated when, two hours later, he was involved in an automobile accident. Second, it involves analysis of the relationship, often termed "materiality" or "consequentialness", between the factual proposition towards which the evidence points and the substantive law. Thus if A, a passenger in a bus, sues B, the driver of another vehicle, for injuries sustained when B negatively collided with the bus in which A was riding, inculpatory evidence of A"s drinking may be irrelevant. No doubt evidence that he consumed excessive amounts of intoxicating liquor is probative to show that he was intoxicated at the time of the accident. But if under the substantive law the intoxication of a passenger does not affect his right of recovery or the damages to which he is entitled, evidence of A"s drinking would be excluded on objection as immaterial or inconsequential.[1]
In this concise provision, the rule makers have embodied the dual aspect of relevance, even though they did not use the word "materiality" preferring instead the phrase "of consequence". Evidence is relevant if it increases the probability and is a consequential fact. In practice, Court often uses the

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CONFESSIONS AND ADMISSION: THE FEDERAL LEGALREGIME

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Abstract

Confession have long been accepted as authentic evidence of guilt, they also posed certain risks, those both of unreliability and of violation of individual autonomy. On the one hand defendants may not be making a true confession and on the other even if the confession was likely to be true it may have been obtained in ways that were the result of unacceptable pressure on the suspect thus arguably sapping his freewill. At the most extreme level this could be by torture. Confessions as admissionsof guilt have played an important part in the development of western culture since the late Middle Age and there is an intimate link between law and religion in this area. In 1215 the Roman Catholic Church, in the Fourth Lateran Council, made annual confession obligatory for all the faithful. The American academic PeterBrooks has made an extensive study of the cultural role of confessions. He writes: "The confessional model is so powerful in western culture, I believe, that even thosewhose religion or non-religion has no place for the Roman Catholic practice of confession are nonetheless deeply influenced by the model. Indeed, it permeates our cultures, including our educational practices and our law. The image of the penitent with the priest, in the intimate yet impersonal, private and protected spaces of the confessional, represents a potent social ritual that both its friends and its enemies have recognized as a shaping cultural experience.

Key words: relevancy, facts

Introduction

A Confession is a voluntary statement by the accused that she or he engaged in conduct which constitutes a crime. It is direct acknowledgement of guilt on the part of the accused, of the element of a crime, either by an inculpatory or exculpatory statement of the details of the crime or an admission of the ultimate fact. Thus a confession may be distinguished from conduct of the accused which tends to establish his or her guilt. The term "confession" as used in a federal statute pertaining to admissibility of confessions in criminal prosecution brought by the United States or the District of Columbia means any confession of guilt of any criminal offense or any self-incriminating statement made or given orally or in writing. This definition does not encompass all statements, exculpatory and otherwise. A statement by an accused which is an exculpatory statement or a denial of guilt did not constitute a confession within the meaning of the statute.

The definition of a confession appears to be relatively simple. Even a small boy whowent to school can say that he knows what person is doing when he "confesses". A confession can pertain to not only one but many things, depending on any number ofvariables. Every crime consists of two or more elements i.e. criminal intent and an act. Murder is the unlawful taking of human life and it consist of the elements like the killing of a human being by the hand of the defendant who, at the time of the killing, had in his mind malice aforethought and an intent to kill with other elements depending on the degree of the murder charged. An assault with a deadly weapon generally consists of putting another in fear of serious bodily injury with a deadly weapon, and an intention to harm or implant a fear of serious bodily injury. So an Inculpatory Statement by a defendant that he "killed Edward Den" or that he "shot atKelly Ley" is not a confession because they lack certain elements of the crime charged – no malice or intent to kill Edward Den or put Kelly Ley in fear of serious bodily injury. If a crime consists of four elements ordinarily nothing less than a recital of those four elements will constitute a confession. But there are few exceptions to this. For example, there are such statements which have been held tobe in nature of a confession although they did not recite any or all elements of a crime.

Relevancy Of Voluntariness Of Inculpatory AndExculpatory Statements

When an inculpatory or exculpatory statement was made by a person while he was under suspicion but not under arrest will not, in itself, render the statement involuntary and inadmissible. There is no

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A HISTORICAL UNDERSTANDING UNDER THE PLEABARGAIN LAW IN INDIA

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Abstract

Criminal justice administration is taking new dimensions worldwide. One of the recent developments in the administration of criminal justice is the emergence of plea bargaining. Most criminal prosecutions are concluded even without a trial. This happens in form of compromises between the parties concerned - the prosecutor and the accused. The parties to these compromises trade various risks and entitlements: the accused relinquishes the right to go to trial, while the prosecutor surrenders the right to seek the highest sentence or pursue the most serious charges possible. The resulting bargains differ predictably from what would have happened had the same cases been taken to trial. Defendants who bargain for a plea serve lower sentences than those who do not. On the other hand, everyone who pleads guilty is, by definition, convicted, while substantial minorities of those who go to trial are acquitted.

Plea bargaining is a pre-trial procedure. It can be defined as process whereby a bargain or deal is struck between the accused of an offence (through council) and theprosecution with the active participation of the trial Judge. A plea bargain is in derogation from the concept that a Judge can only decide a sentence after hearing in an open Court. The term Plea-bargaining is used to cover different things. It is sometimes used to describe discussions between prosecution and an accuser's legal advisers concerning the charges upon which an accused will be presented for trial and including indications that the accused is prepared to plead guilty to certain offences. This may be described as prosecutorial plea bargaining. The term also covers discussion in which the trial judge takes part. In such an arrangement counsel for the accused and the prosecution attend the Judge in his private Chamber and discuss upon the Judge indicating the probable sentence of the accused, through this counsel, indicates that he will plead guilty. This may be described as Judicial Plea- bargaining.

Key words: Historical View, Types of Bargain

Introduction

Practitioners and Scholars do not agree on the exact meaning of plea bargaining. Thedefinition of "plea bargaining" varies depending on the jurisdiction and on thecontext of its use. However, to understand the core problems of plea bargaining, it is quite necessary that we must first settle on some working definitions that encompassthe broad range of practices that can adequately come within the legal regime of pleabargaining. Plea bargaining has been defined in the following words: A negotiated agreement between the prosecutor and a criminal defendant whereby the defendant pleads guilty to a lesser offence or to one of multiple charges in exchange for some concession by the prosecutor, usually a more lenient sentence or a dismissal of the other charges- Also termed plea agreement; negotiated plea.

A "plea bargaining" is a practice whereby the accused foregoes his right to plead notguilty and demand a full trial and instead uses a right to bargain for a benefit. This benefit is usually related to the charge or sentence. In other words, plea bargaining means the accuser's plea of guilty has been bargained for and some consideration has been received for it. Plea bargaining, in its most traditional and general sense, refers to pre-trial negotiations between the defendant, usually conducted by the counsel and prosecution, during which the defendant agrees to plead guilty in exchange for certain concession by the prosecutor. According to Britannica Concise Encyclopedia, Plea-bargaining means: Negotiation of an agreement between the prosecution and the defense whereby the defendant pleads guilty of a lesser offence of (in the case of multiple offences) to one or more of the offences charged, in exchange for more lenient sentencing, recommendations, a specific sentence, or a dismissal of other charges, supporters claim plea bargaining speeds court.

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PLEA BARGAINING IN INDIA: CONSTITUTIONAL & STATUTORYSAFEGUARDS

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ABSTRACT
Justice is desired by each and every person on this earth. As we all know that Justicedelayed is Justice denied, it's a matter of concern that how many people actually get justice in due time. Well, this is a vague question as there is no specificity to it. The pendency of criminal cases in India has assumed alarming propositions. The noose around the criminal justice system has been tightened by petty criminal cases andthe cases in which punishment up to seven years has been prescribed which form a bulk of such pendency so much so those grave offences which have the effect of tearing the social fabric are not tried promptly. Delay in administering Criminal Justice makes the system weak and meek. It tends to dilute the purpose of Criminal Law - the prevention of crimes. A punishment imposed after a long time may not have the same impact on the victim or the perpetrator or the public at large. Certainly, this poorly reflects the inefficient functioning of system apart from running counter to the democratic principles of the respectable republic. The Under trials accused in criminal charges under various sections of the Indian Penal Code are facing twin dilemma of denial of basic human rights and are forced to squander away their productive years of life under imprisonment without any immediate light at the end of the tunnel. Incarceration of the under trials for such a long time - in some cases even beyond the prescribed penalty-defies all theories of punishment. Though the Indian Courts including the apex court took a sympathetic view of the under trials, the insensitive and inflexible system did not allow the efforts to fructify.The corrupt and the lethargic bureaucracy objected and obstructed the unusuallykind attitude adopted by the judiciary to release the under trials, who overstayed their punishment period had they been found guilty and ultimately punished by the court of law.

KEY WORDS:
constitution, plea bargain.

INTRODUCTION
Chapter XXI A of the criminal procedure code provides legislative framework for plea bargaining in India contained in section 265A to Section 265L. An application with regard to plea bargaining may be made by an accused when the challan hasbeen presented by the police in the court alleging that an offence, punishable with 7 years or less imprisonment, appears to have been committed by an accused or on a private complaint the accused has been summoned by the court in respect of the offences punishable with 7 years or less imprisonment. The accused person above the age of 18 years can file such an application for plea-bargaining provided the offence should not have been committed against a women or a child below the ageof 14 years. The offence should not affect the socio-economic conditions of the country and the accused should not have earlier been convicted for the same offence. In July 2006 the Central Govt. Issued a notification classifying statutes as affecting the socio-economic conditions of the country and the offence in those statutes now stand excluded from the process of plea-bargaining. There is no bar on woman taking the benefit of plea bargaining. According to section 265 B the application for plea bargaining is to be filed in the court where the trial is pending. The applicationis should be accompanied by the affidavit from the accused that he is exercising this option voluntarily and he has no previous conviction for the same offence. The courtthen examines the accused in camera to ascertain whether the application has been filed voluntarily or not. On being convinced the court then calls upon the Public Prosecutor or the complainant to work out a mutually satisfactory disposition of the case. The negotiation is left to the freewill of the parties and if a settlement is reached, the court can award compensation based on it to the victim and then hearthe

SCOPE OF LEGITIMATE EXPECTATIONS IN INDIA: SOMELIMITATIONS

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ABSTRACT
In a sense the doctrine of legitimate expectation imposes a duty on the authority to act fairly and is not restricted to situations where expectation is to be consulted or begiven an opportunity to make representation. It was held by the court in R.v Secretary of State for Home Department ex parte Ruddock In this case violating the established criteria for the issuance of interception order the Home Department had issued warrant for the interception of telephone calls of the applicant. Though the court did not grant relief as nothing unfair or improper was found yet the duty to act fairly where legitimate expectations are involved was firmly established.

Key words:
constitution, legitimate expectation

INTRODUCTION

The doctrine of legitimate expectation plays an important role in various fields of law. But it is not possible to draw a line about its scope and importance. Governments and its functionaries may craft expectations concerning the manner in which administrative powers will be exercised. Expectations of this nature can be generated in many different ways, such as, by the issue of policies or procedures to funnel the exercise of discretionary powers. Expectations regarding the potential exercise of administrative powers may also be generated by public statements or representations, conceivable by the subjects through promises or by adoption and regular application of a certain practice. But just as expectations about the exercise of administrative powers may be created and conceived by an individual or party, they may also be disappointed and they may be
disillusioned when a governmental agency has acted in breach of a promise or undertaking made to a particular personor to a class of persons. They may also be disappointed when a government agency has not applied current policy or guidelines in determining a particular case and without good reason. In such a case, the complaint may be that the policy has been applied inconsistently, perhaps in a way which reflects improper discrimination. In other words, an existing policy may be changed and a new one applied to the disadvantage of people who stood to benefit from the earlier policy and who may even have conducted their affairs in reliance upon it. Courts in England and some other jurisdictions have recently accepted that there can be circumstances in which government agencies should be required to accomplish the legitimate expectations of their subjects conceived by them.
This approach endows an expectation with a substantive excellence because it enables the expectation to determine or strongly influence the outcome of, rather than simply the procedures for, administrative decision-making. Australian courts, indisparity, have by and large taken the view that expectations about the exercise of administrative powers may only give rise to procedural rights. On this view, an expectation about the exercise of an administrative power might, at best, obligate a decision-maker who intends to act contrary to that expectation to notify pretentious people and provide them with an opportunity to argue against that course. But the law in Australia imposes no restraints upon a decision-maker beyond these procedural requirements.

RESEARCH ANALYSIS

SCOPE OF LEGITIMATE EXPECTATION UNDER INDIANCONSTITUTION

Once discretionary powers are vested with Executive/ Administration, abuse or misuse of these powers are to be guarded in order to save the individual from the resultant damage for which State is

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DOCTRINE OF LEGITIMATE EXPECTATIONS IN INDIA

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ABSTRACT
Undoubtedly the Government run through its public servants. The efficiency displayed by the public servants give boost up to the progress of the Country because the public servants administer the Country. give justice to the citizens and protect rights of the Citizens. In this way the protection of public servants are necessary in the interest of the country. In I.P.C. there are some offences against public servants punishable by the code to protect the public servants. On the other side the incidents take place where the public servants commit the offence against the citizens and the Country which are also punishable under I.P.C. in this way both sides have been ensured to be pure and protected so that the Country can progress in exemplary way.

KEY WORDS: Public Servant, Legitimate Expectations

INTRODUCTION
The idea that like groups be treated in a like manner, and that different groups should be treated differently, is a pivotal precept of equality. The very decision as to whether a certain group should or should not be regarded as the same or different from another requires the making of value judgments. There must be choices as to whether one thinks of equality in terms of consistency, results or opportunity. The choice will have a marked impact on the legitimacy of distinctions drawn by government, including the legitimacy of affirmative action. Some guidance is provided by domestic legislation, which prohibits discrimination upon the grounds of, race or gender. The very existence of these prohibitions on discrimination means that groups cannot be validly distinguished merely because of their respective ethnic backgrounds i.e. disadvantageous treatment of one such group cannot be defended by claiming that they are different groups merely because of racial origin. The maxim that like cases should be treated alike, and that different groups should be treated differently, has been taken into account by English courts. This has sometimes been under existing heads of review, such as improper purpose or relevancy. The more recent tendency is, to ground intervention openly on the basisof equality.

RESEARCH ANAYSIS
CONCEPT OF EQUALITY AND LEGITIMATE EXPECTATION
1.1 OBJECTIONS FOR BALANCING THE PUBLIC AND INDIVIDUALINTEREST
The main objection to any judicial balancing test is that it would offend against constitutional principle. If Parliament has laid down certain limits to the powers of a body it might be felt that the courts should not make the balance between public and individual. The objections finds force in it, however, the strength of the argument is diminished because the courts do allow such balancing in other areas. There are at least three areas in which the jurisdictional principle is compromised and balancing is accepted as legitimate or inevitable. This can be seen in the law relating to invalidity, waiver and delay. In the law relating to invalidity there are situations where the courts have qualified the concept of retrospective nullity, because its effect on the administration or on an individual are regarded as unacceptable. The court allows waiver to operate with the effect that there will be no remedy 99 Environment Agency, where it affirmed the general rule that ultra vires representations are not binding. It also held that a legitimate expectation relating to property could constitute a possession for the purposes of Article 1 of the First Protocol and hence come within the Human Rights Act, 1998. This was so even if the representation was ultra vires the powers of the body which made it. The expectation would not entitle the party to its realisation, but could entitle him to some other form of relief that was within the powers of the public body. This might take the form of

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POLICE TORTURE AND HUMAN RIGHTS IN INDIA

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ABSTRACT
Admire for human dignity even as defensive the existence and liberty of an man or woman is the cardinal precept of the charter of India' and global Covenants on Human Rights To be in conformity with the primary laws, the important and procedural laws in India also lay pressure on observance of human rights in the management of criminal justice. Police being the number one corporation of criminal justice gadget is sure to follow the mandate of the law and protect the human rights of accused but there may be a deep concern at the developing incidents of custodial crimes occurring in extraordinary elements of our United States of America. Complaints of abuse of energy, and torture of suspects in custody by way of the police and other law enforcing groups having strength to detain someone for interrogation in connection with research of an offence are, at the upward push Of overdue, such court cases have assumed alarming dimensions, projecting the incidents of torture, assault, injury, extortion, sexual exploitation and demise in custody. in comparison with other crimes, custodial crimes are specially heinous and revolting as they replicate betrayed of custodial consider by way of a public servant towards the defenceless citizen. Custodial crimes violate law, human dignity and human rights

KEY PHRASE:
custody, violence.

INTRODUCTION
The custodial violence with the aid of the regulation imposing businesses, in particular police, has pricked the judgment of right and wrong of every segment of society and has evoked public outcry against them because it violates law, human dignity and human rights. Custodial violence is illegal and any enforcement professional (especially police) cannot bask in such unlawful acts. it's far due to the fact that such violence in opposition to helpless victims (individuals who are in the custody) is barbanc and against all requirements of human dignity Custodial violence is a calculated assault on human dignity." There are few more indignities to the human beings than to be arrested, handcuffed and marched off to police stations. Any other incredible insult to human dignity is the commonly rude, boorish, mhuman and unhelpful behaviour of police officials with the general public.' Albert J. Reiss has rightly stated that the police practices degrading the residents' popularity, restricting his freedom, inflicting annoyance and harassment by using abusive language, denigrating epithets, malicious humour ridicule are 'useless' and 'unwarranted' in police functioning In any civilized society, such practices have no criminal sanctions. On the contrary, they entice the condemnation and indignation of all sections of folks that agree with in the rule of law.

RESEARCH ANALYSIS
1.1 TORTURE - A MANIFESTATION OF CUSTODIAL VIOLENCE
The exercise of torture has been a quintessential part of criminal regulation at some point of the sector. Even the Anglo-Saxon regulation turned into now not spared of this evil. Torture is, a global phenomenon and no USA is an exception. It's far on the increase. Consistent with Amnesty worldwide, it has end up a social cancer. Torture comes from the Latin phrase "Tortus" i.e, to twist The Greek prolonged it's that means to denote a check or trial to decide whether or not something or a few one is actual or genuine. In law, it, but, means infliction of excessive physical ache, either as punishment or to compel someone to admit to a came or to present proof in judicial complaints. Torture makes human

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LEGAL FRAMEWORK FOR CURBING CUSTODIAL CRIME IN INDIA

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ABSTRACT
Custodial Crimes is a matter of notable difficulty in every civilized society. It is perhaps one of the worst crimes within the civilized society governed by the rule of thumb of regulation. This worst shape of human rights violation has emerge as a very severe and alarming problem in third international countries like India. Brutal atrocities perpetuated with the aid of the police, prison authorities, military and other regulation imposing agencies on the suspects/accused men and women and prisoners are menacingly on the growth each day. Hardly a week passes without an incident of custodial torture or custodial loss of life being said within the press. there is a fashionable perception that a power superior to all earthly powers determines the lifestyles and demise however, the cops, the custodians and guardians of regulation, are regularly said gambling with human lifestyles within the heat of their authority in spite of the reality that India is a rustic making certain lifestyles and personal liberty to the humans under Article 21 of the charter. It's miles a paradox of the present society that custodial violence, although abolished legally, is still practiced to a more or lesser volume illegally in the course of the world. Hence, the speedy boom inside the incidents has prompted wonderful pain amongst the residents of our united states.

Key phrases: crime, custodial violence.

INTRODUCTION
Custodial violence is anathema in any civilized society. it is a remember of difficulty and is aggravated by using the ft that it's miles devoted by individuals who're imagined to be protectors of the citizen. Its miles committed below the shield of uniform and inside 4 walls of a police station or lock-up, the victim being definitely helpless. it's far stated that the temper and temper of the general public in regard to the remedy of crime and crook is one of the most unfailing tests of the civilization of any USA.' regarded from this angle the alarming increasing phenomenon of custodial violence specially, inn to 1/3 diploma techniques inside the course of investigation of crime is sure to agitate the minds of all, believing in Rule of law. The trouble of police atrocities in India isn't always a brand new concept the police is the primary line of defence towards the criminals. To discharge the legitimate duties wide powers of arrest and research are vested within the police by using regulation however those powers are often abused with the aid of the police to torture the suspects both to remedy against the law or for sadistic pleasures, which stand mockingly in the way of human rights of the accused.

RESEARCH ANALYSIS
CONSTITUTIONAL MANDATE AND RIGHTS OF AN ACCUSED
Constitution of India is a perfect law of the land. It is a report having special felony sanctity which units out the framework to cherish the philosophy of human rights jurisprudence.' It presents some of rights to the people in part-hello of the constitution that have been termed as 'fundamental rights'. The expression 'fundamental' denotes that those rights are inherent in all the human beings and are essential for the people for blossoming of the human character and soul. These rights constitute the simple values of a civilized society and the charter makers declared that they will be given a place of delight inside the constitution and therefore they elevated them to the reputation of 'fundamental rights'. Those rights are essential inside the sense that a citizen can flow the courts for its enforcement in case of illegal deprivation by way of the state. These rights are consequently calculated to shield the honour of the individuals and create situations in which each man or women

CORPORATE SOCIAL RESPONSIBILITY

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Abstract
Corporate Social Responsibility (CSR) is a business approach that contributes to sustainable development by delivering economic, social and environmental benefit for all states stakeholders CSR isa management concept which Ethic has been started so that the organization or corporate can look at economic, social as well as environmental challenges which are been faced by peoples so that the interaction become better with the stock holders; social responsibility is important to a business becauseit demonstrates to both consumers and the media that the company takes an interest in wider social issues that have no direct impact on profit margins. This in turn can lead to greater profits for a business.Not always you need to work for profits but for a time you need to do your bit for a society. So that you have a feeling of doing social service for people without really expecting anything back in return so CSR is a beautiful initiative been taken by many corporate and its solute to those corporate bring this into theirworking culture.

Introduction

"CSR isn't a particular programmer, it's what we do every day, maximizing positive impact and minimizing negative impact".

When we are living in a society, as an individual, there are certain domes which you need to follow, you need to suspect the society, and you need to adult the rules. The society; similarly a business call also have to adult the rules and regulations of the society when a businessmen wants to setup a business, it isa society. Who is giving it the permission to the natural resources or use the resources for industrial and economic activity and hence it become necessary that certain socially desirable behavior is being adopted by the business knows when a business is following a practice, let say an unfair trade practice orwhen a business is providing subtended quality good or when business is unnecessarily creating pollutionsuch as air pollution, water pollution or it is polluting unnecessarily the water than in that scenario it is not behaving in a socially responsible manner, when it comes to customer dealing if the business is listening to the consumer complain than attending those complain and solving it than that, would become a sociallydesirable behavior similarly when it producing quality good, when it is supplies good which is required by the society than it is behaving in a socially desirable manner.

Social Responsibility is an obligation of business toward various groups in the society, so the business has obligation which indeed to fulfill when it comes to groups which are present in a society it has to consider the interest of society on whole when it is doing a business. Remember, social responsibility is avoluntary action; it is like there is no law as such which gives instructions who to behave in a responsible manner. So it is a voluntary act when a business is behaving In a socially responsible manner than it is doing voluntary act and it is for the than benefit of the society, that is the reason social responsibility, the concept of social responsibility is a broader concept when compare to legal responsibility. See in legal responsibility you are doing an act that is the business is doing because it is required by law to do that butwhen it comes to social responsibility there is no such requirement by the law to do particular act on to comply with certain rules and regulation. So here when a business is creating quality good and supplies in a behaving in a society it is behaving in a socially and desirable manner and this is something not required under law but this is a fact which is doing voluntarily.

Evolution of CSR in India

During the pre-industrialization period, before 1850 most of the social activities of wealthy or kings focus around building and temples and gardens for the public, post 1850 thinks started change the

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INDIVIDUAL RIGHTS, SOCIAL RESPONSIBILITIES, AND CORPORATIONS

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ABSTRACT

In current many years, a developing quantity of teachers in addition to pinnacle exeuncomplicatedives had been allocating a considerable amount of time and assets to corporate Social obligation (CSR) techniques i.e. the voluntary integration of social and environmental concerns in their groups' operations and in their interaction with stakeholders. consistent with the clear-cut UN international Compact Accenture CEO examine (2010), percentage of the participant CEOs from all around the world declared CSR as an essential or very vital element for his or her corporations' destiny fulfillment. notwithstanding this massive quantity of interest, a essential query nonetheless closing unanswered is whether CSR leads to value advent, and if so, in what methods? The extant research so far has did not deliver a definitive solution. In this text, we argue for and provide empirical proof for one specific mechanism thru which CSR may also generate fee inside the longrun: by way of lowering the idiosyncratic constraints that a firm faces in financing operations and strategic tasks and allowing it to adopt worthwhile investments that it'd otherwise pass.

KEYWORDS: Csr, enterprise etc

INTRODUCTION

The take a look at of this newsletter is that firms with higher CSR performance face lower capital constraints. that is because of numerous motives. First, advanced CSR performance is connected to better stakeholder engagement, limiting the probability of short-term opportunistic behavior and as a end result decreasing basic contracting charges. second, companies with better CSR performance are much more likely to disclose their CSR activities to the marketplace to sign their long-term recognition and differentiate them. CSR reporting creates a superb remarks loop:

a) will increase transparency around the social and environmental effect of businesses, and their governance structure and

b) can also change the inner manipulate machine that further improves the compliance with rules and the reliability of reporting. consequently, the elevated availability and first-class of facts about the company reduces the informational asymmetry among the company and investors, main to decrease capital constraints (Hubbard, 1998). In sum, because of decrease organization costs thru stakeholder engagement and multiplied transparency thru CSR reporting, we hypothesize that a company with superior CSR performance will face decrease capital constraints.[1]

1.1 THE SHAPE OF UNCOMPLICATED BUSINESS AGENCIES

A corporation is an affiliation given prison status by a kingdom charter to perform as a single unit with constrained liability over an indefinite time period. A organisation is at first created through a collection of individuals for a particular reason or purposes. to begin with the dreams and purposes attributed to a newly incorporated commercial enterprise are those of its founders, which might be stated in its charter and exemplified in its preliminary enterprise hobby. inside the past the constitution of a organisation had to nation the unique reason for which the organisation become created, so that any business enterprise wishing to extend its business needed to amend its charter. nowadays, however, maximum charters incorporate a agency "for any valid enterprise motive." One may additionally contain for a number of motives, including performance of operation, the capacity to shape capital by means of selling stocks of inventory, and due to the fact as shareholders of a business enterprise people are not held in my view responsible for the monetary affairs of the corporation. furthermore, in our profitability, or at the least no longer running at a loss, is likewise as a minimum an implicit purpose

[1] John Kenneth Galbraith, The New Industrial State, 1978, Houghton Mifflin, Boston.

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ANALYSIS AND EVALUATION OF OVERALL PERFORMANCE OF EXIM BANK

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Abstract
The financial institution price range export of Indian machinery, manufactured goods, consultancy and generation services on deferred charge time period. EXIM financial institution promotes exports thru an expansion of touchdown and carrier programmes. these programmes are tailored to satisfy the desires of different consumer companies, viz, Indian exporters, overseas entities and commercial banks. EXIM bank undertakes cofinancing with international and regional improvement businesses and assists Indian exporters of their efforts to take part in such distant places tasks.
Key Words: bank, policies etc.

Introduction

beneath the situations, developing economies like India which has taken-off for financial improvement and that's in its preliminary stages of improvement, require inflow of foreign era and capital goods imports till it reaches the stage of self-reliant increase. during the later degrees of monetary improvement, it has to preserve the pace of financial improvement through developing indigenous technology but within the transitional degrees, it has to rely on import of capital items and permit switch of superior technology from overseas. recently, below the new monetary coverage for 1990-1993 of India, various economic reform measures had been added through government of India in view of the serious inner and outside economic problems, like increasing burden of foreign debt, falling foreign exchange reserves owing to falling exports and rising imports, low levels of economic improvement requiring import of advanced generation and capital items from overseas, internal problems of inflation, unemployment and poverty etc. The essential shift of the coverage is from "controls" to encouragement" i.e. the tone of the coverage is "liberalisation" for setting up a free business enterprise marketplace economy which may additionally result in monetary growth. After terminating the Import-export policy for 1988-1990. year in advance, the authorities announced on April 30, 1990, a new Import-Export policy for a 3 year duration from April 1 1990 to March 31, 1993. The coverage announcement makes it clean; "development in our stability of payments function may be achieved now not a lot via import curtailment as via merchandising of exports." the new coverage has, therefore, furnished similarly momentum to the continuing manner of liberalisation with emphasis on strengthening the impulses of commercial and export boom.[1]

1.1 Export Financing Earlier Than Exim Bank

Before the Exim bank came into life, a battery of establishments have been found engaged in financing the export alternate such as the Reserve bank of India, IDBI and ECGC. industrial Banks used to provide pre-cargo or put up-cargo credit to the exporting network whether the initiatives might be of manufacturing nature or of easy trading. At gift additionally, they may be engaged in the work. RBI has additionally provided the refinancing facilities to the industrial banks in appreciate of the sports promoting exports. before the status quo of Exim bank, the use of a's exports and imports had been financed by using the economic improvement bank of India (IDBI) through its worldwide Finance Wing (installation in 1976). earlier than the establishment of Exim financial institution, the use of a's exports and imports had been financed through the commercial development bank of India (IDBI) thru its global Finance Wing (set up in 1976). in the six years that this wing functioned, the total mortgage portfolio may want to display best Rs.one hundred seventy corers because the out status. IDBI had initiated scheme of directly supplying credit to exporters in addition to refinancing in recognize of export credit score granted by using business banks. The complete global Finance Wing turned into taken over by way of the Exim bank, which has drastically enlarged the scope of its sports.[2]

1.2 Idbi: A Mom Group Of Exim Bank The industrial improvement financial institution of India is the mother organization of EXIM financial institution. earlier than established order of EXIM bank.

[1] A guide to Exporting From India- Ajay Srivastava
[2] Foreign Trade, Export-Import Policy and Regional Trade Agreements of India - Vibha Mathur

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EXPORT FINANCING PROGRAMMES OF THE EXIM FINANCIAL INSTITUTION

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Abstract

The Export-Import financial institution of India (Exim bank) is a public zone financial institution created by way of an Act of Parliament - The Export-import bank ofIndia Act, 1981. The commercial enterprise of Exim bank is to finance Indian exports that result in incomes of forex for the The bank's primary goal is to develop commercially viable relationships with a target set of externally orientated agencies by offering them a complete range of services and products, aimed at improving their internationalisation efforts. Exim financial institution provides more than a few analytical facts and export-related offerings. The bank's price based offerings assist pick out new enterprise propositions, source alternate and investment-related information, create and decorate presence via joint community of institutional linkages throughout the globe and assists externally oriented corporations of their quest for excellence and globalisation. offerings consist of look for remote places partners, identity of era suppliers, negotiating alliances and improvement of joint ventures in India and abroad. The bank also helps Indian mission exporters and consultants to participate in initiatives funded with the aid of multilateral investment organizations.

Key Words: exports, finance etc

Introduction

Exim bank encourages Indian consultants to advantage and decorate their global publicity by assisting them in securing assignments foreign places. Assignments are presented underneath the programme sponsored by using international Finance corporation (IFC) in Washington to promote private area improvement in choose nations and regions. EXIM financial institution assists those groups in the recruitment of Indian experts and meets the expert charges of the consultant selected with the aid of IFC. Consultancy assignments undertaken contain pre-feasibility research, venture and funding-associated services, management facts systems, operations and protection aid specially for SMEs in a diffusion of sectors like agriculture culture, agro-industry, customer items, mild engineering, telecom and so on. EXIM bank affords monetary assistance to Indian groups with the aid of way of a selection of lending programmes, viz[1].

1.1 Exim Facilities For Deemed Exports

EXIM financial institution offers funded and non-funded centers to foreign places turnkey projects, consultancy or management offerings and exports of capital items and other eligible goods which includes industrial manufactures. EXIM financial institution considers deemed exports as eligible for assist under its financing programmes. Deemed exports related to deliver of capital items and different eligible goods have get entry to to deferred credit facility at across the world competitive interest charge. EXIM bank can expand credit both thru the supplier or immediately to the purchaser. Intermediating banks / establishments can also avail of refinance facility from EXIM financial institution overlaying the full cost of the term credit score. EXIM financial institution might also, similarly, provide pre-shipment (working capital) facility, typically for massive transactions related to long manufacturing cycle time. different facilities available from financial institution referring to deemed export consist of difficulty of assure, and bridge financing in foreign money. those facilities are commonly availed by way of project exporters.

1.2 Lending Programmes For Overseas Entities

The lending programmes are supposed to provide loans to overseas authorities, corporations and financial establishments. For this motive EXIM financial institution presents consumer's one hundred credit score to the remote places entitities. This programme is offered without delay to foreign importers for import of Indian capital goods and related services with repayment unfold over a duration

[1] Arslan, I., & Van Wijnbergen, S. (1993). Export incentives, exchange rate policy and export growth in Turkey. The Review of Economics and Statistics, 128–133.

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FACTORS THAT INFLUENCE ECOMMERCE GROWTH IN INDIA

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Abstract
Ecommerce growth in India has been greatly impacted by the pandemic and shutdown period. Over the past several years, India's e-commerce market has experienced enormous development and showsno signs of slowing down. Businesses are looking for the best e-commerce platform to start selling online, such as VistaShopee, Digital India, and Startup India. Digital India aims to create a digitally enabled infrastructure that functions as a core utility, offers services to the government and the populace, and facilitates citizen digital empowerment. Startup India aims to create a robust ecosystem for fostering startups and innovation in the nation. Start-up India is a programmed to support entrepreneurs, generate jobs, and generate income. It includes a three-year tax exemption and increased internet usage and adoption of smart phones. Shopping online has become increasingly popular among Indians, allowing them to explore global products through international shopping websites. Remarketing opportunities are also available. Remarketing is an effective way for businesses to attract leads and turn them into customers. Vista Shoppe offers remarketing strategies with built-in controls for online stores. Customized e-Commerce is becoming more popular due to the culture of "Select now, share with all, buy later" and the use of digital wallets and UPIs. Safe and Secure Payment Options have increased due to the demonetization push.

Keywords: startup-commerce, platform, business, India, shopping, remarketing, online, vistashopee,growth.

Introduction

E-commerce has clearly been one of the areas that have been greatly influenced in a positive manner by the epidemic and shutdown period. All businesses have learned a great deal during this time. Overthe past several years, India's e-commerce market has experienced enormous development and showsno signs of slowing down. Why would it, too? Today it's so much simpler to purchase online. From groceries to smells to pricey jeweler, we can practically buy anything from the convenience of our homes. The pandemic has also had a significant and long-lasting impact on how individuals shop and decide what to buy. Let's now examine some of the elements that contribute to the expansion of online shopping in India and how this industry is quickly becoming the trendiest trend. India has seen a growthin the use of smart phones and the internet in recent years. Due in large part to the "Digital India" plan, there were 830 million internet connections worldwide in 2021. 55% of all connections to the internet were in metropolitan areas, and 97% of those connections were wireless. The number of smart phones has also greatly grown, and by 2026, that number is anticipated to be 1 billion. India's digital economyhas benefited from this, and by 2030, it is predicted to be worth US$1 trillion. The rapid expansion ofIndia's e-commerce industry has been aided by the country's increasing affluence, quick increase in internet users, and Smartphone penetration. The e-commerce industry in India has completely changed how business is conducted there and opened up a variety of market niches, including business-to-business (B2B), direct-to-consumer (D2C), consumer-to-consumer (C2C), and consumer-to-business (C2B). Significant markets like D2C and B2B have grown

CONSUMER PROTECTION IN THE ERA OF E-COMMERCE

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Abstract
"Electronic Commerce" refers to any business or commercial transaction involving the transfer of data through the Internet. Consumers may exchange products and services online without any time or location restrictions. The fast growth of electronic commerce over the last few years is expected to continue, if not grow. When we buy something online, we are already at home, on our bed, coach, or wherever we feel comfortable. A variety of legal and consumer problems are brought on by the growth of e- commerce. Consumers need to be protected at a period of major change, but the law is struggling to keep up. There are many different kinds of software available, but readymade solutions have been shown to be the most economical way to operate an online store. Several Canadian financial institutions are providing financial services and products online. Customers can use Web browser software that is industry standard and must set up their own Internet access through a service provider. Electronic transactions have lower transaction costs than those made through branch networks. The demographics of consumers interested in using the Internet to get financial services are the second draw. Each Internet customer in the banking sector is expected to be 50–250% more profitable than the ordinary banking customer. A few financial institutions have started experimenting with the use of "click-through" or "Web-wrap" agreements. Security, Privacy, Access, Dispute Resolution, Fees and Charges, and Fraud are major consumer issues. They say: We must realize the danger the technological age poses to both individual welfare and the security of international order as we celebrate its possibility. Despite all of its potential, the electronic commerce wave may increase the gap between rich and poor, between countries, and even inside nation states.

Keywords: Electronic commerce, financial institutions, online, commerce, internet.

Introduction

The word "E-Commerce" refers to any business or commercial transaction involving the transfer of data through the Internet. It includes a variety of various business models, including consumer-focused E- Commerce portals, music or eBay sites, and corporate exchanges where firms trade commodities and services. It is currently one of the latest significant developments on the Internet. Consumers may exchange products and services online without any time or location restrictions due to E-Commerce. The fast growth of electronic commerce over the last few years is expected to continue, if not grow as more firms shift sections in the near future, the border between "traditional" and "electronic" trade will become increasingly unclear as more and more businesses move sections of their operations onto the Internet. E-Commerce covers more than only employing network-based technology for business. By changing work methods, reshaping business processes, and connecting them with business partners outside of their usual limitations, organizations may be brought into a completely electronic environment. Basically, there are three different sorts of e-commerce as follows: (B2B), (B2C) and (C2C) The Consumer Protection (E-Commerce) Rules 2020 (E-Commerce Rules) have been announced by the government with an effective date of 23 July 2020, one year after the Consumer Protection Act 2019 (Consumer Protection Act) was

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EXECUTION OF DEATH SENTENCE IN CONTEXT OFINDIAN LAWS

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Abstract

Death penalty has been a mode of punishment since time immemorial. The arguments for and against have not changed much over the years. Crimes as well as the mode of punishment correlate to the culture and form of civilization from which they emerge. With the march of civilization, the modes of death punishment have witnessed significant humanized changes. However, in India not much has been debated on the issue of mode of execution of death sentence. The debate about the death penalty does not usually employ the terminology of human rights.Nevertheless, the use of the death penalty intersects with international law and is challenged by it. Hence, international law and an analysis based on human rights areuseful means to address the death penalty issue. The reasons why countries have abolished the death penalty in increasing numbers vary. For some nations, it was a broader understanding of human rights (Spain abandoned the last vestiges of the death penalty in 1995 stating that "the death penalty has no place in the general penal system of an advanced, civilized society" Similarly, Switzerland abolished death penalty because it constituted "a flagrant violation of the right to life and dignity" Defining the death penalty as a human rights issue is a critical first step, butsome countries which resist aggressively use the death penalty. When the United Nations General Assembly considered a resolution in 1994 to restrict the death penalty and encourage moratorium on executions, Singapore asserted that "capital punishment is not a human rights issue". In the end, 74 countries abstained from voting on the resolution and it failed.

Keywords Death Penalty, Law Commission, Criminal Law, Execution

Introduction

The approach of Indian Courts and laws must be seen in such perspective that they have pulled Death Penalty to be retained in Indian Penal system. Nevertheless Indian Penal system has not scalded death penalty. It has put Death penalty in utmost importance and is so awarded for rare crimes in rare cases for rare Criminal. As the precision of Indian Laws and procedures strive to reach Justice. It strives for punishment for guilty and it strives for innocent to be not sentenced even unknowingly. However there are procedural hazardous which are tried to be minimized. The position of Death penalty, its positive ends & negative ends in Indian laws is conversed here.

Research Analysis

Execution of death sentence in context of Indian law

The ancient law of crimes in India provided death sentence for quite a good number of offences. The Indian epics viz, the Mahabharata and the Ramayana also contain references about the offender being punished with vandal and which meant amputating the criminals to death are known to have existed which included changing and imprisonment of the offender. During the medieval period of moguls rule in India, the sentence of death revived in its crudest form. At times the offender was made to dress in the tight robe prepared out of freshly slain buffalo skin and thrown in the scorching sun. The shrinking of the law hide eventually caused death of the offender in agony, pain, suffering death penalty was by hailing the body of theoffender on walls. These modes of putting an offender to death were abolished underthe British system of criminal justice administration during early decades of nineteenth century when death by hanging remained the only legalized mode of inflicting death sentence. The execution of death sentence in India is carried out by two various states provide for the method of execution of death sentence in India. Once modes namely hanging by neck till death and being shot to death. The jail manuals of various states provide for the method of execution of death sentence in

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EVALUATION OF ALTERNATIVE SENTENCING TO THE DEATH PENALTY FROM LEGAL AND HUMAN RIGHTS PERSPECTIVES

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Abstract:
Crimes happen in every society. It threatens the social order, social peace and social stability and hence it is a matter of serious concern for any society. The response to the crime is twofold punishment to the guilt and the preventive action. As far as punishment is concerned, the most debatable issue amongst the criminologists and policy makers is as to how to punish the criminal and what purpose it will serve for the society at large. In response, few theories of punishment have been evolved by the academicians and researchers over a period of time. Traditionally, some of the theories were based on exclusivity, that is to say, that they focused on only one rationale of punishment i.e. proportionality or deterrence or rehabilitation. However, as the further research was done into this aspect of penology, it was realized that none of these theories dealing with their primary specified goal of the punishment was sufficient to address the larger needs of the society and it also failedto take into account the perspectives of both the criminal and the victim. Further, thecomplexities of the real life rule out any exclusive insistence on a goal of the punishment at the cost of the others for the reason that, there is avowed risk of branding these theories as one sided or rigid. These issues of sentencing haveperplexed the lawmakers a lot across all jurisdictions. In consequence, hybrid theories came into being with its focus on pluralist goals i.e. two or more goals subsumed into one. It is also called mixed theories or sometimes modern theories ofsentencing. As background information to my thesis, in this research, I will focus on some well-known theories of sentencing particularly in context of death.

Keywords: Death Penalty, Human Rights, alternative Sentence, Committee, Section.

Introduction

The term "Alternative Sentencing" implies the "middle path" doctrine devised bythe apex court in death sentence cases wherein the court has usurp onto itself, without parliamentary sanction, the vast range of sentencing discretion between life imprisonment and death with the avowed objective of awarding "appropriate" sentence in those multifarious number of death cases wherein awarding life imprisonment, which in all probability will last only for fourteen years, appears tobe grossly inadequate and imposing death, on the other hand, would amount to an excessive punishment. Locked up between the only two options i.e. either lifeimprisonment (in practice fourteen years) or death in death cases, the court has widened its judicial sentencing discretion and devised "Alternative Sentencing". Thedeath cases which generally reaches to the Supreme Court is interwoven into so many complex threads, containing a number of permutations and combinationsfurther compounded with a complex mix of aggravating and mitigating circumstances wherein the straight jacket sentencing in the form of either only life imprisonment (in practice 14 years) or death would be highly unjust and would reflect poorly of an existing system of sentencing in India.

To fill up the existing sentencing gaps in death cases in India, where the law only provides for either life imprisonment (in practice 14 years) or death under Section 302 of IPC, the Supreme Court of India devised "Alternative Sentencing". The alternative sentencing to death penalty has also been devised by the Supreme Court in response to a number of current developments in death penalty jurisprudencesince the landmark judgment of the Supreme Court in Bachan Singh case in the year 1980 in which the constitutionality of death sentence was challenged but upheld. Time has changed since 1980. The world is witnessing a vigorous global movement towards abolition of death penalty. In response, majority of nations have abolished death penalty. And some have put moratorium on death sentence instead of

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FREEDOM OF PRESS IN INDIA: A FUNDAMENTAL RIGHT

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Abstract

Freedom of speech and expression has been recognised as one of the basic and most important human rights following the right to life and personal liberty. Humans are social beings and it is their tendency to interact and mingle with its environment. Article 19(1) (a) of the Constitution of India guarantees freedom of speech and expression to all persons in India. Press is recognised as a legal entity and has also been enjoying freedom of speech and expression from time immemorial. Today, the amount of freedom press enjoys in any democratic setup is considered as an important determinant of the instilled democratic values and constitutionalism being prevalent in that particular country. Press is not only important for spreading news and communication across the globe, but it also plays a crucial role in determining the moral values, prevalent practices and the overall development and attitude of a given society. Press also plays a major role in assessing the government and is powerful enough to even decide the fate of the government in the future elections. The aim of this research paper is to analyse the degree of freedom available to press in India, and how the press is expected to function keeping in view various express as well as implied restrictions applicable upon them.

Keywords: Freedom, Speech and Expression, Press, Democratic Values, Restrictions Education

Introduction

Just like individuals, the Constitution of India, under article 19 (1) (a)[1] guarantees freedom of speech and expression to the press as well. A free press, which not only reports the happenings around the globe but is also courageous enough to assess the government and its actions is a blessing to the democracy. Some scholars have compared a free press as 'oxygen' for the democracy, without which it cannot survive.[2] After more than 7 decades of independence, we have learnt that freedom of press is an essential tool in reducing the corrupt practices taking place and it reminds the chosen authorities about their duty towards the people of the nation. Freedom of press and the extent of its freedom have been a debatable issue in many countries, and various countries have their own laws to regulate the same. However, the common consensus and a general principle is that the amount of freedom that the press enjoys in a country determines the overall absorption of democratic values prevalent in that country.[3]However, in the same manner as an individual cannot speak and express whatever he/she feels like, thereby keeping in mind the reasonable restrictions mentioned under article 19 (2) of the Constitution of India[4] , the Press is also expected to communicate contents which are neither against public policy, nor against morality or any other restrictions applicable upon them both expressly or impliedly. Besides the Constitutional guarantee, article 19 of the Universal Declaration of Human Rights[5] also mandates the States to ensure freedom of speech and expression to its subjects. Having discussed about the need of a free press in a democracy, it needs to be mentioned that each country has their own expectations from its subjects, and accordingly they try to regulate

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[1] Constitution of India, 1950. art. 19 (1)(a).
"All citizens shall have the right- (a) to freedom of speech and expression;"
[2] Hadiya Khan & Pankaj Joshi, 'Freedom of Press: Pilar Of Democracy', (2018), INT'L J. L. 07, 09
[3] B. Mugundhan, C. Renuga, 'A STUDY ON FREEDOM OF PRESS IN INDIA: WITH REFERENCE TO ARTICLE 19', (2018), IJPAM, 3957, 3973
[4] Constitution of India, 1950, art. 19 (2) Nothing in sub clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.
[5] Universal Declaration of Human Rights, 1948, art. 19

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FREEDOM OF PRESS & MEDIA AND ITS ROLE IN A DEMOCRATIC COUNTRY

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Abstract

The role and importance of media in a democracy are well recognized. Article 19(1) (a) of the Constitution of India, which gives freedom of speech and expression includes within its ambit, freedom of the press. The existence of a free, independent and powerful media is the cornerstone of a democracy, especially of a highly mixed society like India. Media is not only a medium to express one's views, but it is also responsible for building public opinion on various topics of regional, national and international agenda. The increased role of the media in today's globalized and tech-savvy world was aptly put in the words of Justice Hand of the United States Supreme Court when he said, "The hand that rules the press, the radio, the screen, and the far-spread magazine, rules the country". Democracy is the rule of the people. A system which has three strong pillars. But as Indian society today has become somewhat unstable on its 3 legs- the executive, the legislature and the judiciary, the guarantee of Article 19 (1)(a) has given rise to a fourth pillar i.e. media. With this increased role of the media, the need for its accountability and professionalism in reportage cannot be emphasized enough. In a civil society, no right to freedom can be considered absolute. The freedom of the media has to be exercised within reasonable boundaries. With great power comes great responsibility. Similarly, the freedom under Article 19(1) (a) is correlative with the duty not to violate any law. This paper is an attempt to recognize the role the press & media is playing in our country and to highlight the areas of their functions where there is a requirement of legal regulations.

Keywords: Freedom, Press, Media, Reasonable Restrictions, Regulating Law.

Introduction:

Justice Hidayatullah said, "Freedom of speech and expression is that cherished right on which our democracy rests and is mean for the expression of free opinions[1]." Freedom of press and media directly flows for Article 19 (I) (a) of the Constitution of India as it is implicit in freedom of speech and expression. Press and media is a medium of social, public and political intercourse. It is a platform for expression of opinion, a means of communication of facts and circumstances of public affairs. As the fourth pillar of State, it is an educator of the people. The Constitution of India does not expressly mention in Article 19 about freedom of the press but it has been held to flow from the general freedom of speech and expression guaranteed to all citizens. As constructed by the judiciary, this freedom now includes not merely the freedom to write and publish, what the writer considers proper, but also the freedom to carry on the business, so that information may be disseminated and excessive and prohibitive burden restricting circulation may be avoided[2].

Thus, freedom of the press includes:

a. Freedom of access to all sources of information (one's own views borrowed from someone else or printed under the direction of person)[3]
b. Freedom of publication
c. Freedom of circulation[4].

Explaining the freedom of the press in Indian Express Newspapers (P) Ltd. V. Union of India[5], the Supreme Court observed that freedom of the press has not been used in Article 19 but it is comprehended within Article 19 (I)(a). The expression means freedom from interference from the authority which would have the effect of interference with the content and circulation of a

[1] Ranjit D. Udeshi v. State of Maharashtra, AIR 1965 SC 881 : (1965) I SCR 65.
[2] Virendra v. State of Punjab, AIR 1957 SC 896.
[3] M.S.M Sharma v. Sri Krishna Sinha, AIR 1959 SC 395.
[4] Romesh Thappar v. State of Madras, AIR 1950 SC 124.
[5] (1985) I SCC 641: AIR 1986 SC 515.

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AFFIRMATIVE ACTION LAW IN UPLIFTMENT SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES

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Abstract
Affirmative action refers to certain social policies set by the government of a country. These policies are largely meant to promote employment, and are aimed at the marginalised groups of people in a society. In India, most marginalised or discriminated groups usually consist of women, or sections of the population that are termed as 'educationally and socially backward'. The purpose behind these policies is firstly, to counteract negative effects that have been left behind on minorities and discriminated groups following years of oppression, and to encourage public institutions to represent this deprived section of our population more fairly. These activities are usually carried out through targeted recruitment programmes, through preferential treatment given to applicants from socio-politically disadvantaged groups - and in certain cases- through the use of quotas. The argument from those who oppose or question these existing policies of affirmative action is that the method is based on collectivism, and that it eventually leads to merely another form of discrimination. Their argument is that the quota system is not based on merit, and that it results in qualified applicants being denied certain benefits, because they belong to a particular social group. In effect, the argument is that the action is being left to the individual applicant rather than to an organisation, which needs to take the responsibility to ensure equal rights to all individuals. This process demands a broad preferential hiring system is one of the main grievances against the reservation system.
Keywords: Reservation, Backward Class. Shedule Cast, Shedule Tribe, Marginilised

Introduction

Different affirmative action programmes in different countries vary from each other and differ widely in the way that they attempt to overturn discrimination. Some programmes may simply be designed to review hiring processes, such as adequate and equal inclusion of women, of minorities, and of other affected groups. Yet, others might be designed to explicitly give preference to members that belong to affected groups. In such programs, there are certain minimum job requirements that form the basis of a fundamental criterion of eligibility of qualified applicants, and our of which members are selected further. The thought behind affirmative action and its implementation has been contested for since its origins in the 1960s in both the United States as well as India; it has been affirmed ever since our constitution was adopted.

The central issue of contention has been the definition of discriminatory practices themselves within employment procedures. As the interpretation of affirmative action has evolved, employment practices that were not intentionally discriminatory but nevertheless had a "disparate impact" on affected groups were considered a violation of affirmative action regulations. Another central issue was about whether members of affected groups could receive preferential treatment and, if so, the means by which they could be preferred. The programme of affirmative action consists of tools for the removal of discrimination, reducing the limitations that hinder the public to freely access official and administrative information and services. Measures like protective discrimination, or reservations, are adopted to remedy the continuing ill effects of prior inequalities stemming from discriminatory practices against various classes of people, which have resulted in their social, educational and economic backwardness. It also addresses the infirmities caused due to purposeful societal discrimination, and attacks the perpetuation of such injustices.

Research analysis

The importance of reservation: provisions in the Indian constitution

The constitution of India treats scheduled castes and scheduled tribes with special favour, and provides them with some valuable safeguards. One of the large reasons for tribals remaining

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RESERVATION POLICY IN INDIA: IMPACT AND EVALUATION

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Abstract
Fundamental rights are essential rights enshrined in the Constitution of India that ensure civil liberties, allowing all Indian citizens to live in peace and harmony. Among the six fundamental rights, the Right to Equality holds significant importance and is provided for in Articles 14, 15, 16, 17, and 18 of the Constitution. According to the law, "The State cannot deny any person equality before the law and equal protection of the laws within the territory of India."
Fundamental rights in India aim to address and rectify the inequalities stemming from pre-independence social practices. They have played a crucial role in eliminating untouchability and prohibiting discrimination based on religion, race, caste, sex, or place of birth. Despite these efforts, reservation policies exist to promote diversity among different religions and communities. This remains a central focus of study and debate.
Reservations, however, can be seen as contradictory to the fundamental principles of humanity and reason, as they grant or deny privileges based on birth. Mahatma Gandhi expressed his belief that such practices are unjust. The Constitution of India, on the other hand, upholds the spirit of equality and strives to establish an egalitarian society where social, economic, and political justice prevails, ensuring equal opportunities and status for all. Nevertheless, due to historical and traditional reasons, certain sections of Indian society face significant social and economic disadvantages that hinder their ability to enjoy equality in both status and opportunities.
The objective of reservation in India has been to uplift the welfare of economically and socially disadvantaged groups. However, in determining.eligibility for reservation, the criteria have primarily been based on an individual's caste rather than their income or wealth. As a result, groups categorized as "socially and educationally backward classes" under Article 15 of the Indian Constitution have availed the benefits of reservation, even though some of these groups may not be considered genuinely "backward" in practical terms. Consequently, the reservation system has led to the allocation of benefits to well-off groups within these categories, while individuals from the most marginalized sections have often failed to receive the intended benefits.

Key words: Reservation, Backward Classes, Article, Equality, Discrimination.

Introduction

The founding fathers of the Indian Constitution considered equality to be the fundamental principle upon which the fundamental rights were framed. The Right to Equality was included as a fundamental right in the Indian Constitution. This paper aims to analyze, examine, and evaluate the provisions related to the prohibition of discrimination on grounds of religion, race, caste, sex, and place of birth.
Article 15 of the Constitution comprises various clauses. Clause (1) and Clause (2) prohibit the state from making any discrimination based on religion, race, caste, etc. On the other hand, Clause (3) and Clause (4) provide exceptions to the general rule established under Article 15(1) and 15(2). These exceptions empower the state to make provisions for the benefit of women, children, and the advancement of backward classes through Article 15(3) and (4).
Article 14 of the Constitution guarantees the overarching principle of equality, while Articles 15 and 16 exemplify specific instances of this right, particularly in favor of citizens under certain special circumstances. Article 15 is more broad in scope than Article 16, as the latter focuses specifically on matters concerning employment or appointment to any office under the State.
The subsequent chapters of this paper will discuss the concept of equality of opportunity in public employment under Article 16 of the Constitution. However, before delving into that, it is pertinent to

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JURIDICAL VERDICT ON RIGHT TO LIFE IN INDIA

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Abstract
The Indian judiciary has time and time again interpreted article 21 of the Indian constitution in new and innovative ways in order to bring relief to the oppressed. This research aims to review the judicial interpretation of right to life and analyze the current trend. The scope of this article is to research into the judicial enforcement of article 21 and to determine whether such interpretation has always been effective and to provide solutions. The Primary sources relied upon are select constitutions of the world, judgements and Constituent Assembly Debates. Secondary sources relied upon are legal commentaries, articles, websites and newspaper articles The article has been divided into 4 main parts. The first part deals with the expression "due process of law" and its relation with article 21.Part 2 deals with the relation of article 21 with human rights. Part three deals with the wide interpretation that has been given to article 21. The final part deals with the effectiveness if said interpretation. It also aims to scrutinize whether this zeal to interpret article 21 in new ways has led to lawyers extraversion. After that come the conclusion and the solutions offered.

Keywords: Article, Right, Interpretation

Due process of law

Article 21 of the Constitution says, "No person shall be deprived of his life or personal liberty except according to procedure established by law."

Maneka Gandhi v. Union of India[1] is not only a landmark case for the interpretation of Article 21 but it also gave an entirely new viewpoint to look at the Chapter III of the Constitution. Prior to Manekagandhi"s decision, Article 21 guaranteed the right to life and personal liberty only against the arbitrary action of the executive and not from the legislative action. Broadly speaking, what this case did was extend this protection against legislative action too.

The concept of „personal liberty" first came up for consideration of the Supreme Court in A.K. Gopalan vs The State Of Madras[2]. In this case, the Petitioner had been detained under Preventive Detention Act, 1950. The petitioner challenged the validity of his detention on the ground that it was violative of his Right to freedom of movement under Art. 19(1)(d), which is the very essence of personal liberty guaranteed by Art. 21 of the Constitution. He argued that the words „personal liberty" include the freedom of movement also and therefore the Preventive Detention Act, 1950 must also satisfy the requirements of Art. 19(5). It was further argued that Art. 21 and Art. 19 should be read together as Art. 19 laid out the substantive rights while Art. 21 provided procedural rights. It was also argued that the words "procedure established by law" actually meant "due process of law" from the American Constitution which includes principles of natural justice and the impugned law does not satisfy that requirement.

Rejecting both the contentions, Supreme Court, by the majority, using the meaning given to the phrase „personal liberty" by Dicey, held that the phrase „personal liberty" in Art. 21 meant nothing more than the liberty of the physical body, that is, freedom from arrest and detention without the authority of law. According to majority, the term „liberty" was wider in meaning and scope than „personal liberty". Hence, while „liberty" could be said to include Art. 19 within its ambit, „personal liberty" had the same meaning as given to the expression "liberty of the person"

Hence, the majority took the view that Art. 19 and Art. 21 deal with different aspects of liberty. The Court further interpreted the term „law" as „State made law" and rejected the plea that the term „law" in Art. 21 meant jus naturale or principles of natural justice.

It is pertinent to mention here that in A.K. Gopalan"s case, the attention of the Supreme Court was drawn to the legislative history of Art. 21 which showed why the expression "due process of law" was replaced by "procedure established by law". The constitution makers felt the original expression

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RIGHT TO PRIVACY AND DATA PROTECTION UNDER INDIAN LEGAL REGIME

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Abstract
Privacy has emerged as a basic human right across the globe and in India too it has been recognized as a Fundamental Right under Article 21 of the Indian Constitution. Right to Privacy is closely related to the protection of data which in this technological and globalized world, has become very difficult to achieve. Further, violation of privacy rights by the Ruling majority through discriminatory legislation has also become possible due to lack of legal protection to this Right. In India, this Right was not initially recognized as a Fundamental Right, neither any specific law on data protection for securing the Rights of Privacy of the citizens was enacted. At the same time, there had been many allegations regarding violation of privacy rights both by the Government as well as by the Private Commercial Entities from time to time in India. Such allegations were also placed before the Courts of Law where the Courts had given landmark Judgements including guidelines and rulings. It thus becomes very important to analyze all these legal developments relating to the Right to Privacy and Data Protection to understand the extent of security granted by the Indian legal framework to the citizens over Right to Privacy.
It has however been found that adequate recognition has been given to the Right to Privacy by the Indian Legal Regime and therefore significant steps were taken to prevent data theft and misutilization of sensitive information, yet a major extent of progressive developments is still needed to enhance the scope of data protection in the contemporary times for securing the Right to Privacy of Indian citizens.

Keywords Right, Privacy, Article, Data Protection, Right to life

Introduction

Privacy means the capability of a person or a group of persons to hide information from others as well as to seclude themselves.[1]Besides, it has been recognized internationally as Human Rights under Article 12 of UDHR[2] which provides that everyone has the liberty not to get interfered with his privacy, correspondence, family, and also not to be permitted to defame its reputation or honor. Every individual has a right to get safeguards from such intrusion. Privacy is especially acknowledged as a right under international treaties of Human Rights. The ICCPR[3], the ICPRAMW[4], and the UNCRC[5] adopted the same language.[5] For securing this Right of Privacy, Data Protection Laws are required. And such Laws is called "that bundle of privacy laws, procedure, policies whose objectives are to reduce encroachment on one's privacy that may cause by the storage, collection, distribution of personal information or data. And Personal data means that information by which one's identity can be known whether it is collected by entity or Government."[6]
The concept of privacy is of old origin, it is a part of Human Rights which is within the human since birth. They cannot be sacrosanct, divisible. It includes the right to be left alone, privileged

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[1]Dr.Payal Jain & Ms. Kanika Arora, "Invasion of aadhaar on right to privacy: Huge concern of issues and challenges", 45(2) *Indian JLR*, 33-35 (2018).

[2] Universal Declaration of Human Rights, 1948.

[3] International Covenant on Civil and Political Rights, 1966.

[4] International Convention on Protection of Rights of All Migration Workers, 1990 [5]The United Nations Convention on the Rights of Child, 1989.

[5]RukhminiBobde, "Data protection and the Indian BPO industry", 2 *law Rev. GLC*, 79-88 (2002-03).

[6] Vijay Pal Dalmia, Advocates, "India: Data protection laws in India-Everything you must know", *available at:* www.mondaq.com/India/x/655034/data+protection/Data+Protection+Laws+In+India(Visited on October 21, 2019).

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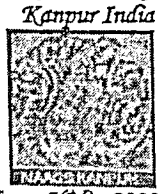

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ROLE OF SUPREME COURT AS THE GUARDIAN OF FUNDAMENTAL RIGHTS IN INDIA

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ABSTRACT

Mere enumeration of a number of fundamental rights in constitution without any provision for their safeguard will not serve any useful purpose. Indeed, the very existence of right depends upon the remedy for their enforcement. The maxim *ubi jus ibi remedium* means where there is right there is remedy.

The researcher discovered several information about Articles 32 and 226 while doing this study. The goal of this study is to understand why the Supreme Court upholds and defends basic rights. The significance of Article 32 in our Constitution is really intriguing. The judges of the superior courts have been bestowed with the noble responsibility of upholding the Constitution, and therefore, have been granted the power to construe it. This research has greatly improved my understanding of both Article 226 and Article 32. Here, the researcher wishes to highlight how Article 32 gives the Supreme Court authority and is a fundamental right. The judiciary is a separate branch of the executive branch. It is not within the legislative or executive branch's purview. It functions as a guardian in shielding the basic rights of the people, as established in the Constitution.

It acts as the guardian of individual liberties and serves as a check on unconstitutional actions of both the state and central governments. Through its rulings and interventions at an individual level, the Supreme Court has been instrumental in ensuring that citizens are able to enjoy their fundamental rights.

"If I was asked to any particular Article in this Constitution as the most important- an Article without which this Constitution would be a nullity- I could not refer to any other Article except this one.... It is very soul of the Constitution and the very heart of it" Dr. B.R. Ambedkar.[1]

KEYWORDS : Fundamental Right, Court, High Court, Writ. Habeas corpus, Mandamus, Prohibition, Quo warranto, Certiorari

INTRODUCTION

In the journey of last 73 years, we have noticed that one of the most important Articles in the Constitution is Article 32. Dr. Ambedkar referred to it in his very first speech, stating that fundamental right without a provision to have recourse to remedy is without substance and therefore, when Article 32 which was Article 25 in the draft Constitution, came to be discussed there were lengthy discussion. Fundamental rights are futile without a system in place to really enforce them. It is remedy which makes the right real. If there is no remedy, there is no right at all, as is often claimed. Article 32 has been held to be part of basic structure, which cannot be tinkered even with amendment.

[1] C.A.D Vol. VII at 953

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INDEPENDENCE OF JUDICIARY: A HALLMARK OF THE INDIAN CONSTITUION

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ABSTRACT

Supremacy of the constitution can be maintained only through judicial independence. It has been contemplated as part of basic structure doctrine. The paper will shed light on how an independent and impartial judiciary with a power of judicial review is established under the Constitution of India. Additionally, because the by-product is always dependent on the original source, the appointment of judges has a direct relationship to the independence of the judiciary. It goes without saying that appointed judges will have allegiance to their appointees if the nominations are made by the executive or political masters. The research will analyze that making the judiciary more responsible is necessary now because doing away with values in the judiciary is more corrosive than doing so in any other government department. It will take into account the remarks of critics over judiciary.

The research will demonstrate that for the rule of law to surmount judicial independence is of sheer necessity. Judges must conduct themselves in a fair, reasonable, fearless, and unbiased manner in order for the judiciary to be impartial and independent and to uphold the constitutional goals. As a barrier against executive abuse of power, the judiciary stands between the citizen and the State. Therefore, it is imperative that judges uphold ethical standards and the judiciary is free from executive influence.

KEY WORDS: Independence of judiciary, Constitution, Supreme Court, High Court, Amendment.

INTRODUCTION

All the rights secured to the citizen under constitution are worth nothing and mere bubble except guaranteed to them by the independent and virtuous judiciary. Independent Judiciary is the absolute necessity for thriving democracy. It is the core of the Parliamentary democracy. People of India have a firm belief in judicial system of the country. Even today whenever there is dispute they say "see you in court ". Anything can get corrupt but not judiciary. Lord Bryce says that "there is no better test of excellence of government than the efficiency of judicial system". The judiciary has been rightly called "The shield of innocence and safeguard of the right".

Judiciary is the third pillar of the government along with legislature and executive. As per Montesquieu theory, powers are of three kinds: Legislative, executive and judiciary and each of these powers should be vested in separate and distinct organ, for if all these powers, or any of them, are united in the same organ or individual, there can be no liberty. If for instance, legislative and executive power unite, there is apprehension that organ concerned may enact tyrannical laws and execute them in tyrannical manner. Again there can be no liberty if judicial power be not separated from legislature and executive .Where it is joined with legislative, the life and liberty of subject would be exposed to arbitrary control, for the judges would then be the legislator. Where it joined with executive power, the judge might act with aggression and oppression. It is imperative for justices on the bench to ensure policies and legislation uphold constitutional values as part of their obligation towards maintaining checks and balances within our democratic system.

The principle of independence of judiciary has been laid in various human right instrument , including the Universal Declaration of the Human Rights (Article 10) and the International Covenant on Civil and Political Rights (Article 14).There also a number of UN standard and European framework (Article 6 of European Convention of Human Right) also.

Separation of power is important facet to judiciary's independence because it ensures decisions are not politically biased. The legislature makes law, the executive implements the law and the judiciary interprets and applies the law and adjudicates upon controversies between citizen and another and beawcen a citizen and the state. Each of the three organs has to work independently even though they are interrelated with each other. For fair, just and unbiased decision judicial organ must be free from any kind of dominance or undue influence. The very purpose of the judiciary is deeply embalmed in

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CRIME AND CRIMINAL JUSTICE SYSTEM-PRESENT SCENARIO

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Abstract
The Union of India is a Federal Polity comprising of various states. The states have their own forces and working under the Constitution of India. The Police and Prison are the state subjects. Be that as it may, the Federal laws are trailed by the Police, Judiciary, and Correctional Institutes. The framework continued in India for allotment of criminal equity is the antagonistic arrangement of precedent-based law acquired from the British Colonial Rulers. Here the design, powers, and working of the three indispensable organizations of the Criminal Justice Administration of India, specifically, the Police, Judiciary, and Correctional Administration have to be understood.

Introduction

There is a discernible urgency to the crime issue. Crime and the fear of crime rank as the most important issues in public opinion polls. Some communities resemble war zones where gunshots ring out every night. Other cities struggle to create islands of civility amid threats to public order posed by low-level criminal behavior that eludes traditional measures. Appropriately, public policymakers and administrators in the criminal justice system are responding to the issue of crime in all its complexity. Every aspect of the infrastructure of our traditional criminal justice policy is undergoing fundamental rethinking. Our approaches to policing, adjudication, sentencing, imprisonment, and community corrections are changing in significant ways. Indeed, communities that are suffering from crime are changing their interactions with the agencies of the criminal justice system as the concepts of community policing, community prosecution and community justice take on real meaning in cities and towns around the country.

Keywords: crime, community, justice

Meaning of Crime

Crime is a public wrong. Public wrong in the sense it causes injury to the public or community as a whole and any member of the public can move the court, it causes threat to social security and creates social disorder. It is a wrong pursued by the sovereign or its subordinate i.e. Police, Judicial Officials etc. for example Murder, Rape, Theft, Forgery etc. It is not an easy task to define of 'crime'. Generally speaking, about all societies have positive standard, beliefs, customs and traditions which are totally accepted by its members predestined as disruptive behavior. The word crime has comes from the Greek statement "Krimos", which is the same with the Sanskrit, word Karama, meaning social order. So the word crime is applied to those acts against the social order and are earnest of serious guilty verdict[1].

Thus many writers have defined 'crime'. Many prominent jurists have made attempts to define "Crime"[2]

Sir William Blackstone

In his 'Commentaries on Law of England', Sir William Blackstone defined Crime as "an act committed or omitted in violation of Public Law forbidding or commanding it".

What is Crime? The final answer of this question is not possible to give, for the reason that law is a living, changing thing, which at one time may be uniform, and at second time give much opportunity of the judiciary's discretion, which at the one time may be extra specific by its prescription and at second time may be extra general[3].

[1] S.S.Huda, The Principles of The Law of Crimes in British India
[2] https://www.lawnotes.in/Definition_of_Crime
[3] Roscoe Pound, Interpretation Of Legal History, Harvard University Press, 1946

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CRITICAL ANALYSIS ON GLOBALIZATION ANDNATIONAL JUSTICE DELIVER SYSTEM

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ABSTRACT

If globalization is the main paradigm of our time, then a chapter on globalization and law could alsobe entitled, simply, the law of our time. Few, if any, areas of law are not—at least potentially— fundamentally impacted by globalization. In reality, of course, the impact of globalization on legal thought has, so far, been more limited. That has various reasons. A first reason is that globalization, although (or perhaps because) it is generally accepted as the new paradigm of society, has remained a remarkably vague concept in general discourse. The fundamental debates over globalization of the 1990s more or less petered out, without leading to a clear consensus. A second reason is that legal thought has so far reacted to globalization not with a true paradigm shift but instead by more andmore inapt attempts to adapt the methodological nationalism that has provided its paradigm for the last two hundred years or so.

The same can still be said about much of social theory, which also remains within such a state paradigm. Globalization has not, yet, led to a true paradigm shift.A third reason, finally, is that globalization poses interdisciplinary challenges, and interdisciplinary in law and globalization is still surprisingly lacking. on the one hand, many of the conceptual and theoretical discussions of globalization ignore or downplay the law as an important factor (beyond an occasional nod tointernational law).

THE POCSO ACT, 2012: DESIGN AND LACUNAE

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INTRODUCTION

The number of children in India constitutes 37% of the country's population and 20% of the total world child population. Sexual abuse of children has become a subject of great community concern in a very limited span of time, and the centre of attention of many legislative and professional initiatives. Compared to adults, it is much more difficult for children to disclose sexual abuse due to the fear of embarrassment, repercussions and reaction of the society. There is enough instances to prove that those who have come across sexual abuse in their childhood, continue to deal with its aftermath well into their adulthood, in shaping relations with others and moulding their image of self. Over the years, several attempts have been made by various institutions to draw attention to child sexual abuse and break the silence surrounding it. The Protection of Children from Sexual Offences Act, 2012, hereafter called the POCSO Act, is a landmark law which is a product of years of civil society struggles and the acknowledgement of the Government of India to this problem.

The Protection of Children from Sexual Offenses Act (POCSO) came into effect on November 14, 2012, and was specially drawn up to deal with offences including sexual abuse against children and child pornography. The Act contains 46 provisions which tend to increase the scope of reporting offences against children, which were earlier not covered under the Indian Penal Code (IPC). This Act increased the criminal penalty for aggravated penetrative sexual assault and also included punishment for abuse by a person in position of trust or authority including public servants, police, armed forces, and management or staff of an educational or religious institution.

It also described the procedure for reporting cases, including a specific provision providing punishment for failure to report a case or filing a false complaint. It explained procedure for recording of the statement of a child victim by the police and court, specifically requiring that it to be done in a child-friendly environment, and by special courts.

The POCSO Act describes offences of sexual assault, sexual harassment, pornography and safeguards the interest and well-being of children. It also prescribes a child-friendly procedure regarding the recording of statement or evidences, investigation and trial of offence. It provides for establishment of special courts and speedy trial of cases. The aim of this Act is to provide protection to the child victim at every stage till the offender is punished.

ORIGIN OF THE POCSO ACT

Instances of sexual assault & sexual crimes against children are reported regularly from across the country. India, being a country with over 44 crore children, sexual abuse of children continues to be a serious and widespread concern in India. Studies have highlighted how the trauma of victims of child sexual abuse leads to a number of psychological and emotional disorders which they may never overcome, resulting in overall poor development. Children and parents may even abstain from reporting such happenings due to fear of humiliation, social stigma, communication gap between child and parents, community denial, lengthy legal procedures, and other reasons, and suffer in silence.

In 2012, to deal with child sexual offences, the Indian Government passed a special gender-neutral law- the Protection of Children from Sexual Offences (POCSO) Act, 2012. The Act is a comprehensive law which provides for the protection of all minors / children aged below 18 years irrespective of their gender, from the offences of sexual assault, sexual harassment and pornography.

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ACCESS TO JUSTICE – RIGHT TO LEGAL AID

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INTRODUCTION

India, being a country having a total population of 121 crores[1], has a certain percentage of population who are below poverty line without any access to basic amenities like food, shelter, education etc. This situation of poverty prompts them to commit crimes such as robbery, dacoity and sometimes even murder to get something to get a living. But once an individual is caught and taken in by the police for the commission of such offence, he isn't aware of all rights available to him upon being arrested. In such cases, the provisions of the Constitution come to their sue of such persons.

The Constitution of India through its Preamble aims to secure justice for its citizens socially, economically and politically. This is achieved through the Directive Principles of State Policy which are set out in Part IV of the Constitution. The Directive Principles are certain obligations which are cast upon the State to take positive action for creating socio-economic conditions in which there will be an egalitarian social order with social and economic justice to all, so that individual liberty will become a cherished value and the dignity of the individual a living reality, not only for a few privileged persons but for the entire people of the country[2]. It is a well settled in Article 21 of the Constitution that no person shall be deprived of his life and personal liberty except in accordance with the procedure established by law. Procedure here refers that the conditions under which a person is deprived of his life or personal liberty shall be just, fair and reasonable and should not bear betray in nature[3].Therefore it is a man date up on the State to provide free legal aid to the poor and the needy who are unable to knock on the doors of the Courts to seek justice.

Nowadays access to justice has been made much more accessible with the coming in of judicial activism whereby the poor are able to approach courts for justice. The introduction of the concept of Public Interest Litigation was a major success as now a public spirited person can file a petition on behalf of those aggrieved persons before any constitutional court. Also certain legislations has been made by the Parliament for fulfilling the directive in Article 39-A which provides for the establishment of legal aid organizations, all of which shall be discuss the subsequent chapters.

[1]As per census report of 2011.

[2]Minerva Mills vs. Union of India (1980) 3 S.C.C. 625. (India).
[3]Maneka Gandhi vs. Union of India (1978) 1 S.C.C. 248. (India)

ACCESS TO JUSTICE

Access to justice is the hallmark of civilized society. It is a building block in the architecture of a post-war welfare state[4].The term "access to justice" is defined as the ability of people to seek and obtain are through formal institutions of justice for grievances .It issued in different ways with different contexts. It is a basic human right of every individual which has been conferred by the law and exists unless and until the legislature takes it away under valid statutory or constitutional power. Access to justice relates to the ease of entry to a legal institution as also to the nature of the dejure fact that carries its promise[5].It refers broadly to the access that citizens have for dispute resolution to seek justice. The two basic purposes of the justice system of any country should be firstly that the rights of the individual should be upheld and secondly that the disputes among the citizens should be solved under the countenance of the state. Access to justice has an inherent nexus with justice since it is its minimum prerequisite's. Freidmann said "Justice is an irrational concept." He concludes that justice as a general valid concept is the goal to which every order aspires as a "purposeful enterprise".

According to V. R. Krishna Iyer, the prominent jurist of our country and the former judge of the

EXPLORING THE LEGAL IMPLICATIONS OF EMERGING TECHNOLOGIES IN E-COMMERCE

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Abstract

The fast progress of novel innovations with names like blockchain technology, AI, and the Internet of Things, also known as IoT, have significantly impacted the context of e-commerce. Nevertheless, the incorporation of these innovations into electronic commercial transactions generates an assortment of legal difficulties. The purpose of this research paper is to examine the ethical implications associated with creating technological advances for e-commerce, particularly a concentration on confidentiality, protection of data, rights related to intellectual property, obligation, protection of consumers, particularly compliance with agreements. The piece offers insights into exactly how the law could possibly successfully adjust to and control these emerging innovations in the field of e-commerce through analysing contemporary statutes and regulations, identifying deductions, and advocating a substitute modification to the law.

Keywords: e-commerce, artificial intelligence, legal implication, technology

Introduction

Over the last decade, electronic commerce has been expanding at an unsurpassed rate, influencing the method by which firms operates when individuals undertake business operations.[i] The growing acceptance of novel technologies that involve blockchain technology, artificial intelligence (AI), plus the Internet of Things (IoT) has significantly revolutionised the marketplace for electric commerce. The aforementioned innovations enable exciting opportunities for company plans to simplify activities, enrich client relationships, and monetise on information-driven conclusions. Blockchain technology, which has become recognised for its autonomous and unchangeable the natural world, has attracted an abundance of attention in the expanding field of electronic commerce.[ii] The potential of intelligent agreements to facilitate reliable and transparent interactions has uprooted typical intermediaries that accomplished fresh business models. Nevertheless, the implementation of distributed ledger technologies in electronic commerce constitutes different periods legal hazards, particularly in relation to security of information, data protection, particularly the smart contract's implementation (Lodder & Klaassen, 2019).

The use of artificial intelligence (AI), fueled by sophisticated neural networks and data mining methodologies, has allowed for personal interactions with consumers, specific advertising, and improved operational effectiveness within e-commerce; nevertheless, AI's self-governing capacity for choice constitute constitutional difficulties concerning accountability, trademark entitlements, and protecting customers (Schwartz, 2019).

The Internet of Things, essentially integrates numerous tangible things as well as facilitates data intersection, has rendered it feasible for shoppers and goods to engage fluidly in electronic commerce. Nonetheless, since Internet of Things (IoT) gadgets collect and transmit personally identifiable information, there are numerous fears concerning privacy, security of information, including responsibility during transactions made via the internet (Crane, 2020).

Whilst these rapidly evolving technologies possess tremendous potential for electronic commerce advancement and innovation, the incorporation of them additionally requires an in-depth examination of the ethical issues these transmit alongside themselves. Conventional regulatory structures[iii] might turn out adequate for addressing the unique challenges brought about by these advancements, demanding more powerful examination and subsequent years constitutional modifications.

Statement Of Problem

Considering the expanding corpus of published works on the legal repercussions associated with creating technological advances for electronic commerce, important research deficiencies abound. For

THE NEGOTIABLE INSTRUMENTS ACT: MAKING TRANSACTIONS EASIER AND ENSURING ECONOMIC SAFETY

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Abstract
The paper opens by summarising the Act's definition essential clauses and ideas, stressing the Act's role in securing the constitutionality and enforceability of negotiable instruments. It dives into the key attributes of negotiable instruments, including versatility, negotiability, and the person who holds them in due course hypothesis. In addition, it looks into the regulatory restrictions and sanctions that are accessible to individuals who participate in negotiable instrument interactions, such as bearer obligations, component tasks, including a notion of repudiation. The Negotiable Instruments Act, that offers an enforceable basis regarding negotiable instruments that include cheques, promissory notes, coins, bills of exchange play's an essential role in permitting transactions in finance. The aforementioned investigation explores the significance of the Negotiable Instruments Act for assisting interactions while maintaining financial stability. In conclusion, the present investigation highlights the significance of the act known as the Negotiable Instruments Act for promoting effortless money transfers while defending the interests of the economy. It boosts confidence regarding instruments of negotiation by creating an authoritative legal foundation, permitting firms and people to partake in trustworthy and effective trading.

Keywords: Negotiable Instruments Act, transactions, economic safety, negotiability, liabilities and rights.

Introduction

The Negotiable Instruments Act[i] is a crucial legal framework that governs the transfer, negotiation, and enforcement of negotiable instruments. These instruments, such as cheques, promissory notes, and bills of exchange, play a vital role in facilitating commercial transactions and financial dealings. The Act establishes the privileges, responsibilities, and liabilities of each party associated with transactions employing convertible instruments under a uniform set of statutes and regulations.[ii] It makes sure that these instruments may be transmitted and disputed effortlessly, fostering industry and trade. The Act improves transparency and predictability in company dealings by laying forth precise rules for acceptance, negotiation, presentment, and payment. It strives to offer parties a trustworthy and effective method of conducting business and upholding their commitments.

Since each nation implements its own regulations, the Negotiable Instruments Act varies from territory to territory. Hence, for the purpose to comprehend in full the liberties and tasks regarding negotiable instruments, it is vital to look to the particular regulations of the jurisdiction in question.

As a whole, the Negotiable Instruments Act facilitates monetary transactions by developing an administrative structure that supervises the conveyance and enforcement of convertible instruments. Its provisions assist in the correct functioning of the system's finances and foster confidence and dependability in transactions between companies.

Objective Of The Study

The research objective of your research article titled "The Negotiable Instruments Act: Making Transactions Easier and Ensuring Economic Safety" is to explore the various aspects of the Negotiable Instruments Act of 1881 and its special provisions. The article aims to provide a comprehensive overview of negotiable instruments and their types and uses. It also aims to discuss the nature of Section 138 of the act and its implications for economic safety.

Review Of Literature

Fundamental characteristics of negotiable instruments:

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NEED AND NECESSITY OF ENACTING A LAW GOVERNING LIVE-IN RELATIONSHIPS

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ABSTRACT

Among the social institutions, marriage, family, kinship, economic, political, religious, educational institutions are important institutions. Marriage is one of the universal social institutions which is established by the human society to regulate and legitimize the sexual relations between a man and a woman. It has close connection with the institution of family. In fact, family and marriage are complementary to each other. Gillin and Gillin have ascertained that, marriage is a socially approved way of establishing a family for procreation. Westermarck has remarked that, marriage is rooted in the family rather than the family in the marriage. Marriage is an institution of society, which can have very different implications in different cultures. Its purposes, functions and forms may differ from society to society, but itis present everywhere as an institution. Live-in relationship is a living arrangement in which an unmarried couple lives together under the same roof in a long-term relationship that resembles a marriage. It is an arrangement of living under which the couples who are unmarriedlive together to conduct a long- going relationship similarly as in marriage.

This form of relationship does not thrust the typical responsibilities of a married life on the individuals living together. The foundation of live-in relationship is individual freedom. The definition of live-in relationship is not clear and so is the status of the couple in a live-in relationship. There is no specific law on the subjectof live-in relationship in India. There isno legislation to define the rights and the obligations of the parties to a live-in relationship and the status of children born to such couples. In the absence of any law to define the status of live-in relationships, the courts have taken the view that where a man and woman live together as a husband and wife for a long term, the law will presume that they are legally married unless proved contrary. "There is a constant change in the social system. During the 19th century, the British slowly laid the foundations of a modern state by surveying land, settling the revenue, creating modern bureaucracy, army and police, instituting law courts, codifying laws, developing communications – railways, post and telegraph, roads and canals – establishing schools and colleges and so on. The British also brought with them the printing press and the profound and many-sided changes this brought about in Indian life and thought deserve a volume in itself." Unlike above, there is western influence on the Indian mass and the live-in relationship is one of such emulation of western culture.

KEY WORDS: Live-In Relationships, Domestic violence, Article, Right.

INTRODUCTION

A civilized society is required to be governed by rule of law. The Constitution of a country is the basis of law and every law of the country shall be in consonance with constitution and within the parameters of Constitution. No aspect of human life shall go ungoverned by law. "Law a craving of human mind which at first is reflected in order. This craving when applied to human organization, evolves into set patterns of behavior and ultimately emerges as law which is a minimum standard for co- existence in a civilized society." The institution of marriage in almost all the countries is governed by law. The live-in relationship being new concept, it shall also be required to be governed, and be regulated by the law. The Supreme Court of India, which is the staunch supporter of live-in relationship has shown green signalfor the persons interested to pursue live-in relationship. It has in unequivocal terms stated that live-in relationship is not a crime or wrong. In **Indra Sarma v. V.K.V. Sarma**[1], the Supreme Court has clearly stated that live-in relationship is permissible between two unmarried couple but while providing the required procedure, the Supreme Court has also laid down guidelinesas to when relationship in the nature of marriage would be treated as live-in relationship. But at the end, the Supreme Court has declined to recognize the same as per law of Domestic Violence Act stating that what is defined in the DV Act is relationship in the nature of marriage and not live- in relationship. In

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COMPARATIVE STUDY ON LAW RELATING TO LIVE INRELATIONSHIP IN INDIA WITH OTHER COUNTRIES

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Abstract
Live-in relationships are a prevalent trend worldwide, and it is now considered a legitimate form of cohabitation. However, the legal implications of living in arelationship differ across countries, and India is no exception. This research paper aims to compare the legal framework concerning live-in relationships in India with the United States, the United Kingdom, Canada, Scotland. In India, the highest Court considered it under Right to life officially and affirmed it as a part of right to live together, with that it is important to take an advance attention on the legal rights and accountability of live-in couples around the world. While the heterosexual or homosexual couples that are living in a live-in relationship are called "co-habitant", and are legally known as "civil partners", Live in relationships in various territories are either legalized as it is or it is seen under hidden provisions of various statutes that protect property rights, housing rights etc. Much part of territories provide with the contractual law for live in partners so that is becomes easy for partners in concluding their legal rights. A live-in relationship has different genesis and the status of it is distinct in various countries. The paper will analyse the legal status, rights, and responsibilities of live-in partners in these countries and compare them with the Indian legal framework.

Key words: Live-In Relationships, Rights, Recognition, Domestic violence

Introduction

In modern times, people have become more accepting of different types of relationships, including live-in relationships, which have gained popularity worldwide. Live-in relationship is an arrangement of living under which an unmarried couple lives together to conduct a long-going relationship similarly as in marriage1 without entering into the formal institution. They are also referred as de- facto relationships. The notion behind live in relationship is individual freedomwhile enjoying companionship However, the legal implications of living together without being married vary across different countries and have sparked debates in many jurisdictions. In India, live-in relationships are still considered taboo in many parts of the country, and the Indian legal system does not offer clear guidelines regarding the rights and responsibilities of live-in partners. The objective of this research paper is to compare the legal framework related to live-in relationships in India with other countries, specifically the United States, the United Kingdom, and Canada. This paper will examine the legal status, rights, and obligations of live-in partners in these countries and compare it with the Indian legal framework.

Legal position on live in relationship in other ountries and India

(a) Legal framework in the united states:

In American, several consensual sex legislations paved way for "Living together contracts" and "prenuptial agreements" which were established following the legalization of cohabitation in the United States, which was previously illegal before1970. The country later provided cohabiters with the same rights and obligations as married couples, similarly to Sweden and Denmark, but cohabiters are not recognized as legal parents. However, they can enter into a "Cohabitation Agreement" to establish their respective rights and liabilities. According to a survey conducted by the U.S. Census Bureau, over 12 million unmarried partners live together in approximately 6 million households, and the number of cohabiting unmarried partners has increased tenfold between 1960 and 2000. In the United States, the legal framework relating to live-in relationships varies fromstate to state, as family law is primarily governed by state laws rather than federal laws. Generally, live-in relationships are not recognized as a legal union or marriage under the law, and the rights and obligations of the

TRADE SECRET'S PROTECTION LAWS IN INDIA: AN OVERVIEW

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ABSTRACT
Trade secrets are important intellectual property which help in generating revenue and popularity by way of selling the product but keeping the recipe of the product hidden. This property came into being just to cut short the competition in the business market. So thus, it needs protection. This paper will help in calculating the different ways to protect trade secrets and under what laws they shall be protected at both national and international levels. Further, this paper will deal with the importance and need of having a unified codified law for this asset in India and also the need of getting a proper remedy against any violation or infringement of the right. The author will be discussing the issues with the assistance of relevant case laws and under what provisions and statutes, the trade secrets are covered in India and what loopholes those statutes don't provide.
KEYWORDS: Trade secrets, Indian laws, remedies, Protection

INTRODUCTION

Intellectual Property Rights are the legal rights which are created by way of intellect, skill and knowledge of a person. These rights are non-transferable as they are the assets of the person produced by the intellect, and knowledge of such a person. The protection of these rights is given to the owner and creator of the product who is indulged in any scientific, artistic, literary or dramatic skills. These rights given to the owner are such which helps them in earning recognition and also financial benefits out of it. With the right balance, IP helps in generating a balance between the creators and the public welfare, if there is a right balance then it will lead the economy to flourish with innovation and great ideas which is beneficial for the society to prosper.[1] The most common IPRs are - Copyright, Patent, Trademark, Trade Secrets, Industrial Design and Geographical Indication, etc..

TRADE SECRETS

Trade Secrets are the Intellectual property rights which are based on the confidential information of the company which is not to be disclosed to the public at large. Such undisclosed information is given protection rights which can be either sold or licensed. This Trade secret is a kind of a process or practice of a company which is generally not known outside the company and is kept as a secret for other companies to have a competitive advantage in the market and also to promote their research and development.[2]

To be considered a Trade secret, the following points need to be fulfilled:

1. It should be commercially valuable as it is a secret.
2. It should be known to only a few or limited people as it is a secret.
3. The employer must take reasonable steps to hold it a secret by way of making confidential agreements with the employee and its partners[3]

If the partner or any employee of the company violates the agreement of keeping the trade secret as confidential information and if he fails to do so then such thing will amount to unfair practices and would be considered to be a violation of IP protection.

That information is considered to be protected under IPR which is not known to the public and which helps in giving competition to other enterprises. All information related to the manufacturing of consumer products, process and recipes of food products, method of converting raw material into

[1] What is IP, WIPO, available at https://www.wipo.int (visit on 22/06/2023)
[2] Jake Frankenfield, Trade secret, Investopedia, available at https://www.investopedia.com (visit on 22/06/2023)
[3] Trade secrets, WIPO, available at https://www.wipo.int/tradesecrets/en/ (visit on 22/06/2023)

TRADE SECRET LEGISLATION IN INDIA: AN ANALYSIS

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Abstract
Trade secret is defined as a contractual right which arises in favour of the person who claims it to be secret and thereby prevents others not to use it, it also prevent the disclosure of confidential information, so that it makes the IP owner to disclose the idea in pre-meditated agreement with other employees and secure the knowledge which the other side is not free to take without compensating the IP owner, because it has a commercial value. In such a case of breach of confidential information, the employers are given with the right to sue the employee based on negotiated contract alone, meaning thereby the employer can sue only for the breach- of-contract. In case of disclosure of confidential information, the employer can take the defence of 'Doctrine of Spring Board', which is nothing but an employer-employee loyalty. Therefore, in case of Trade Secret (here in after noted as "TS"), "where there is a loss of crucial information, which has been already disclosed in-person to the employee, but still the employee takes such information and commit any contrary act can be said to constitute, what can be termed as "School-boy-trick" (Ahuja V.K.,2017). All these problems arise because, there is nothing in India, there is no statute per se for governing/ regulating loss of Trade Secret, but whereas US do have a legislation in this regard. The recent news which motivated the author to take up this topic, is the case between Waymo and Uber on the confidential information leak on Google's idea of 'Self-driving Technology'. Therefore, this idea can be linked with the concept of 'Trade Secret' and a comparative study of US legislation and India's position with respect to this case is also analysed.

KEYWORDS: Trade Secret, Spring-Board Doctrine, Confidentiality, Google's Trade secret, Innovation Policy

INTRODUCTION

"When it comes to intellectual property rights, not everything that glitters is gold" –
Dr. Benjamin Mitra-kahn

Maintaining Confidentiality in business is one of the most controversial talks all over the world in the day to-day competitive business environment. Under this wide spread market regime, where competition is inevitable, and every corporation look forward to obtain and maintain confidential information. Therefore, corporation, traders, business people are very careful and impart complete due-diligence on their trade related information only to their peer members and others are not allowed to access their secret code.

With the prevalent market dominance in the business world, each business might want to know its rivals' privileged insights of progress, including any proprietary information of commercial value. These trade secrets are considered to be more important than any other form of Intellectual property (Verma.S.K.,2002) because all the sectors of commercial competitiveness have Trademark, Copyright, Patent, and Designs over their products but the secrecy makes it more individualistic compared to other rights. Secrecy in itself confers an essential element of commercial-success and provides adequate safeguard to the business activities.

With the question of law governing the area of Trade Secret, it is protected only by way of entering into contract and based on this contract terms, the confidentiality of the business as protected. Once there is breach in the terms of contract, it is not breach of TS whereas it is a breach of contract. So, there is an alarming need to bring in the Legislation for the area governing TS

This article will highlight the meaning of trade secret and why there is a need for the legislation per se for trade secret and comparative of a recent issue in relation to US legislation on Trade Secret and India's position, to point out the need for the separate legislation.

RESEARCH OBJECTIVE

1. To study and understand the concept of Trade Secret.
2. To compare the situation of Indian Trade Secret with that of US Trade Secret.

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IMPLICATIONS OF THE POCSO ACT AND DETERMINANTS OF CHILD SEXUAL ABUSE IN INDIA: INSIGHTS AT THE STATE

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Abstract
Child sexual abuse is a global phenomenon and India is no exception. The extent of this serious crime is underestimated due to poor coverage. The reality is that the incidence of child sexual abuse in India has reached epidemic proportions. Under the Child Protection from Sexual Offenses Act 2012, 53,874 cases were recorded in 2021 alone. To provide comprehensive protection to children, the Indian government enacted the Protection of Children from Sexual Crimes Act (POCSO) in her 2012. This law is a comprehensive law that protects children from crimes such as sexual assault, sexual harassment and pornography. Therefore, the extent to which the law has improved child protection is an important question for interrogation. Here, we consider the impact of her POCSO Act (2012) on improving child protection from sexual abuse, quality of life along with other social, economic and demographic determinants in reducing POCSO cases. Demonstrate the role of the empirical analysis in this paper is based on secondary data compiled by the National Criminal Records Service. Our empirical findings show that the POCSO Act reduced the increase in child sex crime cases in India from 4.681% to -4.611%. Furthermore, our empirical results also indicate that it is possible to curb the incidence of POCSO in all Indian states by improving quality of life. In addition, good gender ratios, increased gross enrollment at the primary school level, improved justice systems, and state security assessments have also enabled states to limit POCSO cases. Based on our empirical findings, we believe future policies can aim, for example, to improve quality of life and state law and order, and increase girls' enrollment in tertiary education.

Keywords: Child, Child sexual abuse, POCSO Act, Offences, Punishment.

Introduction

Every year, millions of children of both sexes are exploited and sexually abused around the world. According to UNICEF (2022), "about 1 in 10 girls under the age of 20 are forced to have sex or other sexual acts." In her 90% of cases, the defendant knows the victim (UNICEF, 2022). Globally, Africa has the highest prevalence of child sexual abuse (CSA), with 34.4% of her (Wihbey, 2011; Behere and Mulmule, 2013). Her reported CSA cases in Europe and America are 9.2% and 10.1%, respectively (Wihbey, 2011). The lowest values may not reflect regulation of such horrific crimes, but may be the result of underreporting (Wihbey, 2011). Just as the scarring of victims should never be ignored, the lowest prevalence of CSA should also not be ignored (Wihbey, 2011). National Child Abuse and Neglect Data reported in 2006 that 8.8% of U.S. children were victims of child sexual abuse (Miller et al., 2007). In reported cases of sexual abuse, 60% of victims were found to be under the age of 12 (Collin-Vézina et al., 2013). Bath et al. (2013) reported that 4% of girls and 2% of boys are victims of CSA annually worldwide, and that the impact is extremely severe for about 15% of girls and 6% of boys. Her CSA prevalence in urban China is 4.2% (Chiu et al., 2013). Determining the true global figures for CSA is a difficult task because such crimes are underreported (Miller et al., 2007).

There are 472 million children living in India (Chandramouli and General, 2011). Children make up more than a third (39%) of her population in India. India celebrates his Children's Day on November 14th, the birthday of India's first Prime Minister Jawaharlal Nehru, aka "Chachanchu". He dreamed of making India a 'children's paradise'. However, the reality seems to be different. On November 17, 2020, a 6-year-old girl was brutally murdered after being raped for practicing black magic, and the defendants were arrested under the Child Protection from Sexual Offenses Act (POCSO), Kanpur (UP), November 17) Tribune). On August 26, 2020, a 17-year-old girl was found dead near her home in Rakinpur Kheri district, Uttar Pradesh (Indian Express, August 26, 2020). Another horrific incident was previously reported in the state involving a 13-year-old Dalit girl who was left behind. Due to his

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CHILD LABOUR IN INDIA

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Abstract

"If we want to teach real peace in this world and wage real war against war, we have to start with children." Mahatma Gandhi The problem of child labor is the greatest concern in India. Early entry into the labor market in the formative years ending life means not getting an adequate education and thus losing future opportunities to earn a better livelihood. Increase Child labor is inherently a complex problem rooted in poverty. And at the same time, the nation owes the deadly consequences of the curse of this society. Her children under the age of 14 make up 3.6 percent of her total workforce in India. Almost 85% are employed in the traditional agricultural sector, less than 9% of her in manufacturing, services and repairs and about 0.8% in factories. The use of children as domestic workers in urban areas is a growing phenomenon. Their working conditions are totally unregulated and they are often forced to work without food and for very low wages, akin to slavery. There are also cases of physical, sexual and psychological abuse of child domestic workers. Arguments about housework often revolve around families entrusting their children to these homes for care and employment. Eliminating child labor is a priority and is being implemented in India at the grassroots level. This process involves a large number of non-governmental and voluntary organizations, as well as national and international organizations. This article aims to present a scenario in which child labor is on the rise and also to explain the different challenges that arise from this particular problem. Necessary efforts are proposed to overcome these problems. In conclusion, we conclude that the proposed solutions may be suitable to address the challenges posed by child labor.

Keyword: Abuse, child labor, poverty, society.

INTRODUCTION CHILD LABOUR:

MEANING

The Child Labor (Prohibition and Regulation) Act 1986 defines a child as any person under the age of 14. Part II of the Act prohibits children from working in all occupations listed in Part A of the Schedule. This includes, but is not limited to, domestic work, dhabas and hotels, catering at railway facilities, and construction work near railways or tracks. Plastic factories and auto repair shops. The law also prohibits children from working where certain processes listed in Part B of the list are carried out. These processes include but are not limited to beady making, tanning, soap making, brick kilns, roof tile factories, etc. These regulations do not apply to workshops where the owner works with the help of family members, or to state-sanctioned or sponsored schools. According to the International Labor Organization (ILO), the term "child labor" is often defined as work that robs children of their childhood, potential and dignity and adversely affects their physical and mental development. This refers to work that is mentally, physically, socially, or morally dangerous and harmful to children. And it interferes with school education by depriving them of the opportunity to go to school, Obligation to leave school early. Or they may demand that they combine school attendance with excessively long and demanding work. There is currently no universally accepted definition of child labor, as child labor is defined in many different ways. In India, child labor is defined by age. It varies from year to year depending on the law. The Factory Act of 1948 prohibits children under the age of 14 from working in factories. The minimum age under the Mines Act 1952 is 15 years old. The Plantation Labor Act of 1951 gives him 12 years. Child labor has been a hotly debated topic around the world for almost a decade, and there are widely differing views on the subject. But for economic historians, sociologists, and anthropologists, child labor is more than just a contemporary phenomenon. Development economists also argue that the recession was driven by

THE STUDY ON 2016 INSOLVENCY AND BANKRUPTCY CODE (IBC)

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Abstract
India has been facing the issue of insolvency as well as bankruptcy for many years. Despite the introduction of several ordinances and laws intended to solve the situation, we were unwilling to provide sufficient help those in need and ultimately collapsed. The laws governing insolvency and bankruptcy in India need required to be changed. The Code on Insolvency and Bankruptcy, which took effect 2016, aims to enhance the process of liquidation's efficiency while also giving it a chance to be restored. 'Bringing together and modifying the laws controlling the reorganization and resolution of insolvency of businesses, organisations, and individuals in an efficient way will maximize the value of those people's assets, motivate entrepreneurship, improve access to credit, and pick a balance among the interests of all those involved, including shifting the priority order for including government bills and creating an Insolvencies and A bankruptcy Board. An attempt is made to look at the Code to decide whether it will be successful in resolving the shortcomings while addressing the gaps.

Keywords
Bankruptcies, dissolution, and insolvent Insolvency Expert, The Code of Insolvency and Bankruptcy 2016.

Introduction

Although the terms "insolvency" and "bankruptcy" are frequently employed indiscriminately in normal conversation, there is a significant distinction between the two. Bankruptcy and insolvency are not the exact same thing. The term "insolvency" refers to an individual's circumstance in which the assets they have are inadequate to cover their debts, or to their overall disability to do so. The lack of ability of a person to pay their bills when they fall due in the normal way of his company is referred to as "insolvency" in a narrow sense. An individual or an entity that is incapable to pay their debtors back legitimately has the legal status of "bankruptcy,"[i] which refers to their economic insolvency. A petition needs to be filed in a court or before the correct body chosen for this purpose to start the bankruptcy procedure. The property of the debtor will be evaluated and distributed to the creditors in line with the law. As result, even though insolvency refers to an individual's failure to pay back their dues, insolvency is an official admission of insolvency made in accordance with the rules of the state. When a borrower is unable to fulfil their debts, this is considered to be incompetence. Bankruptcy occurs when a court recognizes that situation and provides legal orders to rectify it. thereby, bankruptcy is a consequence, whereas insolvency is the state. Both businesses and organisations as well as individuals may be spoken to as being insolvency. If debt is not settled, it results in disposal for companies and bankruptcy for citizens. Insolvency refers to the closure or formal wound up of a company or other incorporated companies due to its incapacity to fulfil its contractual obligations or pay its debts. A capable receiver appointed in that regard sells the assets at the most reasonable rates in order to pay off the loans.

Statement of the Problem

The beginning of the Code stipulates that the purpose of this Act is to "to reorganize and modify the laws controlling corporate insolvency and reorganization," people, partner companies, and others in a timely manner to maximize the value associated with their assets, stimulate business management, boost credit availability, and balance their objectives all parties to
consider, modifying such as the priority order for paying federal debts, implementing an Indian Insolvency and Bankruptcy Board, and for causes relevant to or incidental to such goals". The Implementation of the 2016 Insolvency and Bankruptcy Code for all of India, the Code of Insolvency and Bankruptcy, 2016 when is in effect. The State of Jammu and Kashmir, however, is excluded from

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THE EFFECTS OF INDIA'S NEGOTIABLE INSTRUMENTS ACT AND BANKING SYSTEM DEVELOPMENT

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Abstract

The main components of the Negotiable Instrument Act and its contribution to the growth of banking are examined in the current article. In order to ease mercantile commercial activity, the legislation concerning negotiable instruments was passed, providing for the sanctity of instruments of credit that would be considered convertible into money and simple to change from one person to another and to move from one financial organisation to another. The observation made previous to the Bills of Exchange Act, 1882, that was originally mentioned demonstrates how commercial law, which involves the law of negotiable instruments, has changed over time[1]. The mercantile community discovered that these instruments provided a simple method of making payments by approving and delivering them or just delivering them. Negotiable instruments now have more global significance as trade and business expand.

The absence of such negotiable documents is likely to have a negative impact on trade and commerce activities in the modern world since it is not practical, not possible, and undesirable for the trading community to carry with it the majority of the cash in use. In spite of their legal status and ease of transfer from one hand to another, from one state to another, or from one country to another, negotiating instruments are in fact instruments of credit that are convertible, exchangeable, and redeemable. The cheque is widely regarded as one of the safest and most dependable methods of payment in the whole world, especially in the context of business transactions, where it is impossible to imagine life without this type of negotiable document.

Keywords: Negotiable Instruments, India, The judiciary, Negotiable property.

A 'thing' in more than one meaning is a negotiable instrument. In order to understand what is meant by a "thing" in legal terms, we need to ignore both the intellectual details surrounding the idea of "thing" and the particular meaning of the word in English, as in the expressions "things in possession" and "things in action." A "thing" in law always refers to a set of rights. Every instrument thus becomes a "thing" insofar as the paper it is written on is concerned.

A negotiable instrument is a "thing" not just in the sense that it expresses rights in a tangible way. Such an instrument becomes the property of the person who legally takes possession of it; this is not true of other instruments. Yet another time, it is a representation of cash and represents every quality that money has. at instance, it has no impact by any defect or fraud in the source from which it comes, provided that the purchase was genuine and at a fair price.

Introduction

The rules governing the negotiation of instruments is primarily included in the Negotiable Instrument Act, 1881. When we use the terms "negotiable" or "transferable," in addition we mean "transferable," and "instrument," we mean "any written record making an appropriate offer in favour of some person." Therefore, as we refer to a "negotiable instrument," we mean a written contract by which a right is provided to a person and which is transferable in founded on the conditions of the Negotiable Instruments Act of 1881.

A negotiable instrument is frequently said to be a piece of paper that is acceptable for a certain amount of money and may be borrowed from one person to another simply by supply or by approval and supply. The party to whom it is so transmitted becomes entitled to the sum stated above as well as the right to further transfer it. While it is a fundamental principle that no one can call himself the owner of a thing until the person who sold it to him is the actual proprietor of the item in doubt, this rule does not apply in the case of a negotiating instrument. Let's now analyse the law's explanation of the phrase "negotiable instrument" in that section.

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THE SILENT PANDEMIC: AN INVESTIGATION INTO THE PREVALENCE AND CONSEQUENCES OF MARITAL RAPE IN INDIA

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Under the correspondence of Dr. RAVI KANT GUPTA, Associate Professor, Faculty of Juridical Sciences, Rama University, Kanpur

Abstract
Marital rape is a widespread and complex issue in India, with varying estimates of its occurrence and a legal system that does not yet recognize it as a criminal offense. This research paper delves into the issue of marital rape in India, exploring its prevalence and impact on survivors. Despite being a recognized form of sexual violence, it remains criminalized in India. The paper highlights the various barriers that prevent survivors from reporting such violence and obtaining justice. The study uses a mixed-methods approach to examine the experiences of women who have faced marital rape in India. The findings reveal that cultural and legal barriers, such as gender norms and fear of retaliation, contribute to the underreporting of marital rape. The study concludes by recommending policy interventions to address these barriers and promote justice for survivors. Researchers have focused on several key areas, including estimating its prevalence, exploring the sociocultural factors that contribute to it, examining the legal framework surrounding it, and understanding its impact on victims. This research highlights the patriarchal attitudes and gender norms that underlie violence against women and emphasizes the need for greater social and legal recognition of marital rape as a criminal offense. To develop effective prevention and intervention strategies and support victims of this form of sexual violence, it is crucial to understand the causes and effects of marital rape.

Keywords
Martial rape, criminalized, women, fundamental rights violation, Article 14, Article 21, harassment.

Introduction

Marital rape, which refers to sexual violence committed by a spouse, is a prevalent and often unreported form of violence against women in India. Despite being acknowledged as a type of sexual violence by national and international human rights frameworks, it is not considered a criminal offence under Indian law. The social norms that depict women as submissive to their husbands and view sex as a marital obligation further exacerbate the issue by creating a culture of silence around marital rape. This silence leads to the continued impunity of perpetrators and deprives victims of the necessary support services and access to justice. Marital rape is a serious issue in India that has many layers and is influenced by gender, culture, and laws. According to studies, up to 40% of married women in India have experienced sexual violence from their spouses, which can include forced intercourse, coercion, and sexual assault. Survivors of marital rape experience physical, psychological, and social consequences that can be devastating. Cultural factors such as male dominance and female subservience in marriage and stigmatization of women who speak out against sexual violence contribute to underreporting of marital rape. Women's limited access to sexual and reproductive health services also perpetuates the silence.

In India, the issue of marital rape is a highly debated topic. The act of non-consensual sexual intercourse between spouses is not considered a crime under the Indian Penal Code. Therefore, victims of marital rape cannot seek legal recourse as victims of rape outside of marriage can. The reason behind this is the belief that marriage is a sacred institution and sexual activity is an essential part of it. Some people think that a wife must provide sexual gratification to her husband, irrespective of her consent or willingness. Furthermore, the lack of knowledge and education about consent and the significance of respecting a

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LIVE-IN RELATIONSHIPS IN INDIA: EXPLORING THE COMPLEXITIES OF LEGAL RECOGNITION, MORALITY, AND SOCIAL ACCEPTANCE

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Abstract
With an emphasis on their prevalence, dynamics, and societal ramifications, this study investigates the issue of living partnerships, commonly referred to as cohabitation or live-in relationships. It looks at people's motivations for entering long-term partnerships, the influences on their choices, and potential social, cultural, and legal issues. Even though such partnerships are not entirely acceptable in Indian culture, the judiciary is recognising them by giving existing statutes new interpretations. Recent Supreme Court ruling *Indra Sarma v. V.K.V. Sarma* is regarded as a major ruling about live-in relationships. The research also examines the moral and ethical implications of intimate relationships, considering the viewpoints of many stakeholders and the effect on conventional ideas of marriage and family. This study strives to offer a nuanced perspective of living relationships and their importance in modern society through a thorough assessment of the body of previous literature, case studies, and qualitative interviews. The research sheds insight on the complex dynamics of intimate relationships outside of typical marriage frameworks, contributing to current discussions on relationship structures, individual autonomy, and social norms.

Keywords-
living relationship, legalised, cohabitation, marriage, Hindu law,

Introduction

A living relationship, sometimes referred to as companionship or a common-law partnership, is a partnership in which single individuals share a home and a personal life for an extended period of time without becoming legally wed. It entails a couple sharing a home, fiscal responsibilities, and household duties while cohabitating in a committed partnership. The pair in an ongoing relationship choose to cohabitate and pursue a relationship without the formality and constraints of marriage. Individuals frequently view themselves as mates or life partners or may have romantic or sexual relationships.
It's crucial to remember that depending on the jurisdiction, living partnerships may not be legally recognised or accorded certain privileges. Cohabitating couples may, in certain nations or jurisdictions, enjoy legal rights and duties akin to those of married couples, such as ownership of property, inheritance rights, or the need to support one another. Cohabitating couples may only have minimal or no legal recognition in other areas. Understanding the rights and duties connected with living relationships in a particular jurisdiction always requires consulting local laws and getting legal counsel. Gaining prominence as a replacement to conventional matrimony throughout India. Even though this area of study is expanding, there is still much to learn about the variables that affect a person's decision to live with someone else, the difficulties that couples confront, and the long-term effects of these relationships. This study examines the many facets of living relationships in India in an effort to close this knowledge gap.

Legality of living relationship in foreign countries

Cohabitation is permitted in certain countries but not others, and it may even be lawful in different states or sections of the same nation. While cohabitation may be subject to legal limitations or get very limited legal recognition in certain jurisdictions, it is generally lawful and widely accepted in others. Cohabitating partners may enjoy legal rights and obligations comparable to those of married couples in nations where common-law marriage is recognised after a set amount of time or under

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COPYRIGHT LAWS IN INDIA- A CRITICAL ANALYSIS WITH IPR

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ABSTRACT
This paper gives an overview of intellectual property rights (IPR) issues with special reference to copyright in India. The paper deals with the digital technology and copyright law as well as the role of librarians in the protection of copyright literature. Such protection ensures owners the control and participation in the proceeds of the commercial exploitation of the work. Librarians need to play appropriate role to the balance between the users' right as well as creators' right with regard to copyright and copyright enforcement. Paper concluded that in the age of information communication technology, library and information professionals have more responsibility to protect the copyright of creators. They have to discourage library users from copyright infringement. Finally, the paper suggests some solutions that will reduce the copyright infringement

KEYWORDS: Digital Technology, Copyright, Intellectual Property Rights, IPR, Librarian, India

INTRODUCTION
Copyright is a right given by the law to creators of literary, dramatic, musical and artistic works and producers of cinematograph films and sound recordings. It can be termed as "The exclusive right given by law for a certain term of years to an author, composer etc. (or his assignee) to print, publish and sell copies of his original work". Indian copyright law is at parity with the international standards as contained in TRIPS. The (Indian) Copyright Act, 1957, pursuant to the amendments in the year 1999, fully reflects the Berne Convention for Protection of Literary and Artistic Works, 1886 and the Universal Copyrights Convention, to which India is a party. India is also a party to the Geneva Convention for the Protection of Rights of Producers of Phonograms and is an active member of the World Intellectual Property Organization (WIPO) and United Nations Educational, Scientific and Cultural Organization ("UNESCO").

OBJECTIVES OF THE STUDY
The research paper aims:
- To study the concept of copyright
- To study the application of copyright law in India.
- To study the impact of registration of copyright.
- To study the infringement of copyright and the penal provisions provided therewith.
- To study the remedies available at the instance of infringement of copyright.
- To study the emerging trends in copyright Law in India.

METHODOLOGY
The paper is an attempt of doctrinal research, towards the "Copyright Law in India: A Critical appraisal". The researcher has taken help of both primary and secondary sources. The primary sources includes – Statutory legislations, Regulations: International and National Judgments. The secondary sources includes – articles, journals, books, newspapers and websites etc

REVIEW OF LITERATURE
In an attempt to frame a detailed note on critical appraisal on copyright laws in India, the researcher has consulted the following books in compilation of this researcher work:-

1) P.Narayaran, Intellectual Property law, ed. 1997.
2) P.S. Sangal and K. Punnaswami, Intellectual property law ed. 1994.
3) S. R. Myneni, Law of Intellectual property ed. 2001.

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COPYRIGHT LAW OF INDIA IN ACADEMIC COMMUNITY: AN ANALYSIS

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ABSTRACT

Copyright plays a crucial role in academic institutions. Although, copyright protection has been in existence in India for more than 150 years, copyright issues in academic institutions have not received enough attention. This paper attempts to look at the issues in the background of the philosophical justification for copyright protection. After a bird's eye view of the basics of copyright, the paper looks at the traditional issues relating to scope, ownership and use of copyrighted works in educational institutions, in the light of case laws. Then the possible issues that Indian educational institutions may have to face in the context of the emergence of digital technologies and widespread use of information technology are examined.

KEYWORDS: Copyright law, Moral rights, Economic rights, Legal rights, Exclusive rights, Copyright ownership, Copyright regime, Digital technologies, Educational institutions

INTRODUCTION

Copyright is one form of Intellectual Property Protection provided to the authors of *artistic* and *literary works.* It is a bundle of legal rights, essentially *rights in rem,* available to the authors of every literary, cinematographic and artistic work. Copyright owners are accorded two types of rights- **economic rights** and **moral rights.** The owner of the copyright is called the copyright holder. Copyright gives the copyright holder **monopoly** and **exclusive rights** over the protected works, however this monopoly is not absolute and should not be in contravention to public welfare.

Unlike patents and other forms of intellectual property rights, publication and registration are not necessary for copyright protection as the "work" is presumed to be copyright protected from the moment it is created. The subject matter of copyright is quite vast and the Indian Copyright Law is on close parallels with the British Copyright Law[1]. Internationally, Copyright laws are primarily regulated by the **Berne Convention 1971,** the **TRIPS Agreement,** the **Universal Copyright Convention,** the **Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisation (1961)** and the **WIPO Copyright Treaty 1996.** In India, Copyright is regulated by the **Copyright Act of 1957.**

THE BERNE CONVENTION

The International Convention for the Protection of Literary or Artistic Works, 1886, commonly known as the **Berne Convention,** which laid down the fundamentals for the modern copyright laws is the oldest International Convention governing Copyright. It was first signed at Berne in 1886 and after a series of revisions, it was finally revised at Paris in 1971. It was the Berne Convention which made **unpublished works** eligible for copyright protection and also removed the requirement of **registering** the work in order to avail protection.

According to **Article 2,** which defines the subject matter of copyright, *"literary and artistic works"* include **every production in the literary, artistic and scientific domain, whatever be the mode or formation of its expression.** Hence the subject matter of copyright can be enumerated as below;

a. Books, pamphlets and other writings
b. Lectures, addresses, sermons and other works of the same nature
c. Dramatic or dramatic-musical works

[1] Verkey, E. (2015). *Intellectual property: law and practice* (1st ed., Vol. 1). Lucknow: Eastern Book Company

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IMPACT OF LOCKDOWN ON MIGRANT WORKERS IN INDIA

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Abstract-
Mostly migrant workers have left permanent, temporary and seasonal jobs during lockdown, because industry, supply of essential goods and services were perfectly closed. Bus, trains and other facilities were totally and partially halted. The lockdown has several impacted migrant workers. Migrant workers have faced different problems, lost their work due to shunting of industries and were stranted outside their residence wanting to get back. The government has declared relief measures for interstate migrant workers and made arrangements for migrant workers to return their home. Supreme Court of India, recognizing the problems faced by migrant laborers stranded in various sectors of the country, reviewed transportation and other facilities made by the government.
Migrant workers have faced poor access to public distribution systems, suitable information and implementation of government services. I have discuss social economic problems of migrant workers in this research paper. I have used secondary data in this research paper.

Keywords-
Migrant, Lockdown, Legal Provision

Introduction

Whereas migrant laborers have a huge role in the social and economic development of the country. Exploitation of migrant laborers and violation of their social rights has been happening in India since ancient times, due to which their social status has become very low. It has happened as society and government has always treated them with discrimination. Most migrant laborers are concerned about their social rights. Their objective is to work and get the wage in return so that can help her family with that money. Migrant laborers are ignorant about their social rights. Which that them get very little wage after work. No migrant worker is demanding his social rights for example right to work, right to food, right to freedom, right to equal pay, right to movement, right to medical care, right to social security etc. Migrant laborers cannot talk about their social rights before the administrative authorities because they are uneducated and weak. Most employers follow the principle use and throw for migrant.

Type of Migration

- External Migration: external migration is the movement of workers from various states and countries. It is classified under three categories: emigration, immigration, refugee migration. Emigration: left-out one place and move to other places.
- Immigration: moving in to new areas. Refugee Migration: involuntary or obligated migration to India in the form of refusees.
- Internal Migration: internal migration is the movement of workers within a state or country from one place to another place. It is classified under four categories: Rural to Rural, Rural to Urban, Urban to Urban, Urban to Rural.
- Return Migration: back to return home where you came from.
- Seasonal Migration: moving with every weather, the seasonal movement of workers from various areas or climate to another on a yearly basis in response to changes in climate, temperature and seasonal nature of their wages and work.

HEALTH RIGHTS AND SOCIAL STANDARD OF MIGRANT LABOURERS IN INDIA

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Abstract
The problem of migrant workers starts with their birth and ends only after death as their life starts without basic amenities. There is a complete lack of health, safety and welfare schemes the workplace. Constitutional and Labour Law remain confined to books only. Their actual compliance is not possible. Because uneducated ,poor, helpless and unskilled migrant laborers are always deprived of health welfare schemes due to lack of proper documents. They have to face many types of health related diseases. A lot of efforts were made to improve the condition of labour under the Constitution and various labour laws,but there was not much success in it. Apart from this, commendable efforts have been made from time to time find a solution to this problem through international organizations.Due to non compliance of these Conventions and Agreements by the members of united nations,condition of the migrant laborers are very serious . Their health rights are being violated even today.

Keywords Migrant Labour, Health Right , Labour Law, International Law

Migrant Labour

The word migration refers to moving from one place to another in search of work. Movement of laborers is the natural movement of human race. This is not a new thing in the current environment.

Due to migration their working capacity is affected, which also affects the economic development of the country, but the government and industrialists have never seen the economic development of the country linked with the migrant laborers. If the government amanities is increased by providing health facilities to the migrant labourers, then the production capacity in the industries can increase and the country's economy.

At present, the migrant laborers have hatred towards the society and due to discrimination, due to which the migrant laborers have to face many types of health problems at the work place, in which the main problems are like the problem of clean water and health care.

Many migrants and carts are forced to live with their children in such cold weather in shanties made of torn or torn clothes on the banks of canals in big cities like Kanpur. Such laborers do not have any means to avoid the cold. The local authorities, the government and the society have never considered on the social rights for such labourers.

Due to all these problems, the migrant laborer suffers from diseases like asthma, TB, cholera, malaria, typhoid, diabetes, and in the absence of treatment, his working capacity decreases and he also dies. In this way the migrant laborer continues to work being a person suffering from health ailments. The laborers do not know about their health officer, nor are they told by the government in the society.

Because of which migrant labourers have bath and wash clothes indirty water. There are lived without basic amanities with family. It would be very difficult to imagine a long life in happiness in this circumstances.

Constitutional Framework Relating Migrant 's Health Right

The Preamble of the Indian Constitution provided social, economic and political justice to all Indian citizens. It also protects migrant laborers but poverty and illiteracy have deprived them of these rights

Even in other states, migrant laborers have to face discrimination on the basis of religion, on the basis of language. In the destination states, lack of the right of vote, migrant laborers are deprived of government facilities by the administrative officials.

Under Article 14, all citizens have been given the right to equality before the law1. Everyone has been prevented from being treated arbitrarily, but migrant laborers are often treated unequally. In such a situation, the local administration does not say anything and despite having fundamental rights the migrant laborers accept exploitation their fate.

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VICTIM ADVOCACY AS A REASSURANCE FOR VIOLENCE AGAINST WOMEN : A RECASTING IN VICTIMOLOGY IN INDIA

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Abstract

Women who from one half of our papulation have always played a specific and crucial role, whether visible or not, in the society and history.Violence against Womens is a oldest offence in human history and development of women's rights and there position in society improve there status but due to increasing population also increase the rate of offences against Womens, there's some latest and burning Illustrations as Nirbhaya case and Hathras case where Cruality and gender base hate take the life of two women Victim's. In these Cases the noticing point is that Advocate/Council Seema kushwaha is a perfectly perform her role as a lawyer with her empathize help with Victim's family. This is a perfect important example of Victim advocacy in India. In very simply we can say that where Victim's relief is a mission, not a chance of earning for Advocates there's Concept of Victim advocacy was naturally applied. The Term Advocacy is not only use for Advocates also use for Social workers', journalist, Writers, NGO,whistle blowers,and other activists also came into definition of Victim advocacy.

A specific area expertise is a kind of modern Victim's advocacy such as a lawyer who prectice and having expertise in domestic violence cases is more helpful in family courts matter for Victims.Victimize Womens needed a sensible Person who can easily understand there's point, feeling, emotions and pain. Definitely Victim advocacy Play a important role from filing the complain and provided moral support for the fight for justice and relief.

In landmark case M.C.Mehta Union of India (1986)[1] is a good illustration of Victim advocacy where there was an escape of oleum gas which also led to the death of few.This case was the result of a writ petition filed by a prominent lawyer M.C Mehta. This petition was filed against the Shriram Foods and Fertilizers Industries as it was located in one of the most populous areas of the Delhi. After that Another landmark case Vishaka & ors. v/s state of Rajasthan[2] is a case which deals with the evil of Sexual Harassment of a women at her workplace. There the role of Victim advocacy played by an NGO named Vishaka , there's a lot of example but as primary level concept of Victim advocacy was not in good strength that' why In India the rate of offences against Womens is High and there is need of true victim advocacy. With Primary Education and awareness in the society we built-up some strong generation who have more dedication for Victims relief.

Keywords - Victim, Advocacy, Women, Recasting

Introduction -

A crime victim advocacy program is a program to assist victims of crime through the criminal justice system. Such a program assists victims of a "General Crime", that is, as any crime committed that is not domestic or sexual in nature. Common examples of general crimes are murder, robbery, identity theft, burglary, vandalism, hate crimes, assault, and threats.

parts for a victim. A victim advocate can be very helpful in the event that the victim needs to take legal action against her assailant, and the advocate is often present through the entire process. For example, an advocate may: educate the victim of her legal rights, help the victim report the crime to law

[1] AIR 1987 SC 965

[2] AIR 1997 SC 3011

LEGAL REGIME TO PROTACTION OF THE RIGHT OF CHILD IN INDIA

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Dr. Priya Jain, Assistant Professor, Faculty of Juridical Sciences, Rama University, Kanpur

ABSTRACT
This article examines what rights are available to a child in India for his/her development. What other rights does such a child have so that he can develop. Is the child really capable of taking advantage of these rights to develop himself or is it still up to the society and the law to give him give this right. It is also true that the first responsibility of the upbringing of the child lies with the parents; the parents are always concerned about the future of the child. As we know in today's time the incidents of neglect, abuse, sexual exploitation, child labor have increased in the lives of children, people do not hesitate to get children to do child labor and other crimes due to their selfishness. In such a situation, it becomes necessary that children know about their rights so that they can raise their voice against their exploitation, seek help from the police or can go to court, it has become very important to instill confidence in the children. Now it has become necessary that the rights of children should be discussed in detail. The people of the society also say that give rights to the children, but very few people know. What rights are available to children? Whenever it comes to the rights of the child, it is seen that there is no one to defend the rights of the child, that child is demanding rights from those who try to take away his rights. Child rights are of paramount importance in any legal system as they form the basis for ensuring the well-being, protection, and development of children. In Hindu law, the rights of a child are enshrined in various legal provisions and are guided by principles rooted in the principles of Dharma (righteousness) and social welfare. This topic explores the legal rights of a child under Hindu law, highlighting key aspects such as parental rights, maintenance, inheritance, and protection.

Keywords: Juvenile Justice Act, 2000; Hindu Vidhi, Constitution of India

INTRODUCTION
"If we don't stand for children, we don't stand for much"- Marion Wright Edelman.
Children are the future of the country. The definition of child is of vital importance as it lays down the rights, protections and responsibilities to be given to persons below a certain age. Understanding the legal concept of a child is essential to safeguard their welfare and ensure their proper development. A child is defined as a person who has not yet attained the age of eighteen years. This age range, commonly referred to as the "age of majority", marks the transition from childhood to adulthood, legally recognized as individuals capable of exercising their rights and assuming responsibilities. The definition of child under Indian law is important in protecting their rights and ensuring their well-being. Specific legal provisions and safeguards are in place to safeguard the interests and welfare of children. These include but are not limited to.
The development of child rights in traditional societies has a complex history, varying greatly across different cultures and time periods. It is important to note that child rights as we understand them today, with an emphasis on protection, well-being, and participation, were not always recognized in traditional societies. However, there were often cultural norms, practices, and informal mechanisms that provided some level of care and protection for children.
Traditional societies generally had a strong emphasis on family and community structures, which played a crucial role in the upbringing and welfare of children. Children were typically regarded as valuable members of the community and were considered essential for the continuation of the family lineage. However, the rights and autonomy of children were often limited, and their roles and expectations were determined by societal norms and cultural traditions.
In many traditional societies, children's rights were intertwined with the roles and authority of parents, elders, and community leaders. Decision-making regarding children, such as their education, marriage, and future occupations, was often left to the parents or other senior members of the

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SEXUAL HARASSMENT OF WOMEN AT WORKPLACE: CRITICAL ANALYSIS OF LAWS AND PREVENTIVE MEASURES

Kavindra Kumar Bajpai Research Scholar, **Dr. Arun Kumar Verma,** Associate Professor, Faculty of Juridical Sciences, Rama University, Kanpur, UP

Abstract:
Women, a girl, a wife, a mother, a grandmother, overall girl could be a key of a family. World will never be complete without a girl. Law is the set of rules implemented to govern the behavior of individuals. From the start of this world women is treated as a weaker section of the society frequently are the victims of the crimes like rape, eve teasing, feminine infanticide, dowry, domestic violence, child marriage and acid throwing. India is facing the matter of accelerating range of cases of sexual harassment at the workplace despite the actual fact that there are various laws to curb the menace. Irrefutably, it hampers women's constitutional and fundamental rights to equality, justice and dignity. The paper begins with shaping the idea of sexual harassment then looks into the assorted aspects allied to the current brutal issue. In addition to it, the issues with the measures taken are mentioned to clarify the status of sexual harassment in Indian context and the way organizations can facilitate in safeguarding the dignity of their women employees. The study indicates that the problem of sexual harassment at the workplace is at an appalling stage and needs an immediate attention by the organizations moreover from government. The work of activists, human rights mechanisms and States has been crucial in guaranteeing that the human rights framework has developed and adjusted to summarize the gender specific dimensions of human rights violations to safeguard women in a better approach. Further, few recommendations also are projected to tackle the problem of sexual harassment of women in Indian organizations.

Key Words- Sexual harassment, human rights mechanism, domestic violence, fundamental rights, women's right

Introduction

Violence against women is experienced by women of all ages, social categories, races, religions and nationalities, all over the globe. Literature has proven that it's irresistibly perpetrated by men. Indian society isn't any exception to it. Conventionally, India had been a male dominated civilization. Women used to understand themselves as alien or undesirable within the men world. Even, business organizations were traditionally shaped and managed by men. The proportion of a lot of men than women in Indian organizations is a key indicator of prevailing gender difference. This case becomes worse once women encounter the cases of sexual harassment at workplace. The flagrant and widespread phenomenon of rape and sexual assault are the more normally recognized types of violence against women on basis of gender, whereas the more delicate issue of sexual harassment may be more inhibitory and discouraging. Generally speaking, sexual harassment could be a behavior with a sexual connotation that's abusive, injurious and unwelcome. It places the victims in an environment of intimidation, humiliation or hostility. Across the world nowadays, the problem of sexual harassment has become omnipresent transgressing all limits and borders. It's registered its presence at each workplace across the globe.[1] The United Nations Convention on the Elimination of all forms of Discrimination against women (CEDAW), which was adopted by the UN General assembly in 1979 and which is upholded by India usually delineated as an international bill of human rights for women, it advocates for the equality of women and men in terms of human rights and basic freedoms within the political, economical, social, cultural and civil spheres. It specifies that discrimination and attack on women's dignity violate the principle of equality of rights.[2]

[1] Ritu Gupta, Sexual Harassment at workplace: A detail study of the sexual harassment of women at workplace, (1st edition, 2014).
[2] H. O. Agarwal, "International Law and Human Rights" 21th (Ed), Central Law Publication, Allahabad, pp.494-496, 2016.

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ASSESSING THE EFFECTIVENESS OF BANK RECOVERY LAWS IN INDIA

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Abstract

India's banking sector plays a crucial role in the nation's economic growth and development. However, a significant challenge lies in the form of Non-Performing Assets (NPAs) - loans that are unlikely to be repaid. This phenomenon can threaten the financial stability of banks and hinder credit flow to vital sectors. Effective bank recovery laws are essential tools for tackling NPAs and ensuring a healthy banking system.

This study delves into the effectiveness of current bank recovery laws in India. It begins by outlining the importance of a robust legal framework for addressing NPAs. High NPA levels can lead to decreased bank profitability, reduced lending capacity, and ultimately, impaired financial intermediation. This can stifle economic activity and hinder investment opportunities. The study then provides a concise overview of the key bank recovery laws in India. This might include the Recovery of Debt Due to Banks and Financial Institutions Act (DRT Act) and the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act). These laws establish mechanisms for banks to recover outstanding loans through processes like tribunals, asset reconstruction companies (ARCs), and enforcement of security interests.

1. Introduction

Assessing the effectiveness of bank recovery laws in India necessitates a comprehensive approach, acknowledging the intricate interplay of legal, economic, and implementation factors. Firstly, scrutinizing the legal framework is crucial, ensuring clarity and enforceability of provisions for asset recovery (Beltratti & Stulz, 2015). Additionally, examining the efficiency of implementation mechanisms like Debt Recovery Tribunals (DRTs) and the Insolvency and Bankruptcy Code (IBC) is imperative (Adekunle & Adesina, 2015). Contextualizing within the economic landscape, considering factors like GDP growth and inflation, offers insights into the impact of recovery efforts (Ghosh, 2014). Evaluating outcomes such as NPA reduction and banking sector stability provides practical insights into the effectiveness of these laws (Misra & Varma, 2018). Identifying challenges, like legal delays and procedural complexities, underscores areas needing improvement (Berger & Humphrey, 1992). Comparative analysis with international standards, as demonstrated by research on bank loan recovery rates in Europe (Vithessonthi & Tongurai, 2018), offers benchmarks for improvement. Stakeholder perspectives, as discussed by Chakrabarty (2013) and Gandhi (2015), are vital for nuanced understanding and practical feedback, facilitating informed policy recommendations aimed at fortifying the recovery framework and fostering a robust banking sector capable of navigating challenges effectively.

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THE ROLE OF GOVERNOR UNDER INDIAN FEDERAL SETUP A POLITICO LEGAL STUDY

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ABSTRACT

The governor's office has a long history, though not particularly pleasant. colonial origins
His ethos and bureaucratic background naturally led to lively discussions on aspects such as his appointment in the Constituent Assembly, which gave him a somewhat complicated role. important for maintenance". His first two decades of independence had a seemingly irreconcilable dual role, given the existence of a political harmony that arose from the functioning of de facto one-party rule. As a result, the constitution functioned as a single constitution, without even subordinate federal functions. Initially, the governor tended to be an "ornamental cinecule," which was largely concerned with her description of the National Assembly. of must be single and expire. Deranged Views is Ram Uniform (1988), where the power of irrational research is suspected by the majority. The legislature is present at the opening of the session and performs its official duties with grace.

INTRODUCTION

It is also important to note that his first decade after independence was a period of a dominant prime minister who wielded considerable political influence and wielded almost unwavering power over the cabinet. This created a pattern of relationships between governors and prime ministers, with the former tending to endure 'denial' of their role, often being 'hunted down' and eventually reduced to insubstantial. On rare occasions, her role has attracted parliamentary and media attention, causing institutions to suffer from "ignorance." The 1967 general election changed the country's political sphere. Republicans lost their monopoly in several states where coalition governments emerged.[1] The only common factor that united the small factions opposing Congress in these states was their desire to dethrone Congress from the power it had exercised for twenty years. Were there any interesting constitutional issues raised among the state governments that made the gubernatorial office a real focus of vigorous debate? The governor was no longer treated as an innocent person. Central opposition parties and state governments viewed state governors as central instruments. Even that of them affects how that role agent holds there leader of abuse in that rule of the member.

THE INFAMOUS TASK IS STILL IN THE SPOTLIGHT.

The period from 1971 to the present is very important in India's independence. During this period, new forces emerged in Indian politics, causing tension, unrest, misunderstanding and confusion throughout the state. As a result, the governor's role and status as guardian of state administration has taken on a new dimension. The division had political exile, and there was a separatist movement associated with the formation of coalition governments in various states, regional trends, and the role of governors as well. The research period is after 1971, but I tried to include past developments. However, as this research was due to begin in his 1971, during the course of this research he realized that for a correct, complete and comprehensive understanding of the subject, it was also necessary to show past developments. it was done. The Constitution is the bond of national unity and reflects the ultimate needs, goals and aspirations of the people. Once India becomes independent, the governor's responsibilities will be immediately considered there. In a comparison of newly gifted nation-states, the term is also imposed on the Dominion's spectacular Executive Council to study its role and the pathetic bosses between the central and the state.

[1] Sawakar, Mamata. *THE ROLE of GOVERNOR CONSTITUTIONAL POSITION and functions.*

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A STUDY OF CONSUMER BUYING BEHAVIOR AND CONSUMERS' ATTITUDE ON SUSTAINABLE PRODUCTION AND CONSUMPTION

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Abstract

The consumer in the modern competitive society is the focus of all attention. The dramatic relationship in the last couple of decades has elevated him to a position of unprecedented sovereignty, and has forced the business firms to design and sell products that better satisfy the consumer needs and wants. The essence of marketing, concept is that all elements of a business should be geared to the satisfaction of its consumers. Operating under the marketing concept requires a thorough understanding of consumer behavior.

The purpose of this study was to examine consumers' buying behavior and consumers' attitude on sustainable production and consumption. The theoretical background of the study was based on the concepts of consumer buying behavior, sustainabilityand sustainable development.

Introduction

Consumer buying behavior is the sum of a consumer's attitudes, preferences, intention, and decisions regarding their behavior in the marketplace when buying a product or service. This lesson explores the factors of consumer buying behavior and purchasing patterns, as well as how these choices can be best understood in order to develop a deeper consumer understanding.

Importance of Consumer Purchasing Behavior

Understanding consumer purchasing behavior gives marketing professionals an inside scoop on when, how, and why their products are performing in the market. Marketers that develop an intimate knowledge of consumer buying behaviors are able to learn what factors are influencing current and potential customers. By developing this knowledge, these professionals can find holes in the market and fill them with new products that address consumer desires more directly. Understanding purchasing behavior can also help marketers to decide the best way to showcase their product or service to influence consumers and increase revenue. Marketers that are driven by consumer data and its analysis are more equipped to quickly respond to their audience's ever-changing needs and wants.[1]

Factors Affecting Consumer Behavior

Consumer Behavior is influenced by many different factors. The five major factors that influence consumer behavior are as follows –

Psychological Factors

Human psychology plays a major role in understanding consumer behavior. Difficult to measure, but psychological factors are powerful enough to influence a buying decision.

Some of the important psychological factors are as follows –

Motivation

Motivation to do something often influences the buying behavior of the person. Individuals have different needs such as social needs, basic needs, security needs, esteem needs, and self-actualization needs. Out of all these, the basic needs and security needs take a position above all other needs, and these motivate a consumer to buy products and services.

[1] https://study.com

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SOCIAL JUSTICE AND WOMEN RIGHT

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Abstract

Women as a vulnerable group of the society have been deprived, ill-treated, discriminated, exploited for a long time, and the Indian society is not an exception to this universal problem. Discrimination against women by men has been a problem throughout the human history and not vice-versa. According to Justice M.N. Venkatachaliah, in India women have suffered doubly- first, generally as members of castes and classes traditionally looked down upon: and second, particularly as those with lesser status even among those castes and classes. The glaring fact that emerges from the study of social evolution of human society is that in the old feudal society, woman was always given an inferior status. Paradoxically, she was also considered as the symbol of the sanctity and purity of the family. Self sacrifice and self denied are their nobility and fortitude and yet they have been subjected to all kinds of inequities, indignities, incongruities and discrimination. The structure of the family and the social norms and values that are built around women are completely against the principle of equality guaranteed by our constitution. The system of gender based inequality, often referred to as patriarchy, does retard the growth of women's personality and affects them mentally, socially and psychologically.

The present study attempts to evaluate the nature and scope of women's rights within the constitutional framework in India. The purpose of this study is to re-examine the provisions laid down in the Constitution to promote women empowerment and protect gender equality. The Indian courts have taken greater recourse to the constitutional provisions along with International Conventions and Treaties on gender equality for mainstreaming women's rights. Thus, an attempt has been made to analyze the role of the Indian judiciary with regard to the protection of women's rights in view of the objective of social justice as enshrined in the Constitution. Women's are the wealth of the nation and they have contributed in almost every field: are in front, leading the country, and source of inspiration for many. Unfortunately, in many spheres of life women is making legitimate demands for justice till date which can no longer be ignored. In this backdrop, the present study seeks to evaluate the existing legal system in India to protect women's rights and identify the problems which are being faced by women in India.

Introduction

Indian society which had undergone a drastic change since the Vedic ages and when we compare Indian culture to other cultures, we realize that Indian culture worship women as Laxmi Maa- Goodness of women , Saraswati maa- wisdom, Dura Maa- power and strength etc. Indian values, nationalism and culture heritage were glorified through the symbolic of 'Mother India'. Now a days this will limit to Vedas and purans only crime against women are increasing day by day. The empowerment of women in practical reality is debatable issue in all over India and India is not exception to that. Over a past few years the status of women undergoing lot a positive and negative changes. Drawing the strength from the constitutional commitments, the Government of India has been engaged in the continuous endeavor of concretely translating all the rights, commitments and safe guards incorporated in the Indian Constitution for women from de jure to de facto status.

'Empowering Of Women': Meaning

'Empowering of women' implies the ability in women to take decision with regards to their life and work and giving equal rights to them in all sphere like: personal, social, economic, political, right and so on. We are living in an age of women empowerment where women are working shoulder to shoulder with men. A woman also manages to balance between their commitment to their professional as well as their home and family. They are playing multiple roles at homes as a mother,

Judicial analysis of marital rape laws in India

DR. PRIYA JAIN, Assistant Professor, Faculty of Juridical Sciences, Rama University, Kanpur

Abstract

Marital rape is a complex issue; it is definitely one of the most severe forms of crime. Often times, married women are victims of rape by their husbands. It poses one of the greatest dangers to India's gender justice system. It is one of those social illnesses that has been in India from ancient times and still has a negative impact on society. Indian society has never viewed marital rape adversely. In Indian culture, it is seldom opposed by anybody for a variety of reasons. In this way, the stance of the Indian legislative is similar. The Indian Constitution has given the Indian legislature the difficult responsibility of passing laws for the protection, security, and progress of the nation. However, the legislature has little interest in making marital rape a thing of the past. The Indian courts express some hope in this regard, but it is bound by the fact that law is made by the legislature, not the judiciary. There are no effective laws in India to prevent marital rape. Whatever regulations exist in India, they are insufficient to stop a horrible crime like marital rape. There must be strict laws put in place in India to deter marital rape.

Keywords: marital, rape, judiciary, appeal, SC, HC.

Introduction

India has dealt with a number of social issues ever since the beginning of time. "Sati Pratha, child marriage, forced marriage, the Devdasi System and Purdah System" are examples of these social issues. While many of these social evils are no longer prevalent in India, others are still very much so and continue to be a source of issues for the nation. Marital rape is one of these societal ills; it has been a problem in India both historically and now. It is one of those difficult societal ills that, despite the passage of time, has not vanished from India's landscape and is still a pervasive occurrence there. The threat of marital rape is treated with a fair amount of indifference by Indian culture and the government. However, as seen by its several landmark rulings, the Indian court is not so apathetic to the horror of marital rape; rather, the Indian judiciary as a whole is in support of its criminalization. However sadly in India, there are no effective laws to address the issue of marital rape.

Laws in India regarding Marital Rape

Even though we have made unimaginable advancements, marital rape is not a crime in India. It is

COMPENSATION TO VICTIMS UNDER CRIMINAL JUSTICE SYSTEM

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Abstract: A person is considered to be a victim when they have endured suffering, injury, or death as a direct or indirect result of an act of violence, negligence, or other causes. A person who has been insulted or a person who is a cooperative witness could both be considered victims of the same crime. Witnesses to criminal activity are frequently the targets of criminals, who may even kill them. These unfortunate victims of a crime need to be safeguarded and compensated for the anguish they have endured. In order to protect and compensate people who blow the whistle on wrongdoing in their government, every government needs to establish both a protection system and a victim compensation system. In order to comply with the requirements of Sec. 357 of the Criminal Process Code, compensation must be paid to Indian offenders. Recent decisions handed down by Indian courts have called into question the legitimacy of established protocols for the compensation of victims. An examination of the decisions that have been handed down according to Sec. 357 of the Cr.PC indicates that the criteria and restrictions that have been imposed with regard to victim compensation both have their positive and negative aspects. In order to address concerns regarding the restitution of victims, an amendment has been made to the criminal code. It is possible to identify and conduct an in-depth analysis of the positives and negatives of the current system by first keeping in mind the overall picture of victim compensation and then going back and reading the judgments.
Keywords: Victim, Victim Compensation, Criminal Justice System.

Introduction: The current level of violent crime has a divesting effect on those who are victimized by it, and it poses significant obstacles for those in charge of the administration of the criminal justice system. The primary goals of the criminal justice system are the reduction of criminal activity and the rehabilitation of those who have committed crimes. Victims of crime often express their dissatisfaction with the criminal justice system in a very public manner. While discussing issues related to criminal justice, criminologists place a high priority on assisting individuals who have been falsely accused. In addition to the rehabilitation of offenders, the protection of victims needs to be a primary focus of the discipline of criminology. But, the victim's pain is not alleviated by the current system of criminal justice because the victim is not given the opportunity to have a voice in the proceedings. In the purpose of maintaining law and order in the community, the state prohibits a victim from pursuing the law on the offender or seeking recompense for the loss or suffering incurred as a result of the incident. The criminal justice system in India is unfairly biased towards perpetrators of crimes and gives inadequate consideration to the anguish endured by victims. It is common practice in our contemporary system of criminal justice, which seeks to simultaneously punish and rehabilitate offenders, to ignore the victims of the crimes that have been committed.

According to Article 21 of the Indian Constitution, no one, not even the government, has the right to take the life of another individual. This provision applies to both individuals and to the state. It does not make any difference to the humanity of a person whether they are being held as a detune, a defendant, or a convicted felon; this alone does not negate their humanity. Even when he is being held, he is still able to exercise all of the rights that are given to him by the Constitution, including the right to his own life. Even after they have been found guilty of a crime and have been imprisoned in line with the law, inmates are still entitled to the protections of the constitution. This is true even when they have been judged to be in violation of the law. In India, the accused has been given special consideration by the government. Because not only does the state provide free legal support to him for the entirety of his trial,

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ENERGY EFFICIENCY - AN ENVIRON-LEGAL TOPIC

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Abstract

A healthy environment despite being the very reason behind a healthy individual has not been valued to the extent it should have been. Environment and energy laws have been looked down upon in the legal fraternity and have been considered to be irrelevant. However with time, energy conservation and efficiency became much more essential due to increasing stress on economy and our planet. The legislature in India has enacted several laws to protect the country's environment and energy resources. The Energy Conversation Act, 2001 is a pivotal law in this regards and has been discussed hereby in great detail.

Keywords: energy, efficiency, conservation, amendment.

Introduction

The term "energy efficiency" refers to the practice of using fewer resources to accomplish the same result. The heating, cooling, and powering of homes, buildings, and industries that use less energy to generate things likewise requires less energy overall. Increasing energy efficiency is a low-hanging fruit that may help mitigate the consequences of climate change, reduce household energy costs, and stimulate economic growth.[1] Energy efficiency is crucial to the process of decarbonization, which aims to reach zero net emissions of carbon dioxide. The main energy used in India increased from over 450 million tons of oil equivalent (toe) in 2000 to more than 770 million toe in 2012. The International Energy Agency and the Integrated Energy Policy Report predict that by the year 2030, this will have increased to between $1.25 and $1.50 billion toe.[2] An growth in the demand for energy services such as lighting, cooking, space cooling, transportation, industrial production, office automation, etc. is mostly attributable to rising incomes and economic development. This increase also reflects the fact that India's current energy supply is very inadequate. As of 2011, India has one of the world's lowest levels of annual energy supply per person (1.88 toe). The world has never seen a Human Development Index of 0.9 or higher in a nation without providing its citizens with an annual energy supply of at least 4 toe per capita. As a result, there is a sizable unmet need for energy services that must be satisfied if people are to have sustainable and sufficient means of subsistence. The inference for this discussion is that energy efficiency is directly proportional to energy conservation. The lesser the energy being used for a particular task, the more energy shall be conserved which could then be used for either other purposes or also can be used to keep the work going on for a longer duration of time. Conserving energy significantly helps to mitigate the consequences of climate change. It aids in the substitution of renewable energy for non-renewable resources. The most affordable solution to energy shortages is energy conservation, which is also a natural solution that boosts energy output with the aid of nature. Since the number of non-sustainable energy resources we have access to is limited, it is essential to conserve finite resources or employ infinite resources so that they will still be available to our population in the future.[3]

Statement of Problem

India ranks sixth in terms of energy consumption, although its consumption is lower since the country is developing more quickly and requires more energy. According to a research, known coal reserves might persist for more than 200 years, but known oil and natural gas resources may run out in 18 to 26 years due to their limited nature. There will inevitably be increased reliance on imports

[1] R. Harmsen and A. Kumar, "Applicability of energy saving obligations to Indian electricity efficiency efforts", 2 ESR 298–306 (2014).
[2] Ibid.

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CRITICAL ANALYSIS OF JUDICIAL REVIEW AND JUDICIAL ACTIVISM IN INDIA

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ABSTRACT

For all democracies, the judiciary is the third and last pillar. Judiciary's role is to ensure that those who have been wronged are given a fair trial and, most crucially, to provide that remedy. Since people have developed novel approaches to committing crimes and exploiting legal loopholes, it is more important than ever that the judicial system provide swift justice to the victims of these offenses. However, there are situations in which the laws just aren't enough to provide victims with justice. Here's where things get interesting, and when judicial review and activism come to the rescue. This is a ground-breaking method utilized by the judicial system to bring justice to the wronged where no applicable laws exist or when those in place fall short of ensuring full redress. However, in its pursuit of justice, the judiciary often oversteps its bounds and intrudes into the domains of the legislative and the executive, a practice that violates the principle of separation of powers. This study makes an effort to analyze the methods used by Indian courts in this area.

Keywords: SC, HC, activism, independence, review, overreach.

INTRODUCTION

According to the saying "justice delayed is justice denied," it is essential for court to give justice when the law(s) are either inadequate, do not exist, or seem to be unfair in order to uphold the rule of law. This is when judicial review and judicial activism became relevant. Judicial review is one of the building blocks of a successful democracy. As the idea of judicial review developed to account for the changing demands of Indian society, the guiding principle of Indian law, which had been process established by law, gradually evolved into due process of law. This concept sets out a uniform criterion utilized to evaluate the constitutionality of a legislation or executive action and whether or not it was enacted in accordance with proper legal processes.[1] The SC has the power to declare a statute unconstitutional if it goes against the spirit or letter of the Indian constitution, which is the country's highest law. Judicial review is not defined in the Indian Constitution, although many experts give clear explanations of what it means. The judiciary in India has the authority to monitor the other branches of government to make sure they are following the rules set out in the constitution and other laws. In the event that the clause below is ruled unlawful, it will be nullified. Through the practice of judicial review, our courts act as a check on executive overreach. "Judicial activism" is described as "the use of judicial authority" when the sitting judges decide issues outside of their purview in order to secure the full administration of justice. They may be interfering with the work of the government and legislative by doing this, but India doesn't have a strong separation of powers. Judicial activism is stepping beyond of the judiciary's predetermined bounds. It occurs when a presiding authority utilizes his or her intelligence to rule on a matter when there are either inadequate or no laws in place. Judicial activism is rather contentious since it involves the judiciary encroaching on the purview of the legislative and executive branch to provide justice that is disapproved of by both.. We call judicial review judicial activism when it seems that the judiciary is acting beyond its traditional role of interpreting laws.

STATEMENT OF PROBLEM

Judicial review and judicial activism are overlapping concepts. They have their own individual characteristics and distinctions. They originate from the same set of laws and provisions. Rather, judicial activism is nothing but an extension of judicial review which is often criticized for violating the [illegible] of separation of powers. These distinctions and the afore-stated concerns are

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PROTECTION OF BREEDERS AND FARMERS RIGHTS UNDER INTELLECTUAL PROPERTY IN CONTEMPORARY INDIA

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Abstract

"I would rather be on my farm than be emperor of the world." – George Washington[1]

Framer plays a very crucial and significant role in Indian scenario. The contribution of Agriculture in terms of livelihood and as a source of employment is significant. Rural areas in India are inhabited by people who are dependant for their livelihoods on agriculture. In India agriculture is carried out mostly in the rural areas where small farmers dominate food production by using traditional agricultural practices. The rural communities are contributors of land races and farmer's varieties and in breeding of new varieties. Moreover, they are needed to be made aware the Plant Genome Saviour Community Awards, the Plant Genome Savior "Farmer Reward" & "Farmer Recognition". However, the challenge is to reach to those remotest pockets of India which are dominated by tribal communities who live in isolation.

Key Words: Farmers Rights, Agriculture, Plants Varieties, Breeders.

Introduction

The demand for extending intellectual property protection to agriculture in developing countries has met with counterclaims for granting farmers rights. Developing countries are currently attempting to fulfill these demands that simultaneously protect the rights of breeders and farmers.

Plant Breeders Rights were initially adopted only in industrialized countries and most developing countries did not grant PBRs. The demand for extending PBRs in developing countries arose with the conclusion of the TRIPs (Trade Related Intellectual Property Rights) Agreement in the WTO.The farmer's rights is particularly necessary or mandatory in developing countries. The breeders and farmers do not exist as it does in advanced countries. In most developing countries,

[1] Available at https://everydaypower.com/farmer-quotes/ accessed on May 25, 2023.

UNDERSTANDING THE CONTRACT LAW AND ELECTRONIC BY ANALYSING THROUGH ITS HISTORICAL DEVELOPMENT

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Abstract

The English law developed from promise to contractual thought in England. Due to this, there was a rise in the promissory action of assumpsit, which became one of the cornerstones of the unified law of contract of the nineteenth century. A noteworthy feature of English Law between Glanville in the late twelfth century and Blackstone in the mid-eighteenth century is the dearth of theoretical treatments of contract law. The English Contract Law largely grew on-court practice and decision in relation to the three medieval actions of debts, covenant and assumpsit It is a standard observation to contrast the common law with the Romancivilian heritage of continental Europe, one remarkable shared feature of both English law and Roman Law is the extent to which legal development in each came about as a result of changes in forms of pleading rather than as a result of legal theory. While their content might be different, English Law and Roman Law were both essentially legal systems based upon actions. Due to the gradual development in legal and commercial practice, this theory of common law also gained importance.

Key words :
Electronic Contract, Historical View Etc

Introduction

Today, in the business world, the person liable for making the contract with the consumer, supplier or service provider or buying a goods or hiring a car, house or etc., on lease should have enough knowledge of law of contract because all business and commercial transactions are based on contracts which are regulated under the law of contract. So, it is highly essential for the traders to manage the contract effectively whereby many unexpected and unpredicted legal issues may be avoided. Both the parties making the contract may decide upon the terms and conditions before within the framework and structure of law. In a technological era, it is seen that business houses make the contract by e-mail with their consumers and sometimes they prepare their own fixed terms and conditions and upload it on the website and which are generally not flexible. While doing so, usually, they incorporate an excluding or limiting clause as a part of the contract. The law of contract provides all relevant keys to the contracting parties which would help them in better understanding the legal and managerial problems in contract formulation, performance and implementation so that they can successfully avoid some of the intrinsic mistakes usually committed by the parties while formulating the terms and conditions for making domestic and/or international commercial contracts.

Concept of contract

A contract is an agreement between two or more persons intended to create a legal obligation between them and to be legally enforceable.2 The essentials of a valid contract are that the parties must have had contractual capacity; must have reached agreement on all the material terms of the contract; must have intended the agreement to be legally enforceable, as opposed to merely a social or moral obligation; and the agreement must not be objectionable by virtue of illegality, impossibility, or the fact that it is contrary to public policy. A contract is an agreement which the parties intended to be legally binding. The word agreement is used in its ordinary sense but not every agreement, in the ordinary sense of that word, is a contract. For example; the peoples may agree that the conservative party will win the next general election, but this agreement is not contract because it does not involve either party undertaking to do anything. A contract may be defined as an exchange relationship created by oral or written agreement between two or more person, containing at least one promise, and

LEGAL ISSUES IN THE FRAMEWORK OF ONLINE CONTRACT UNDER THE INTERNATIONAL PERSPECTIVE

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Abstract
Communication and the need for improved communication have been creating and resulting in technological advancements. Today, technology has stepped into the arena of computers, the internet, and the cyberspace. The advent of internet and related technologies has made irreversible changes to the world today. The world today is moving steadily towards an information society and knowledge economy; therefore it is essential that law must contribute its inputs to promote e-commerce. The Law is an organic being which has always managed to evolve to keep up with changes in society. However, the challenges posed by the growth of internet is perhaps its biggest yet not just because of its utter size, nor the speed with which it has developed. The relationship between law and the internet is based upon a simple conflict: laws exist to regulate society; the internet has created a new society founded upon the principle that it should be wholly unregulated.

Key words :
Commerce, E-Signature Ets

Introduction

The growth of e-commerce has created the need for vibrant and effective regulatory mechanisms, which would further strengthen the legal infrastructure that is crucial to the success of electronic commerce. The rapid development of Information Technology presents challenges to legal systems across the globe. Transactions accomplished through electronic means have created new legal issues. The challenge before the law makers is to balance the sometimes conflicting goals of safeguarding electronic commerce and encouraging technological development. It was also noted that the three major concerns for international online contracting are authenticity, enforceability and confidentiality. Authenticity involves the verification of the person that one is dealing with electronically. Enforceability includes the legal scope of the license granted or the warranty given under a national law. It also includes the provability and verification of the contractual terms of an online transaction. Confidentiality revolves around the protection of sensitive information such as payment information and trade secrets. The fear is that the public domain nature of e-commerce makes such information, susceptible to fraud and misappropriation by third parties.

The minimum level of due diligence pertaining to these three concerns entails a workable knowledge of the legal requirements of forming and proving a contract formed through the internet. The formation of a contract in cyber space is indeed an issue which is still to a certain extent unsettled or in other words, occupies an evolving field. Different jurisdictions world over have already enacted legislations to clarify the rules of formation of Online contracts; however, some issues still remain perplexing. These legislative provisions of Online contracts by and large follow the traditional rules of contracting in the physical world which are interpreted or marginally modified as per the characteristics of the online world. Hence it is very clear that the present Law of Contract could not face the contracts based on new technologies such as internet contracts and other contracts through electronic media & devices. The use of Computer & Internet is frequent now a days and present law has no provision to regulate the contracts based on these devices. The global medium has been transformed into a single community.

Uncitral model law on electronic commerce, 1996

On 16 December 1996, the United Nations General Assembly, through the Resolution 51/162, adopted UNCITRAL model law on Electronic commerce. Its purposes are to help states enhance their

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NON-LEGISLATIVE MEASURES IN INDIA TO DEAL WITH THE DIGITAL PIRACY

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ABSTRACT
Widespread piracy over the Internet seriously harms artists, the famous and struggling alike, who create content, as well as the technicians who produce it. It ultimately also hurts law-abiding consumers who must pay higher prices for content, enjoy less content, or pay higher prices for Internet access to compensate for the costs of piracy. Moreover, digital piracy not only results in the unauthorized distribution of content, it hurts the ability of content producers to create legitimate business models for selling digital content; as the saying goes, "It's hard to compete with free." While many companies have rallied to the challenge and created compelling businesses to sell content legally, on the whole, digital content is more profitable to distribute illegally than legally and always will be.

KEY WORDS:
Digital/Online Piracy, Internet Source Etc.

INTRODUCTION

There is no "silver bullet" that will solve the piracy problem no single technical or legislative proposal will completely solve such a complex issue but there are many "lead bullets" that can help reduce piracy. Just as preventing theft in the offline world requires a combination of industry-backed technical controls such as locks, closed-circuit TV, and anti-theft packaging as well as a government funded system of law enforcement, digital piracy requires a coordinated approach. Much of this effort will likely come from industry, but government has an important role to play in protecting the intellectual property. In addition, government should not preclude those impacted by digital piracy, including copyright holders and ISPs, from taking steps to limit digital piracy by technical ways. Users should be reminded that they do not perceive the personal benefit of antipiracy measures, namely that the long-term availability of software and entertainment in digital format depends on the financial health and well-being of the producers and the artists who create them. To the extent that anti-piracy systems meet this objective, they provide a rebate to those who are not directly involved in the financing of industries of software or entertainment. To achieve the goal of reducing piracy, industry and governments have used a variety of tactics, including changes in social behaviour, technical controls, and enforcement of the legal rights of rights holders.

FACTORS AFFECTING ONLINE PIRACY

a. Obtaining benefits as the item is free - Most individuals who participate in online piracy do so to obtain the benefits of a particular item for free. The most dominating example of online piracy is found in the illegal download market for free media such as music and movies. Opponents of the online piracy market further point out that the use of such creative works without paying for them also affects the large support staffs (i.e. Publishers, designers, engineers, sound technicians etc.) who lends a hand in the creation of the work.

b. Doing it because it is convenient and quick - One of the major factors that could be linked to increase in the online piracy level is that as with the increase in technology it is very easy and convenient to engage in online piracy. Anyone sitting in the comforts of their own home can engage in online piracy with the help of a computer and good bandwidth connection or also merely by having a good smart phone. With the advancement of technology and the internet speed being fast online piracy can be done very quickly also. It is no more a time-consuming process. Hence it is easier to engage in such behaviour.

c. Threat of being discovered is low or negligible - Many times it happens that the nature of online copyright infringement is such that it is very difficult to trace the infringer. Moreover, the instances

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LEGISLATIVE AND NON-LEGISLATIVE FRAMEWORK FOR DEALING WITH ONLINE PIRACY IN INDIA AT THE INTERNATIONAL LEVEL

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ABSTRACT
Internet or cyberspace as it is sometimes called is a borderless environment with no visible lines demarcating the jurisdiction. Even though it is indispensable as a knowledge bank, it is an ideal tool for someone with a criminal bent of mind who can use this environment to his/her maximum advantage. Cyber-crimes like hacking, cyber stalking, spamming, Online Piracy of films, music etc. are on the rise. Copyright is the term we use for the bundle of 'exclusive rights' which the laws of most countries confer on authors to exploit the works which they create. When we say someone has an exclusive right to do something, we mean that no one else can lawfully do it without the permission of the holder of right. Copyright is therefore a negative right as it confers upon the holder a right to enjoy the intellectual property in the work, to the exclusion of the rest of the world. The whole purpose behind granting of these rights in the intellectual property is so that their owners may utilise or exploit them for their gain. It may be succinctly put as this, that the authors are being rewarded for the hard work that they put in composing that piece of art. The basic idea behind Copyright protection is the premise that innovations require incentives. Copyright recognises this need and gives it a legal sanction. Moreover, the commercial exploitation of copyright yields income to the creators and thus gives pecuniary rewards to individual's creativity.

KEY WORDS:
Copyright, License Etc.

INTRODUCTION
Online copyright piracy is a menace prevalent worldwide. Piracy means "unauthorised reproduction, importing or distribution of whole or of a substantial part of works protected by copyright." The Copyright piracy leads to loss to the owners of the property. Besides, economic loss, piracy also adversely affects the creative potential of a society as it denies creative people such as authors and artists their legitimate dues. The nature and extent of piracy also vary across the segments of the Copyright industry. The computer- aided communication technologies such as email and internet have added altogether a new dimension to today's communication process by making it more speedy, informative and economical. The ways through which different types of information can be communicated have also undergone a sea change. While all these have made communication among people more effective and efficient both in terms of time and cost, they pose the greatest threat to the copyright world. Modern communication channels, being intensively relying on a variety of copyrighted products, are liable to be pirated in large scale, if adequate precautions are not exercised.

LEGAL FRAMEWORK TO DEAL WITH ONLINE PIRACY IN INDIA
(a) Brief History Of Copyright Law: National And International
Today, almost all nations have copyright law and, in most cases, are standardized to some extent by international and regional agreements, such as the Berne Convention and the European copyright law. But when we look back, we realize that copyright law has a unique history. The first copyright case goes back to Ireland, where there was a dispute over the ownership of the Irish Cathach manuscript. The Cathach is the oldest surviving Irish manuscript of the Psalter. It contains a Vulgate version of Psalms XXX (10) to CV (13) with a heading or interpretive title in front of each psalm. Traditionally, it is attributed to San Columba the copy, made at night, in a hurry by a miraculous light, of a psalter loaned to Columba by San Finniano. A dispute broke out over the ownership of the copy and King Diarmait Mac Cerbhaill dictated the judgment: "To every cow belongs her calf; therefore, to every

PROBLEMS AND CHALLENGES FACED BY AGRICULTURALLABOURERS IN INDIA

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ABSTRACT
Agriculture is the single largest contributor to the gross domestic product(GDP)and also the biggest sector for employment. According to latest estimates out of 369 million workers in the unorganized sector, 237 million workers are in activities that relate to agriculture. Agricultural labourers constitute a distinct section among that relate to agriculture. Agricultural labourers constitute a distinct section among the peasantry. Yet, their total strength, community allegiance, comparative socio- economic status and political position in agrarian society have been overlooked because they belong to a poorly organized, badly exploited and oppressed class of rural society. They work on lands that belong to others, in various capacities. They areunable to organize themselves despite being a distinct class, because they are absolutely dependent on landowners. Historically, socio-economic power has remained concentrated in the hands of powerful zamindars and chieftains. They often treat agricultural labour as slaves, and pay wages in kind. In many parts of the country, a system of renting out land in return for half or three-fourth of the produce has become established. Peasants as well as tenants work as labourers. In the social caste hierarchy, most agricultural labourers are from so called lower caste or tribes, and are considered only marginally above the lower class.

KEY WORDS:
Agriculture, Labour Etc

INTRODUCTION
At the same time India is also known all over for having a huge unorganized work force. Approximately around 92% of the total workforce in our country is estimated tobe unorganized workers of unorganized employment sectors. For Eg:- conditions vary, levels of organizations vary, the nature of the relations with employers vary, there is an expanding sector of those who are self-employed, or are on contract, and work from homes. It is difficult to have separate laws for each employment this will only result in endless multiplication of laws and oversight of one or the other for the employment. The answer therefore lies in one Umbrella Legislation that covers whatever is basic and common and leaves room for supplementary legislation or rules where specific areas demand special attention. The failure of the land reforms and other plannings for the development of rural working force is result of out reliance on legislative and administrative forces, rather than on social forces. The ultimate effectis that land lords still continue to rule over rural labour. In order to eradicate the problem of agricultural laoburers, the need is to eradicate the problems of agricultural labourers, the need to estimate the sociological factor which have resulted into failure of their economic development. These sociological factors may have negative as well as positive character. First group of problems arise out of the persistence of old social insituions like caste, joint family, tribes, traditional religious organizations and serfdom etc. they also emerged out of social control like supernatural sanctions, authoritarian norms complicated and intricate caste family, tribal religious and other customary sanctions penetrating almost every core of life of the Indian community. They further emanate from large scale illiteracy, ill health and unemployment etc.

AGRICULTURAL LABOUR IN INDIA: SOME CHALLENGES
India has neither ratified ILO Convention on Freedom of Association and Protection of the Right to Organize nor Convention on the Right to Organize and Collective Bargaining. The rights to organize, collective bargaining and strike are restricted both in law and in practice. The authorities do not always respect the right to peaceful assembly and thousands of detentions and arrests are reported every year.Anti-union discrimination takes place and many workers have faced threats and violence in their

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SOCIOLOGICAL LEGAL ASPECTS THAT GOVERNSAGRICULTURAL LABOURERS IN INDIA

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ABSTRACT
Labour is on the concurrent list in the Indian Constitution, and regulatory provisions of the conditions of work, therefore, appear within the domain of both the State and the Central Governments. The Centre has passed a number of laws, but here too, the coverage of these laws as well as the rules regarding their implementation can be framed by the State Governments. The agricultural workers are covered in a piece meal fashion in various legislations and lack comprehensive protection of the minimum conditions of work. The avenues of stable and durable employment for them have been limited leading to inter-district and inter-State migration in search of better avenues of employment and wages. This has caused considerable dislocation of family life, dislocation of education of children and numerous other handicaps. Several measures have been taken to protect the interests of the working class and uplift the condition of agricultural workers. Extension services like for e.g., training for skill development, encouragement of small scale industries, agri-business, are provided by Agricultural Universities, NABARD, NAFED, NIAM, Entrepreneurship and Development Centers, Zilla Parishad and likewise. The very first legislation, the Minimum Wages Act, 1948 was applied to the agricultural sector also. The Minimum Wage fixed by the State Government under for agricultural labourers, shall be considered as the wage rate applicable to that area. Subsequently, the Plantations Labour Act, 1951 was enacted to provide certain basic facilities to plantation workers. Many other existing labour laws are applicable or have direct bearing on agricultural labour. The problems of agricultural labourers have been sought to be tackled through multi-dimensional course of action viz., improvement of infrastructural facilities, diversification to non-farm activities, skill improvement programs, financial assistance to promote self-employment, optimizing the use of land resources etc., through a variety of rural development, employment generation and poverty alleviation programs.

KEY WORDS:
Conventions, Constitutional Safeguard Etc

INTRODUCTON
The Government has enacted and extended various social security legislations to protect the social and economic rights of agricultural labourers. They are the Debt Relief Act, 1976, Land Ceiling Laws, The Protection of Civil Rights, 1955, The Trade Unions Act, 1926, Equal Remuneration Act, 1976, The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, etc. In spite of welfare programs and various social security legislations, the real improvement in the condition of agricultural labour has not been achieved due to the failure of percolation of these benefits in totality to the actual beneficiaries. The plans and laws in paper seem to be perfect but in action often meet with hurdles and have been practiced more in their breach. The hurdles like, lack of employment, lack of awareness about the welfare measures and legal provisions, low social status, economic dependency, lack of political will, oppressive social conditions and above all, their unorganized nature are inhibiting them from participating in the developmental programs. It is here, on behalf of agricultural labourers and society, voluntary organizations can come forward and contribute their might.

ROLE OF JUDICIARY TO SAFEGUARD INTERESTS OF AGRICULTURALLABOURERS IN INDIA
The judiciary in India under its policy for attainment of social justice has been very attendant to give effect the rights of agricultural labourers. The Supreme Court in protecting the poor and the weakest

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EVOLUTION OF INSURANCE SECTOR IN INDIA OVER THE VARIOUS PAST YEARS

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ABSTRACT
The modern world revolved around risk. Provision of adequate security to the life of the people and the property is the fundamental duty of the civilized society. The civilized society manages the risk through insurance. Insurance helps the loss of the bread winner and allows the family to lead a life without much economic strain. Hence the law of insurance has been the subject of considerable public importance. Insurance is also a contract between two parties and as such is a part of private law which is created according to mutual convenience of the contracting parties. To that extent it serves a social purpose and promotes public interest. Insurance industry is shrouded in mystery, a myth was created that it stands for the best interests of the customer. The consumer of life insurance is ignorant about the concept and the intricacies of the insurance contract.
KEY WORDS : Commodity, Insurance Etc

INTRODUCTION
Despite the natural weakness of the human frame and the obvious insecurity and brevity of life, providence has furnished him with a variety of intellectual devices which will compensate for those imperfections. The proverbial uncertainty of life and the shortness of life have compelled mankind to find a remedy in the form of life insurance which will result in a safe termination to an uncertain event. The vital principle of insurance is future security. As a factor in human progress insurance ranks foremost as a means of providing the required security against the inherent uncertainties of human life. The historical documents of insurance are evidence of its gradual development from primitive origins to a high degree of modern perfection in matters of detail. Every other social or economic institution is more or less related to its development. Today the insurance industry is in dire need of reform. The industry has done all it can do to maximize its profits and rid itself of claims. The obligation is to earn an attractive return for the stakeholder i.e. Government in case of public sector and shareholders in case of private sector. The recent Life Insurance Corporation (amendment) Act, 2011 shows how this is happening The LIC (amendment) bill 2011 has been passed by the Loksabha on the 12 December 2011 and gazette on 13th January 2012 as the LIC Amendment Act, 2011. As a result of this for the new policies issued by LIC on or after 2012, the surplus distribution will be in 90:10 ratios whereas all policies issued up to 31/3/2012 the surplus allocation will be at the ratio of 95:5. This shows that the bonus payable to the new policyholders will be less

THE ORIGIN AND EARLY HISTORY OF INSURANCE
Insurance has evolved from the concept of bottomory which came from the Babylonia. From Babylonia it was spread by the Phoenicians to the Mediterranean. It is a certainty that the Phoenicians acquired from the Babylonians a knowledge of the contract of bottomory as practiced by them and submitted to the Greeks3.

ROLE OF ROMANS
Romans have frequent interaction with the Greeks from the 5th century onwards and through this interaction they came to know about the contract of bottomory and their knowledge was similar to that of the Greeks. In AD in time of great famine in Rome the emperor Claudius offered to pay a fixed bounty on all corn imported and further agreed to be responsible for losses arising from storms. This transaction clearly contains the essence of contract. Romans were fully aware of the advantages to be derived from mutual accumulation of funds for the purpose of providing funeral benefits. A

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SIGNIFICANCE, POLICIES AND FACTORS DETERMING THE MONETARY POLICYIN INDIA

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Abstract
Policy in India is a part of economic policy. It is the management of money supply and interest rates by Central bank to influence prices and growth. Monetary works through expansion or contraction of investment and consumption expenditure. The three primary objectives of economic policy in India have been Growth, Social Justice, and Price Stability. Reserve Bank of India is the monetary authority in the country. The Reserve Bank of India operates in an atmosphere of democracy, and hence due preference is given to political control. The monetary policy pursued by the Reserve Bank of India has been characterized as a controlled monetary expansion. It refers to a policy of adequate financing for activities that promote economic growth with reasonable price stability. India is Monetary considered inflation-resistant, and so keeping a low rate of inflation has been a crucial objective of monetary policy. It aims at controlling inflation by restraining the secondary expansion of credit and regulating the supply of money in order to meet the requirements of different sectors of the economy to accelerate the pace of economic growth.

Key words :
Monetary Policy, Market Stabilisation Scheme Etc.

Introduction

The financial sector reforms were initiated in the year 1991 on the recommendations of the Financial Sector Reforms Committee. The committee suggested measures that would promote the efficiency and profitability of the financial system. The emphasis was on improving the depth of the system and the introduction of new financial instruments that would allow leverage and freedom for the monetary authority to achieve its objective of "Controlled Expansion." The first phase of reform included a reduction of Statutory Liquidity Ratio (SLR), Cash Reserve Ratio (CRR), and deregulation in deposit interest rates. These reforms were based on the evolving nature of the Indian economy due to the overall economic reform policy introduced in 1991. The money market plays a very significant role in the conduct of monetary policy. Reforms in the Indian money market were aimed at improving monetary policy transmission through the interest rate channel. It is also indicated that the communication channel also emerged as a significant monetary policy instrument in India. Financial innovation is another significant development in money and foreign exchange markets in the post-reform period that influenced the monetary policy. So, monetary policy in the post reform period by the central bank has been formulated by using a new set of instruments, approaches, and policies for achieving the goals of Price Stability, Economic growth, and Social Justice. As a result, the central bank started giving less priority to the cash reserve ratio (CRR) and the bank rate. Central Bank introduced many new indirect monetary control instruments of which the repo and reverse repos are essential.

Money supply in India

Reserve Bank of India has been collecting and publishing monetary statistics, since July 1935. Due to the new economic environment that the Indian economy is experiencing as well as the developments that are taking place in the monetary sector in India, various working groups were set up from time to time to refine and review the monetary aggregates. To date, three working groups have been established by the Reserve Bank of India. In the year 1961, the First Working Group on Money Supply (FWG), in the year 1977, the Second Working Group (SWG) and in the year 1998, the "Working Group on Money Supply: Analytics and Methodology of Compilation" (WGMS) under Dr. Y.V.

NATIONALIZATION AND PRIVATIZATION OF THE INSURANCE BUSINESS IN INDIA

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ABSTRACT
After the Indian insurance Companies Act, 1938 was passed, there was mushroom growth of insurance companies in India. In spite of mushrooming of many insurance companies per capita insurance in India was merely Rs. 8 in 1944 as against Rs. 2000 and Rs. 600 in US and UK respectively. Even this limited growth is marked by many malpractices, deficiencies and frequent liquidations of insurance companies shaking public confidence and depriving policyholders of their savings and security. It is reported that in those days insurance and banking was in the control of big industry houses resulting in interlocking of funds between banks and insurance companies. These irregularities were mainly of two types. Firstly, malpractices that had crept into management of insurance companies especially during 1940s such acquisition of insurance companies by financiers and use of life insurance to serve other enterprises in which the financier was interested or for speculation, payment of large emoluments to nominees of the controlling interests and interlocking of funds between banks and insurance companies. Secondly, factors which have operated for years towards disruption of Indian insurance such as excessive costs, rebating and unsatisfactory standards of management of business.
KEY WORDS : Insurance, Nationalization Etc

INTRODUCTION
These dark deeds of dishonest insurance men helped to intensify the public chauvinism and invited public demand for nationalization. As a consequence Government of India nationalized life insurance by amalgamating all the private companies under one corporation, i.e. Life Insurance Corporation of India. At the time of nationalization of life insurance in 1956, one hundred and fifty four Indian insurers, sixteen Non-Indian insurers and seventy-five provident societies were carrying on the life insurance business in India. Despite of this broad-based rganization of life insurance, the insurance business was mainly restricted to cities and towns at that time. With this background the chapter seeks to discuss the nationalization and privatization of insurance business in India. It examines the rationale for nationalization and privatization of life and general insurance business in India. The process and impact of nationalization, privatization of insurance business are also explained

RATIONALE FOR NATIONALIZATION
After India became independent in 1947, the then Prime Minister Jawaharlal Nehru"s vision was to have key industries under direct government control to facilitate the implementation of National Planning. Insurance business (or for that matter, any financial service) was not seen to be of strategic importance. The nationalization of life insurance is an important step in our march towards a socialist society. Its objective was to serve the individual as well as the State. We require life insurance to spread rapidly all over the country and to bring a measure of security to our people3.

RATIONAL FOR NATIONALIZATION OF LIFE INSURANCE BUSINESS
The rationale for nationalization of life insurance business and LIC as outlined by the then by Finance Minister, Shri C.D. Deshmukh, while piloting the Bill for nationalization thus: Firstly, to conduct the business with the utmost economy, in a spirit of trusteeship; Secondly, to charge premium no higher than warranted by strict actuarial considerations; Thirdly, to invest the funds for obtaining maximum yield for the policy-holders consistent with safety of the capital; and lastly, to render prompt and efficient service to policy-holders, thereby making insurance widely popular he

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REVIEWING THE DEVELOPMENT IN MONETARY POLICY SINCE 1991 TO THE PRESESNT ERA

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Abstract

The monetary policy, exchange rate policy, and policy regarding the degree of capital account convertibility are the most important in the current global scenario. Many economists have discussed these policy choices from a different point of views, but the most important contribution in this context is made by Robert Mundell and Marcus Fleming in 1960s as they have thrown light on all the three policy goals. These policy choices are discussed in the form of "International Trinity Hypothesis". This hypothesis states that an open economy cannot simultaneously choose the policies of monetary policy independence, exchange rate stability, and full capital account convertibility. Only two out of these goals can be achieved at a given point of time. The selection of a mixed bag of two corners of the trinity triangle is a very cautious decision for every economy due to the fact that three choices have their own merits and demerits. Thus, every economy always tries to select that combination which is most appropriate according to the domestic conditions and international position of the economy.

Key words:
Foreign Exchange Reserves, Liquidity Adjustment Facility Etc

Introduction

The monetary policy is an essential mechanism of an overall economic policy in the process of output stabilization and inflation control. It comprises of the actions of the central banking authority to make adjustments regarding the supply and cost of money. In simple words, the monetary policy refers to a process where the monetary policy authority controls the money supply through interest rate and other instruments in order to achieve its final objectives. The output and price stabilization are considered as the twin objective of monetary policy and there is always a debate regarding the fact that which out of these two objectives is satisfied better by the monetary policymakers and whether monetary policy directly or indirectly targets these objectives or not. According to classical economics, it is the real sector and not the monetary sector which determines the output level in the economy. The monetary sector is responsible only for price setting mechanism.

However, classical economics fails to provide any solution at the time of great depression of the 1920's and it was the Keynesian economics that came to rescue at the time of depression. John Maynard Keynes challenged the principles and propositions of classical economics and had established a nexus between the financial and real sector of the economy by creating a link between demand for money and interest rates in the context of speculative money holdings. In 1956, the Keynesian monetary theory was criticised by Milton Friedman in his restatement of the quantity theory of money. Besides the criticism of the Keynesian, monetarists have also attempted to provide some evidence in the support of the claim that money does matter and they are of the view that inflation is a monetary phenomenon. In India, the Reserve Bank of India (RBI) is the sole authority for the formulation and implementation of the monetary policy, issuance of new currency, and for the management of the foreign exchange market in India. In the RBI act, 1934, the major task given to the monetary policy is to maintain the monetary stability. This can refer to internal as well as external stability. In the case of internal stability, the major objective is of price stability. However, external stability refers to the stability of the overall financial system. The evolution of the monetary policy framework of India has undergone many changes since the establishment of RBI in 1935.

Tight monetary policy (1972-1991)

Price scenario worsened in the course of the final three years of the Fourth Plan 1972-1974. To control inflationary pressures, Reserve Bank pursued a tight or contractionary monetary policy. In India,

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ROLE OF JUDICIARY IN SHAPING THE REFORMATION, REHABILITATION AND SOCIAL INTEGRATION OF INMATES

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ABSTRACT
They are required to be far away from all the influences of people because they violate the norms. Hence a rethinking on the policy and method in dealing with the problems concerned to prisoner"s rehabilitation. The study is based on the outcome of the prison reform. By the virtue of birth no one is criminal. It is due to the impact of some social environment and other influential factors one person stepped in the dark path of crime. Even if one is considered as a criminal, no one wants to remain as criminal in their whole life. But without the intervention of some internal and external agencies, no one can return to mainstream of life from the clutches of crime. The very essential aspect is the timeframe of imprisonment. The sole purpose of imprisonment is to reform the offender. Thus the timeframe must be properly deployed to change the criminal"s antisocial mindset and make a socially healthy mindset. Therefore, the function of the prison system has a pre-requirement of proper reformative support so that ultimate purpose of atonement of the offender is served, otherwise all efforts will go in vain irrespective of the time frame

INTRODUCTION
This chapter consists of role of the judiciary in the field of juveniles. As and when a case pertaining to or involving any juvenile came before the Court, the judicial decisions reflected the opinions of the Court about reformation, treatments and rehabilitation of a child. The role of judiciary is very remarkable. The legislature makes law but the Judiciary also places an important role in the modern setup to coin judge made law. The precedents are treated as an important source of law today. The Judicial decision not only determines a matter but also suggest those things, which the legislature could not do. The Judges fill up the blanks in law. They step into that field which could not be trodden by the legislature. This has lain to make the judicial review as judicial activism. We would like to clear that wherever not mentioned, specifically, then the „Act" means the Juvenile Justice Act, 1986 and provisions there under.

JUDICIAL PRONOUNCEMENTS
SPECIAL PROVISION IN RESPECT OF PENDING CASES
The wordings of the section 20 of the J.J. Act, 2000, are clear enough to show that if any proceeding is pending on the date of the enforcement of the new Act, that proceeding shall be concluded under the provisions of the repealed Act of 1986. However, it provided that in the case of the Court finds that the accused was juvenile and he committed the offence, the Court shall record its finding, but shall not pass any sentence and send the juvenile to the Board for appropriate orders. The sending of juvenile before the Board would arise, after the conclusion of trial and finding that the accused had committed the offence. But it is clear that except said procedure the provisions of new Act would not be applicable to the above proceedings. In **Lallan Singh V. State of U.P. and another**[1], the Allahabad High Court held that the Session Court wrongly held that the provisions of new Act are applicable to the present case. Therefore, the order under revision suffers from illegality and is without jurisdiction. Court of Session is directed to continue and deal with the casein accordance with law and to conclude the case as if the new Act has not been passed.

Jnvenile Delinquency; A Welfare Problem
In **Inder Singh V. Delhi Administration**[2], the Supreme Court observed that you could not rehabilitate a man through brutality and disrespect. Regardless of the crime a man may commit,

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RIGHTS OF CRIME VICTIMS FOR COMPENSATION

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ABSTRACT

The provision of compensation which is being frequently used by courts of different countries and which is considered as new modern phenomena, is not correct but awarding compensation to victims had a long history. It was a compensation which distinguishes the civil law and criminal law. While the object of civil law is based on the principle of payment of compensation for private wrongs, as a remedy which is pursued through the apparatus setup by the state for that purpose, the system of criminal law functions on the principle of punishing the persons whose behaviour is morally culpable. In other words, the very goal of the civil law system is to provide compensation for private-wrongs but whereas the system of criminal law aims at punishing the persons whose behaviour is morally capable . It means that purpose of civil is compensation and the purpose of criminal justice is punishing the wrongdoer. Now this very difference between civil and criminal law has been diluted and compensation is being awarded as a matter of right not in criminal law but also in constitutional law, environmental law and for violation of human rights etc.

INTRODUCTION

The evolution of this concept can be traced both historically and theoretically. There is evidence to indicate that certain categories of the victims of crime were compensated in the older times either by the offender or his kinsmen, or by the sovereign. In earlier law, an injured person or the relatives of one killed could exactly take similar blood feud from the wrong order of his kin. Later it was accepted that Blood-Money could be pain in lien or pursuing the Blood-Feud. (Blood money means money penalty paid by a murderer to the relative of his victim.) Early legal system, commonly move from allowing blood feud to allowing and then requiring payment of blood money, and commonly specify in some detail in the amounts payable for causing the death of a injuries to victims of various degrees. Through the injured person or the relative was allowed by law the option of taking money or

An Analysis of Emergency Provisions under the Constitution of India

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Abstract

India is a federal republic, but it has unitary functionality in emergency situations. The Indian Constitution was designed with many features that allow for an emergency to be made fully unitary. In order for this to work, provisions for emergency situations are outlined in Part XVII, as well as Article 352-360.

When the governmental system fails, an "Emergency" is when law enforcement or natural disasters are especially needed.

Politics was created in order to deal with extreme conditions that could come up, like war and social unrest. The Black Law Dictionary defines an emergency as a "pressing intervention due to the fact such a state of affairs poses a hazard to human beings and liberty inside the region." India's Constitutional creativity includes exceptional provisions for all the "emergency clauses" determined in the Constitution of India. Different clauses of Part XVIII show how creation is both an ongoing process and makes a country more secure. There are times when countries are surpassed by occurrences that are beyond their reach, or influence, and require drastic measures. Unpredictability comes from these unpredictable conditions. Individual freedom might be taken away from citizens to address these threats facing the world. With the recent rise of new information technologies, there is a growing tension between fundamental democratic principles and their very protection. In countries with emergency provisions for the revocation of human rights, basic freedoms like freedom of speech and religion are no longer guaranteed to you.

Steps to protect society and its democratic system can be found in the Constitution which enables swift response to dangerously and unexpectable situations. The ability to suspend rights is a step away ongoing democracy.

How 'Corporate Social Responsibility' affects the Society

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Abstract

CSR (Corporate Social Responsibility) may be a concept that has become increasingly important in business reporting. Every company has an SR policy and publishes an annual report detailing its activities. And, of course, each people claim to be able to distinguish between socially responsible activity and non-socially responsible activity. There are two interesting points here: first, we do not need to believe one another about what's socially responsible; and second, while we claim to recognize what it's or isn't when we're asked to define it, we do not must. As a result, there are plenty of various definitions, and during this paper, we'll take a look at some of them.[1]

Keywords: Corporate social responsibility, SR policy, annual report, responsible activities

Introduction

The broadest definition of corporate social responsibility is concerned with what is – or should be – the relationship between global corporations, national governments, and individual citizens. More locally, the definition is concerned with the relationship between a corporation and the local society in which it resides

[1] www.mdos.si

EVOLUTION OF BANKING LAWS VIS-A-VIS NON-PERFORMING ASSETS

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ABSTRACT

Proverb that Rome became now not built in a day isn't a myth, it does now not tell the simplest story of historical improvement however additionally of the improvement of an group. Banking is not invented but developed during the direction of centuries. With its evolution, banking suffers from a pandemic of Non-acting belongings. To apprehend the threat attached to Non-appearing belongings mounting in the banking sector, it is vital to get into an worldwide perspective and countrywide attitude of the evolution of the non-acting property.

Considering past few decades, the problem of growing NPA has been globally known. Many a time several countries of the world have confronted a recession inside the finance zone. That has struck down the banking region and prompted a scenario of financial disaster in those nations. The occurrence of growing nonperforming belongings (NPAs) is affecting the performance of credit establishments both financially and psychologically. RBI, the apex frame for the financial law in the united states, has mentioned this threat in its various reviews journals and circulars. The non-appearing assets have become a first-rate purpose of difficulty for the financial health now not simplest for the additionally at the global stage which maintains to hang-out the Banking area. An economic asset of a financial institution or an account of a borrower may be classified by a financial institution or economic group as sub-widespread, doubtful or loss asset to be defined as NPA. it is declared as NPA whilst interest or instalment or the bill stays overdue for a period of ninety days or the account stays out of order in appreciate of overdraft. Gross NPA that consists of the hobby, claims and other provisions is a better indicator of the financial fitness of the united states. a good way to drastic impact of NPA on the banking quarter and

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EVALUATING THE OVERALL PERFORMANCE OF EXIM BANK IN FINANCE SECTOR

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ABSTRACT

The financial institution price range export of Indian machinery, manufactured goods, consultancy and generation services on deferred charge time period. EXIM financial institution promotes exports thru an expansion of touchdown and carrier programmes. these programmes are tailored to satisfy the desires of different consumer companies, viz, Indian exporters, overseas entities and commercial banks. EXIM bank undertakes cofinancing with international and regional improvement businesses and assists Indian exporters of their efforts to take part in such distant places tasks.

KEY WORDS: Bank, Policies, Etc.

INTRODUCTION

beneath the situations, developing economics like India which has taken-off for financial improvement and that's in its preliminary stages of improvement, require inflow of foreign era and capital goods imports till it reaches the stage of self-reliant increase. during the later degrees of monetary improvement, it has to preserve the pace of financial improvement through developing indigenous technology but within the transitional degrees, it has to rely on import of capital items and permit switch of superior technology from overseas. recently, below the new monetary coverage for 1990-1993 of India, various economic reform measures had been added through government of India in view of the serious inner and outside economic problems, like increasing burden of foreign debt, falling foreign exchange reserves owing to falling exports and rising imports, low levels of economic improvement requiring import of advanced generation and capital items from overseas, internal problems of inflation, unemployment and poverty etc. The essential shift of the coverage is from "controls"

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HUMAN RIGHT: RIGHT TO WORK AND EDUCATION WITH SPECIAL REFERENCE TO WOMAN.

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ABSTRACT

Attaining equality between women and men and eliminating all forms of discrimination against women are fundamental human rights and United Nations values. Women round the world nevertheless regularly suffer violations of their human rights throughout their lives, and realizing women's human rights has not always been a priority. Achieving equality between women and men requires a comprehensive understanding of the ways during which women experience discrimination and are denied equality so on develop appropriate strategies to eliminate such discrimination. The international organization incorporates a long history of addressing women's human rights and far progress has been made in securing women's rights across the planet in recent decades. However, important gaps remain and women's realities are constantly changing, with new manifestations of discrimination against them regularly emerging. Some groups of ladies face additional styles of discrimination supported their age, ethnicity, nationality, religion, health status, legal status, education, disability and socioeconomic status, among other grounds. These intersecting varieties of discrimination must be taken under consideration when developing measures and responses to combat discrimination against women.[1]

Keywords: Equality, Discrimination, Strategies, Manifestations, Nationality

INTRODUCTION

The international community has recognized the equal right to quality education of everyone and committed to achieving gender equality altogether fields, including education, through their acceptance of international human rights law. This implies that states have legal obligations to get rid of all discriminatory barriers, whether or not they exist in law or in daily life, and to

[1] www.ohchr.org

"Embracing Innovation: Legal Mavericks in a Shifting Legal Landscape"

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Abstract -

This article a pioneering study that examines the transformative evolution of legal practitioners into innovative 'legal mavericks'. This article briefly presents the dynamic field of legal practice, this article challenges the traditional role of lawyers by highlighting their emergence as dynamic catalysts of change. Through an incisive historical analysis, it highlights the constraints that have historically confined legal professionals within traditional boundaries. This then leads to a paradigm shift towards a new era where legal practitioners play their role as innovators.Through a series of carefully crafted case studies and strategic insights, this work outlines the intersection between legal expertise and creative thinking. It explores how these 'legal mavericks' leverage inventive problem-solving, interdisciplinary collaboration and technological advances to pioneer innovative approaches to tackling complex legal challenges.In this article explored include cultivating an innovative mindset within the legal profession, advocating the symbiosis of legal proficiency with unconventional strategies, and fostering adaptability amid a rapidly evolving legal landscape.It stands as an indispensable resource for legal professionals seeking to transcend traditional norms, empowering them to embrace innovation and transform legal practice. Inspires to redefine the boundaries of practice. It represents a paradigm shift, ushering in an era where creative ingenuity seamlessly blends with legal expertise, reshaping the future trajectory of the legal profession.Currently with the advent of Covid-19 we are seeing significant changes within the legal industry, particularly in the way lawyers are embracing technology and even AI technology despite their initial reluctance to adopt it. Is. This challenge in the times to come ensures that this change will become a necessity overnight. Broadly speaking, this is not just a massive change in a human behavior but should be seen as a holistic change on the global scene.

WITCHCRAFT PRACTICES LEADING TO HUMAN RIGHTS VIOLATION IN INDIA

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Abstract

Witchcraft-related ideologies and practises have led to egregious human rights violations in many nations around the world, including beatings, exiles, limb amputations, torture, and murder. Women, children, the elderly, people with impairments, especially those who have albinism, and those in these groups are particularly vulnerable. Despite the magnitude of these violations of human rights, the state frequently does not take strong action. Justice systems frequently do not take any action to stop, look into, or prosecute human rights violations connected to witchcraft beliefs. This institutional failing keeps crime unchecked. Between nations and even between ethnic groups in the same nation, there are wide variations in witchcraft beliefs and practises. Overall, there is little knowledge on witchcraft beliefs, its potential applications in various societies, and its rationale. In the mandate's 2009 Report, the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions notes that human rights violations committed because of a belief in witchcraft have "not been prominently on the radar screen of human rights monitors" and that "this may be attributed partially to the difficulty of defining 'witches' and "witchcraft" across cultures - terms that, quite apart from their implications in popular culture, may contain an assortment of traditional or faith that claims the human rights abuses.

Keywords- human rights violation, witchcraft, women, culture

Introduction

Unknown and generally assumed to be underreported, the precise number of victims of such abuses. At the very least, it's estimated that thousands of people are accused of witchcraft every year around the world, frequently with fatal results, and that other people are killed or maimed for performing witchcraft-related rites. Although it is acknowledged that it is impossible to demonstrate such assertions empirically, the literature suggests that these numbers are growing as violent cases, the practises are expanding, and new classes of victims are being created.

Twelve women were accused of witchcraft and executed by hanging in Lancaster more than 400 years ago.

According to scholars who organised an international conference at Lancaster University last week, very little has changed in the modern world.

Witchcraft-related horrific human rights violations are pervasive throughout the world, and it is widely believed that the number of cases, which know no bounds, is growing. If we talk about India specifically then according to the National Crime Records Bureau, there were 2,097 killings with a witch-hunting motive between 2000 and 2012. Out of these, 363 were reported from Jharkhand; the murders that occurred in 2000, when Jharkhand was a part of Bihar, are not included in this number. According to the Jharkhand Central Bureau of Investigation (CBI) office, there were 414 such killings between 2001 and October 2013 and 2,854 witchcraft cases were reported. In addition to Jharkhand, at least 11 additional states still report instances of witchcraft, including Haryana, Chhattisgarh, Orissa, West Bengal, Madhya Pradesh, Rajasthan, Andhra Pradesh, Gujarat, Maharashtra, Assam, and Bihar.

Accused witches have been tortured and killed in India because to the intense brutality and deeply held beliefs involved in the practise of witch hunting. Attempts to resolve the matter by state governments and rationalists have been unsuccessful on multiple fronts. There are currently laws to combat the societal ill of witch hunts in Jharkhand, Bihar, Chhattisgarh, and Odisha, four states in India.

MENTAL HEALTHCARE FRAMEWORK FOR MENTALLY ILL PERSONS IN INDIA

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Abstract
In Indian society witch, dayan ghost etc. term are commonly take place in every religion and culture. Historically, proved that people believes that all the good or bad done by the good or bad sprites in their life. Due to this, witchcraft and witch hunting common in the most part of the Indian society. Literate or illiterate both peoples believe in the existence of witches in normal life. The purpose of this research paper is to find medico-legal aspects behind superstitious beliefs like witchcraft and witch hunting. Main reason of this study is to find out whether there is any neurological and psychiatric disorder behind witch craft and witch hunting and other superstitious practices? Whether, epilepsy, hysteria, Bipolar, Waking up etc. are the main reason behind superstitious evil practices? Weather there is any kind of mental disorder? Weather, condition of mentally challenged persons in India is crucial? What is their social, economical and educational life due to his/her mental challenges? This is purely doctrinal study, mainly focused on the Mental Healthcare Act, 2017. After the study it is proved that there are various laws in India, but implementation of these laws is not proper. Hence, Government, concerned institutions, NGOs and every individuals have duty to take serious note that no mental challenged person victimized in the society and insure about the proper implementation of the all the national and state laws in the society.
Keywords: *Mental illness, Regulations, Witchcraft, Witch hunting, Healthcare*

Introduction

In the worldwide superstitious believers have its own logics they rules through the thoughts and logics. In most of literature relativistic tone shows the relation between customs rituals and human being as a positive philosophy[i].

In Indian society witch, *dayan* ghost etc. term are commonly take place in every religion and culture. Historically proved that people believes that all the good or bad done by the good or bad sprites in their life. Due to this witchcraft and witch hunting common in the most part of the Indian society. Literate or illiterate both peoples believe in the existence of witches in normal life. They never accept the neurological and psychiatric disorders behind that like epilepsy, hysteria, Bipolar, Waking up etc. are the reasons.

Due this in India mental healthcare system is still not properly functions even in the 2022. There are various laws, regulations and government guidelines to protect mentally ill persons, but all are only on paper. In this paper researcher will try to find out the various problems related to the witchcraft, their reasons with the factors. In this paper researcher also try to find out the lacuna in the proper implementation of the laws in India. In this study researcher use doctrinal method.

Problem/Factors of Witchcraft And Witch Hunting

Mental disorder also comes under the causes of disability. Condition of mentally challenged persons in India is crucial. Their social, economical and educational life badly affected due to the mental challenges. As per superstitious belief mental disorder is the reason and cause of a punishment for sins, which committed by such persons in their previous life. Mentally ill persons suffer much more in their daily routine life, even a person with mental disability incapable to perform rituals, which are necessary to hold ancestral property[ii]. In Mitakshra Hindu Law School mentally ill persons are incapable as coparceners or heirs but they are entitled for maintenance out the property under the inheritance[iii]. During the partition a part of estate was to reserved for the mentally ill persons.

ISSUES AND CHALLENGES IN CUSTODY OF CHILDREN WITH SPECIAL REFERENCE TO NRI MARRIAGE

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Abstract
Generally laws are of homogeneous nature which is uniformly applicable to all people in a territory, regardless of their caste, creed, race, or religion, but family law is not uniform, it is governed by the personal laws of various communities based on their places or locality. The person's personal law follows them wherever they go. There are some Areas of family law, where jurisdictional issues are often encountered. Mostly they are related to dissolution of marriage, inter-parental child abduction; inter country child adoption and succession of property of non-resident Indians. In matters of divorce, since irretrievable breakdown of marriage is not a ground for dissolving the marriage under Indian law, Indian judiciary in principle do not recognize foreign matrimonial judgments dissolving marriage by such breakdown. Startlingly, very slight assistance is available in areas of matrimonial offences and problems arising out of child abduction. Leaving a helpless deserted Indian spouse on Indian shores confronted with a matrimonial litigation of a foreign court which he or she neither has the means or ability to invoke often results in despair, frustration and disgust. Likewise, enforcement of a foreign court order in whose violation a child of the family has been removed and brought to Indian soil brings a parent to India desperately seeking a legal remedy. With the increase in the NRI Marriages, the number of matrimonial disputes relating to divorce and custody of children has arisen respectively and at the some places much more than proportionately. Therefore the researcher tries to find out the issues and challenges in matters relating to custody of children born out of these overseas marriages.

Keywords: *Personal Laws, Jurisdictional Issues, NRI Marriages, Inter-parental child abduction; Irretrievable breakdown of marriage*

Introduction
The plight of harassed and tortured women returning home has been highlighted in the preceding chapters. In a large number of these cases, the wife returns to India with the children, often seeking the support of her parents or other friends and family based in India. The NRI husband then initiates custody proceedings in a foreign Court to get the custody of the children. The wife then faces the same challenges relating to jurisdiction, resources and access to proceedings as discussed in the previous chapter. This has caused the Supreme Court to observe the following about the phenomenon: "Conflict of laws and jurisdictions in the realm of private international law is a phenomenon that has assumed greater dimensions with the spread of Indian diasporas across the globe"[1].

A large number of our young and enterprising countrymen are today looking for opportunities abroad. While intellectual content and technical skills of these youngsters find them lucrative jobs in distant lands, complete assimilation with the culture, the ways of life and the social values prevalent in such countries do not come easy. The result is that in many cases incompatibility of temperament apart, diversity of backgrounds and inability to accept the changed lifestyle often lead to matrimonial discord that inevitably forces one or the other party to seek redress within the legal system of the country which they have adopted in pursuit of their dreams. Experience has also shown that in a large number of cases one of the parties may return to the country of his or her origin for family support, shelter and stability. Unresolved disputes in such situations lead to legal proceedings in the country of origin as well as in the adoptive country. Once that happens issues touching the jurisdiction of the courts examining the same as also comity of nations are thrown up for adjudication.[2]" The Supreme Court correctly observes the trend by which the wife is compelled to

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MERGER IN BANKING SECTOR: A REGULATORY FRAMEWORK

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ABSTRACT

Merger is one of the means to increase presence and market supply for a company. Merger of bank is a manner to strengthen banking sector in India, through this weak banks are saved and also increase the customer base of the banks. The merger of banks is regulated by various regulation on the basis of bank being public sector bank, state bank or private banking institution. The process of merger of banks is needed to be performed carefully. The bank mergers not only have positive impact but also negative impact on the market. The article will discuss various regulations of bank merger and its impact.

KEYWORDS: Merger, Banks, Regulations, Economic growth.

1. INTRODUCTION

The one of the most regulated financial sector is banking where Reserve Bank of India (RBI) is the regulator which regulates the banks in delivering the fundamental activities and liabilities. The growth of business is important to all the industries and they seek the same and same is with the banking companies. The increase in the mergers in the banking sector depicts that though this sector is highly regulated in the operations it seek the high profitability. There are different and varied examples of merger in Indian Banking Industry where mergers have been done for different reason including for profits or helping the banks which were likely to dissolve.

According to the corporate perspective there are two modes of growth- organic and inorganic, where organic mode is that in which it is said that a company is growing if its net sales has increased while in inorganic growth the corporation undertakes measures such as mergers, amalgamation, takeovers etc. so as to build up their presence and to increase their market supply. But the banks do not come under such category because banks are regulated by RBI for all its business operations such as business expansion,[1] appointment of directors,[2] where RBI supervises them, sometimes RBI in consultation with its Banking supervision also dictate them. Banks are the institutions which are borrowers, are delegated with the duty that they have to comply with the demand of depositors,[3] etc.

The Government of India has in consultation with RBI by appointing various committees for the purpose of suggesting improvement in efficiency of the banks. These committees have also suggested for the mergers between the banks in public, private, with financial and non-banking financial institutions.[4] Committees such as Banking Commissions, 1972 (under the chairmanship of R.G. Saraiya), Banking Commissions, 1976 (under the chairmanship of Manubhai Shah), the Committee for the Functioning of

[1] Section 23 of Banking Regulation Act, 1949.
[2] Section 10A, 10B of Banking Regulation Act, 1949.
[3] Section 5 (b) of Banking Regulation Act, 1949.
[4] Ravisha N. S., Dr. M.G. Krishnamurthy, *M&A in Indian Banking Sector*, CONTEMPORARY RESEARCH IN INDIA

GENDER DISCRIMINATION-PRESENT SCENARIO IN INDIA

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Abstract
This paper reflects the gender inequality that happens in every region, and social class and averts the growth of the Indian economy by cultivating the lives of Indian people. The truth of gender inequality in India is very complex and varied because it happens in every sector like education, employment opportunities, income, health, cultural issues, social issues, economic issues, etc. An effort has been made to realize those factors which are answerable for this problem in India. So, this paper concentrates on the multi-dimensional context of gender inequalities prevalent in India. Various case laws dealing with gender discrimination reflect the further general judicial approaches to the interpretation of equality rights. CEDAW emphasized the fact that all over the world there has been conventional, discrimination both obvious and behind the screen, against women. The path to the future must clear this jungle of discrimination and bring about a more fair and just society where women can play more effective roles free from obstructions, biases, and prejudices which today prevent their effective participation in public activities. For women, the emphasis has to be on the elimination of discrimination. The problems facing women have been described as the 'four Cs' – culture, childcare, cash, and confidence. The unequal participation of women in the decision-making structure reflects attitudinal and cultural barriers prevailing in all societies. Overall, the study indicates the inequality in economic, social, cultural, and legal bigotry which are a big challenge for executives and social scientists to establish exact equality in the entire social arena. have tried to suggest some relevant strategies and policies implication for reducing this gender inequality and promoting the dignified position of Indian women.
Keywords: Gender discrimination, Inequality, constitutional aspects, Judicial response, strategies, etc

INTRODUCTION

One of the confusing facts about India is that gender discrimination is very high. Gender discrimination is a social evil that breathes in almost every corner of India. Gender discrimination means unequal rights and inequalities between men and women. It is a deeply ingrained threat to our society. It affects both men and women. Both men and women play an important role in the development, development, and growth of society.

Objectives of the research

1. To understand the women's status in the present society
2. To know the Constitutional status of women
3. To understand the need for affirmative action programs in favor of women
4 . To identify the factors which are responsible for gender discrimination.
5. To give suggestions to reduce gender discrimination.

Methodology

The present research article was written with the use of the non-doctrinal method. This is a socio-legal analysis of gender discrimination and the present scenario in India. By the problem and objectives of the adopted. The present study has not refrained from making value-judgment whatever it was logically necessary and ideas are a very rare thing. I do not claim that this work is entirely original in this regard. However, I have tried my best to check out any relevant findings in this paper.

Review of literature

Thomas, R.E. (2013), has highlighted his paper on the nature of gender-based inequality in modern India. It has introduced gender inequality with the help of certain facts and statistics and represents the

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CHILD LOBOUR IN INDIA

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ABSTRACT:
Today children exploitation problem take a hazardous face .It is not only a problem of one city, one district ,one cause of But is a major issue of all over the world Generally people says that illiteracy is the cause of such problem s but level of education is increase in many years and together child exploitation level is also increased . In ancient period childhood is a sweet dream of life to every person Today also elder people moirés their childhood and feel happiness and great plaster, because they gown up in a healthy environment. In order to stop exploitive child labour, SOS children's village in India are focusing on education and providing support for families

INTRODUCTION:
In our constitution The creators of India have been asked from courageous.
In creative mind has been from a kid who can get legitimate schooling for India .youngster instruction for India is will be rebuffed, so he will be considered a fate of India .The Child is not just considered as the light of a house, yet the Child is viewed as a future star of India fabricates of India his reasoning is that the fate of kids ought not be destroyed , they ought not be abused , they ought not be denied of physical ,mental and scholarly turn of events .
Each country connects its future with the current status of its youngsters. By performing work when they are excessively youthful for the assignment. Youngsters unduly diminish their current government assistance outside decision sets or by decreasing their own future individual useful capacities. There are numerous explanations behind kid work wherein youngsters need to work and surprisingly subsequent to halting it , the populace isn't diminishing .

CONCEPT:
They need to clean utensils in lodging and cafés and are compelled to take shoe clean, trash in the city and accomplish asking work. The administrations has made numerous arrangements for this , however the number of inhabitants in kid works in India isn't diminishing . On youngsters work they don't get any opportunity, rather they work in the ownership of others and are always unable to carry on with their autonomous life. In spite of such tough laws of India, this youngster work isn't diminishing. In the sacred framework, the arrangement of kid work has been uncommonly made in youngster both the part and the cha of article 39 of constitution. Over all, it is said that to drive them to do youngster work, they are being halted in mental scholarly turn of events .

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SOCIO-LEGAL DIMENSIONS OF VIOLENCE AGAINST WOMEN IN INDIA

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ABSTRACT

It is not a new concept of Violence against women in society has been victims of ill-treatment, humiliation, and exploitation for a long time. It is the utmost persistent Human rights violation in the world. They experience violence both at the hands of the state and at the hands of private individuals also. The term violence against women is used to collectively refer to various violent acts that are committed against women in day-to-day life. Violence and abuse affect all kinds of women every day. Lack of access to education, opportunity, and low status in communities are linked to violence against women. Strictly speaking, violence is a "behavior in which a more powerful person takes advantage of and abuses a less powerful one" Violence against women generally occurs in the privacy of the home or the working places or the institutions, away from the public eye.

Keywords: violence against women, Humiliation, human rights, Constitutional rights of women, etc.

INTRODUCTION

Women have been victims of violence and exploitation by male-dominated societies all over the world countries. This unfortunate situation is no exception in India. Though the Indian Constitution guarantees all dignity, equality, and freedom, they have been systematically denied to women. Family system, subordination, cultural, religious, and socio-economic reasons are internal giving scope for violence against women. Each year on March 8th International Women's Day is celebrated with much fanfare but no policymaker seems to take into consideration the fact that the women face very unique problems and crimes committed against them can not be proved under the existing provisions of the Indian Evidence Act[1]. A Majority of the most heinous crimes against women are committed by people who are respected members of society and can never be considered criminals. Moreover, the crimes alleged to be committed by them are not considered criminal acts by society at large.

The World today is said to be controlled by money, power, and influence. Most of that is bundled up in the hands of a few. The rich rarely become victims of the law. Women constitute about one-half of the global population, but they are placed in several disadvantageous situations faced by gender differences. The concept of equality between males and females was almost unknown to us before the enactment of the Constitution of India[2]. sexual harassment is a complex challenge often it is controversial and contentious. Arrogances towards sexual harassment run the extent from discomfort, fear, and concern; to skepticism and inconsequence.

Society has to be controlled. Society can exist only under the shelter of the State, and the law and justice of the State is a permanent and necessary condition of peace, order, and civilization[3]. India is a socialist State'[4]. According to the Supreme Court[5] "The principal aim of socialism is to eliminate inequality of income and status and standard of life and to provide a decent standard of life to the working people". The constitution is it should be implemented the socialistic aspects[6]. The Role of the Judiciary is to achieve the dream of social justice in the Preamble of the Constitution. The Constitution

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[1] . Dr. Shobha Sexena. "Wife Beating-Need for Affective and Realistic Legislation". Cr. L.J. (2000). 95(June).

[2] . Constitution Law of India w.e.f.1950 Jan. 26th.

[3] . Salmond: Jurisprudence. (10th Edn.) at p. 103.

[4] . The word "Socialist" was added by the 42nd Amendment to the Preamble in 1976. The term "socialist" has not been defined in the Constitution. It does not mean the total exclusion of private enterprise and complete state ownership of material resources of the Nation.

[5] . D.S. Nakara Vs Union of India AIR 1983 SC 130

THIRD-DEGREE TORTURE PERPETRATED BY POLICE-GROSS VIOLATES HUMAN RIGHTS IN INDIA

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ABSTRACT

Third-degree torture and inhuman treatment led to thousands of deaths of the person or accused by the police, reported in the first five months of the year 2021 amidst lockdown in the country. An attempt has been made by this article to get a clear perspective that how third-degree torture of a person or accused in police custody is not only fatal to the person physically but also leads to stern psychological agonies and distress which intensely disrupt the senses and personality. Several laws and guidelines are directed by the apex courts nevertheless police employ assorted techniques of torture to extract a confession for their ease. Switching to the new modern methods of investigation and utilizing forensic sciences will emphatically facilitate to cease the of third-degree torture practices in police stations. Various methods and measures need to be implemented at the ground level to eradicate the arbitrary usage of power by police officers. Every individual in India possesses the right to live with dignity, hence no one can be divested of their basic fundamental rights merely because they are accused and in custody by the police.

Keywords: third-degree torture; deaths; accused; agonies; custody; forensic sciences; fundamental rights etc.

INTRODUCTION

Third-degree torture is a form of crudity and barbarity which causes agonies and custodial deaths and constitutes a violation of human rights under various human rights treaties. Numbers of treaties forbid torture and inhuman treatment. Universal Declaration of Human Rights (UDHR) under article 5 states: "No one shall be subjected to torture or cruel, inhuman, or degrading treatment or punishment."[1] As torture has ravaging consequences for its victims and UDHR prohibits it. Our Indian Judiciary is also confronted with several torture cases in the form of custodial deaths which are the results of third-degree torture. Third-degree torture in custody is universally deemed as the most inhumane treatment of the person and an abuse of human rights. Any person who is accused or in custody face abiding consequences of third-degree torture by the police in a physical and emotional state, including violation of his basic human rights and menace to their life.

The Hon'ble Supreme Court of India held "third-degree method by the police to be violative of Article 21 of the Constitution." The Hon'ble Court has also directed the government to educate the police to inculcate respect for the human person[2]. A result of torture and abuse of power by the police lead to 1,723 custodial deaths in 2019[3] (i.e. death of 5 persons daily) and 113 custodial deaths in 2020[4]. Police stations are becoming centers for suicide due to alleged torture; at least one person commits suicide every week due to alleged police torture. As per the report of the National Campaign Against Torture

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[1]. United Nations Office of the High Commission for Human Rights. 1948. "Universal Declaration of Human Rights." http://www.ohchr.org/EN/Library/Pages/UDHR. asp.

[2]. Kishore Singh *v. the* State of Rajasthan, 1981 SCR (1) 995.

[3]. India: Annual Report on Torture 2019 (NHRC- 1606 deaths in judicial custody and 117 in police custody).

[4]. The Ministry of Home Affairs informed the Lok Sabha On September 17, 2020, that 113 persons died in police custody from 1 April 2019 to 31 March 2020. The National Campaign Against Torture (NCAT) in this report recorded the deaths of 111 persons in police custody during 2020.

HUMAN RIGHT: RIGHT TO WORK AND EDUCATION WITH SPECIAL REFERENCE TO WOMAN

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ABSTRACT

Attaining equality between women and men and eliminating all forms of discrimination against women are fundamental human rights and United Nations values. Women round the world nevertheless regularly suffer violations of their human rights throughout their lives, and realizing women's human rights has not always been a priority. Achieving equality between women and men requires a comprehensive understanding of the ways during which women experience discrimination and are denied equality so on develop appropriate strategies to eliminate such discrimination. The international organization incorporates a long history of addressing women's human rights and far progress has been made in securing women's rights across the planet in recent decades. However, important gaps remain and women's realities are constantly changing, with new manifestations of discrimination against them regularly emerging. Some groups of ladies face additional styles of discrimination supported their age, ethnicity, nationality, religion, health status, legal status, education, disability and socioeconomic status, among other grounds. These intersecting varieties of discrimination must be taken under consideration when developing measures and responses to combat discrimination against women.[1]

INTRODUCTION

The international community has recognized the equal right to quality education of everyone and committed to achieving gender equality altogether fields, including education, through their acceptance of international human rights law. This implies that states have legal obligations to get rid of all discriminatory barriers, whether or not they exist in law or in daily life, and to undertake positive measures to give birth to equality, including in access of, within, and thru education.[2]

Development of Education in India

Although within the Vedic period women had access to education in India, they'd gradually lost this right. However, within the British period there was revival of interest in women's education in India. During this era, various socio religious movements led by eminent persons like Raja Ram Mohan Roy, Iswar Chandra Vidyasagar emphasized on women's education in India. Mahatma Jyotiba Phule, Periyar and Baba Saheb Ambedkar were leaders of the lower castes in India who took various initiatives to create education available to the ladies of India. However women's education got a fillip after the country got independence in 1947 and therefore the government has taken various measures to supply education to all or any Indian women.

(i) Educating the ladies will empower them to hunt gender equality within the society.
(ii) Women are ready to earn that may raise their status and their status within the society.
(iii) They're going to remember about the benefits of small and planned family and this can be an enormous step towards achieving stabilized population goals.
(iv) it's been reported that the one most vital factor affecting high total fertility rates (TFR) is that the position of girls in many societies. Women education will help increase the age of marriage of girls and that they would tend to own fewer, healthier children who would live longer.
(v) Women on being educated would be ready to rear their children in an exceedingly better way, resulting in their healthiness and supply them with better facilities.

[1] www.ohchr.org
[2] www.right-to-education.org

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NEED TO REFORMING THE "CONCEPT OF VICTIMS": AN ANALYSIS

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1. INTRODUCTION

In Modern Era Victims right is a very delicate issue We know that its an Ancient concept. Now a days Victim Rights is very significant and is included in our core subject of Criminology and it is continuously being evaluated. During these days Government had taken many steps to protect rights of Victims. As we can say that some of are Compensation to victims.

Indian criminal procedure fallows many kinds of statutory provisions where compensation can be given to the victims, viz. domestic violence act,2005, fatal Accident Act,1855,Pacso Act ,Code of Criminal Procedure, 1973,and Probation of Offenders Act, 1958, etc. But in practical they are satisfactory for protection of victims rights and also they are not sufficient for the safeguard for the security and safety of victims life. we can say that many laws just like for formalities and these implementation is very tuff. The amount of compensation is not enough to be nominated . The Compensation amount is not enough to maintain the standard of living of Victim. A crime not only affects the victims but it also destroy the normal life of Victim , For instance a victim always faces difficulty in getting job, and a victim of rape faces problems during itself wedding in society.

During these days same incidents shows that murder , theft , rape, dowry,
is an easy tool for the criminals to commit the crimes. So, we can conclude that the safety of life is an important issue for the rights of victims. It is necessary to note that the trial courts has powers to solve the crimes by following the different acts some of them are like section 357crpc. power. Despite of all Government had taken many steps to solve the problems of Victims Right. Our proposed study compare these provisions and want to catch loop holes in the area related to the victims rights.

2. STATEMENT OF PROBLEM

Regarding the condition of victims in India there are different perspectives. Theoretically, some people come directly or indirectly in the noun of victims. After the demise of the only earning member of a family, the rest of the surviving family face the consequences as if they are the victims. At times the witnesses Sometimes the accused party as also the proponent gets into a predicament and become victimized due to unexpected situations such as Fake encounters, custodial deaths, attacking and threatening the witnesses, etc. These situations become synonymous with tangible proofs and provide an insight regarding the point of view of the plaintiff and deponent. If we beach the topic of the victims' rights, there is sadly a frequent delay in clear and decisive thinking, planning and action for the protection of the rights of the victim.

Also, it is seen that in many cases, the victims have to face an environment like social exclusion. Women suffering from rape or being a victim of acid attack often have to live suffocating lives in

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WOMEN IN RELIGION: A CRITICAL ANALYSIS

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Abstract
The belief and practise of different set of ethics / rules by various sects of people in the society are primarily governed by religion and religious standards. Religion is a blend of various institutions. It is a mix and combination of ethics, morals and principles. According to Emile Durkheim "Religion is a unified system of beliefs and practises relating to sacred things, that is to say, things set apart and forbidden. While strict adherence to rituals and prayers were the base and backbone of all the religions, another common belief was the openly unstated fact that "men and women are not equals". This struck a chord between the two genders, the members in a society and ever since, women all over the world,have been fighting and demanding for their rights till date.

KEYWORDS: Women, Religion, Equality, Faith, World

INTRODUCTION

Values, ethics morals and principles to a man are as important as food, shelter and other necessities. As the saying goes "each man to his own "every individual has different set of principles and values. What one considers as ethical or moral, the other may not and this often leads to clash of opinions and conflicts.

The belief and practise of different set of ethics / rules by various sects of people in the society are primarily governed by religion and religious standards. Religion is a blend of various institutions. It is a mix and combination of ethics, morals and principles. According to Emile Durkheim "Religion is a unified system of beliefs and practises relating to sacred things, that is to say, things set apart and forbidden"[1].Hinduism , Christianity , Islam and Buddhism are religions that are widely practised. Every religion is expected to follow their own set of rituals and practises irrespective of sex , caste and race.

While strict adherence to rituals and prayers were the base and backbone of all the religions, another common belief was the openly unstated fact that "men and women are not equals". This struck a chord between the two genders, the members in a society and ever since, women all over the world,have been fighting and demanding for their rights till date.

WHY ARE WOMEN CONSIDERED TO BE INFERIOR?

Women were given respect, holding, control and power in the ancient times. They were known to bring success and prosperity to the house and the decision making was vested in their hands. They were considered as "Shakthi" and were worshipped in various religions
Nevertheless, Women across the world irrespective of their religion and societal status havealways been considered as weak and inferior. Religious transcripts and scriptures have just turned this into a norm and belief. Women are represented as fickle, easily prone to temptations and trickery,fragile, absent- minded or thoughtless creatures bringing evil and bad to both family and society. Women are regarded as a bad omen and it was said that it is because of their inconsistent character that they must

[1]The Elementary Forms of the Religious Life (1912) [Excerpt from Robert Alun Jones. Emile Durkheim: An Introduction to Four Major Works. Beverly Hills, CA: Sage Publications, Inc., 1986. Pp. 115-155.]pg 62.

DETERMINATION OF CUSTODY LAWS IN THE CONTEXT OF BEST INTEREST OF THE CHILD IN INDIA

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ABSTRACT

The author explores the current statutory laws on the matter of child custody and analyses the conditions under which the custody can be handed over under various personal laws in India. A child of tender age needs a mother's love and care; neither father nor mother automatically gets custody based on gender; the aim of custody dispute resolution is not to punish a parent but to ensure the welfare of the child; fathers cannot be granted custody only on the ground of economic superiority; courts must ascertain the wishes of the child if he or she is capable of expressing them; a mother cannot be denied custody simply because she works outside the home, and visitation is the right of the child and not of the parent. Furthermore, the judicial response to this issue is evaluated through the help of various decided case laws. In addition to that this research paper intends to provide an insight into the judiciary's response to the principle of the best interest of the child in the realm of deciding the matter of custody.

Key-words: Child custody, Guardianship, Judicial response, Best Interest theory,

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ANALYTICAL STUDY ON CYBER CRIME AND ITS LEGAL FRAMEWORK IN INDIA

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ABSTRACT
Cyber-crime mainly involves activities that use internet and computers as a tool to extractprivate information of an individual either directly or indirectly and disclosing it on onlineplatforms without the person's consent or illegally with the aim of degrading the reputationor causing mental or physical harm. With the advancement in technology a steep increasein the rate of cyber-crimes has been observed. With the increase of dependency on cyberspace internet crimes committed against women have also increased. This is mainly because around more than half of the online users are not fully aware of the functioning ofonline platforms, they are ignorant towards technological advancements and have minimal adequate training and education. Thus, cybercrime has emerged as a major challenge for the law enforcement agencies of different countries in order to protect women and childrenwho are harassed and abused for voyeuristic pleasures. Women are commonly targeted for cyber stalking, cyber pornography, impersonation etc. India is one of the few countries which has enacted the IT Act 2000 to deal with issues pertaining to cyber-crimes in order to protect the women from exploitation by vicious predators however this act doesn't address some of the gravest dangers to the security of the women and issues involving women are still growing immensely.
Keywords: *Cyber-crime, women, IT Act, technology, online platforms.*

I. INTRODUCTION
The advent of technology has provided women an opportunity to explore their strengths and widen their capabilities. With the rapid modernisation taking place all over the world, internethas become a part of our daily lives. It has proved to be an efficient tool of communication. However, with the increase of dependency on cyberspace internet crimes committed against women have also increased. Women all over the world have been victims to a number of harassments for decades now. With the advent of technology and digitalisation people have theability to communicate virtually with anybody, anytime and anywhere across the globe. Cyber-crime has emerged as one of the results of this modernisation. Online platforms are often usedto harass and abuse women for voyeuristic pleasures. One of the major reasons as to why it takes place is because of the fact that around more than half of the online users are not fully aware of the functioning of online platforms such as WhatsApp, skype, Facebook, etc. There is minimal adequate training and education that is provided to the users. Moreover, ignorancetowards technological advancements has carved its way for such heinous crimes. Women are commonly targeted for cyber stalking, cyber pornography, impersonation etc. The victims often trust the offender and share their private data or information as a consequence of which innumerable cyber-crimes take place daily. Due to fear of defamation in the society and lack of evidence it becomes really difficult to identify the origin of the crime. Cyber-crime has become a concept wherein majority of cases the victims have been women who have fallen prey to technological fancies. A steep increase in the rate of cyber-crimes has been observed in different countries where the primary concern has always been the protection of women. India is one of the few countries which has enacted the IT Act 2000 to deal with issues pertaining to cyber-crimes in order to protect the women from exploitation by vicious predatorsand provide them support so that they can fight back against all wrongdoings. Many institutionshave taken up the issues pertaining to cybercrime in order to raise awareness for the safety of women but still a steep increase has been observed in this area, which poses a negative impacton the development of the nation.

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CYBER LAWS IN INDIA: THE NEED OF PRESENT SOCIETY

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Abstract: In the present digital societyCybercrimeisverycommon and the digital frauds are also trend to be the most hitch in India. Digital technology is moving forward leaving behind the space for players from all walks of technocrats where few of them uses it effectively while other may hamper it unethically. In 2022 Cyber laws are providing legal recognition for carried out transaction by means of electronic communications generally referred to as electronic commerce and storage of information, to facilitate electronic filing of documents with the government agencies and further to amend the Indian Penal Code, the Indian Evidence Act, 1872.This paper illustrates Information Technology Act 2008 and its provisions as well as current provisions of Cyber Law.

Keywords: -Digital, cyber law, cybercrime and Fraud.

Introduction: The invention of Computer has made the life of humans easier, it has been using for various purposes starting from the individual to large organizations across the globe. In simple term we can define computer as the machine that can stores and manipulate/process information or instruction that are instructed by the user. Most computer users are utilizing the computer for the erroneous purposes either for their personal benefits or for other's benefit since decades. This gave birth to "Cyber Crime". This had led to the engagement in activities which are illegal to the society. We can define Cyber Crime as the crimes committed using computers or computer network and are usually take place over the cyber space especially the Internet. Now comes the term "Cyber Law". It doesn't have a fixed definition, but in a simple term we can defined it as the law that governs the cyberspace. Cyber laws are the laws that govern cyber area. Cyber Crimes, digital and electronic signatures, data protections and privacies etc are comprehended by the Cyber Law . The UN's General Assembly recommended the first IT Act of India which was based on the "United Nations Model Law on Electronic Commerce" (UNCITRAL) Model

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AN APPRAISAL OF THE HINDU SUCCESSION ACT

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ABSTRACT:

For almost half a century since the passing of the Hindu Succession Act, 1956, there has been the widespread belief that under Hindu personal law daughters are equal to sons. This belief was based on Section 10 of the Act dealing with the distribution of property of a Hindu who has died without making a will, referred to as intestate in law. The provision unequivocally declares that property is to be distributed equally among Class I heirs, as specified in the schedule. The schedule clearly lays down daughters, mothers and widows as Class I heirs entitled to a share equal to that of sons. This, though seemingly a huge step in favour of gender justice, was in fact more a slight of hand. This article envisages the effects of the amendment over Hindu women's Succession.

Key Words: Hindu Succession, Law Commission, Mitakshara, Dayabhag,

1. INTRODUCTION:

Since time immemorial the framing of all laws have been exclusively for the benefit of man, and woman has been treated as subservient, and dependent on male support. The right to property is important for the freedom and development of a human being. Prior to the Hindu Succession Act, 1956 shastric and customary laws that varied from region to region governed Hindus and sometimes it varied in the same region on a caste basis resulting in diversity in the law. Consequently in matters of succession also, there were different schools, like Dayabhaga in Bengal and the adjoining areas; Mayukha in Bombay, Konkan and Gujarat and Marumakkattayam or Nambudri in Kerala and Mitakshara in other parts of India with slight variations.

The multiplicity of succession laws in India, diverse in their nature, owing to their varied origin made the property laws even more complex. Earlier, woman in a joint Hindu family, consisting both of man and woman, had a right to sustenance, but the control and ownership of property did not vest in her. In a patrilineal system, like the Mitakshara school of Hindu law, a woman, was not given a birth right in the family property like a son.

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AN OVERVIEW OF THE PROPERTY RIGHTS OF HINDU WOMEN UNDER THE HINDU SUCCESSION ACT, 1956

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ABSTRACT:
Status of women all over the world has been inferior to men and in this respect, India is no exception. The position of Hindu women and her rights varied during different period depending upon her status in family. Under the constitution of India 1950 women have been accorded equal right with men. Directive Principles of state Policy also enumerates certain directives for the emancipation of women. Customary laws that varied from region to region governed the Hindus in family matters. The complexity and intricacy of women's property gave birth to the need to codify Hindu Law in that particular area.

KEYWORDS: Hindu Law, Succession, property rights, Mitakshra, Dayabhag, Stridhan.

I. INTRODUCTION:

"Woman is the builder and molder of a nation's destiny, though delicate and soft as lily, she has a heart, stronger and bolder than that of men, she is supreme inspiration for man's onward march"- Rabindranath Tagore

Women have a unique role in the society whether it be developed, developing or may it be underdeveloped. This may particularly be because of various roles that a woman has to play in the society. Although a woman plays a significant role in the lives of every human being still she belongs to the disadvantaged position. Where on one hand she is held in high esteem and worshipped and is also considered the embodiment of tolerance and virtue on the other hand she has been the victim of untold miseries, hardships and atrocities caused by the society. Such vulnerability of women as a class has nothing to do with their economic independence. Women have been victim irrespective of their economic background.

The women had enjoyed good respectable social status during Vedic and post-Vedic period. Although she did not possess any property right in that golden era but even then she was treated like a devi and had a respectable upper place in the family. In Indian almost half of the Indian population is women. They have often been discriminated against and have suffered and are suffering discrimination due to silence on their part in the civilized as well as the primitive society. Even though, self-sacrifice and self-denial are there nobility and virtue. Woman's inferior position throughout the ages not only in family and society but also in the matter of property right has been a subject of deep concern in recent times, both in public and private life. It appears that Women form half of the Indian population. But she has always been discriminated against them and has suffered denial and is suffering in silence. Self-sacrifice and self-denial are their mobility and fortitude and yet have been subjected to all kinds of inequalities, indignities, incongruities and discrimination.1 She has not only been denied of full justice, social, economic and political but as a "weaker sex" she is been abused and exploited to maximum extent and subject to ignorance at all levels by society.

II. PROPERTY RIGHTS OF HINDU WOMEN UNDER THE HINDU SUCCESSION ACT, 1956:

With the dawn of independence our constitution guaranteed equality to all persons which were a great boon to the women of India. The Shastric law bestows high position on women —where female are honored there deties are pleased but where they are dishonored, there all religious act becomes fruitless. Property right of women corresponds to the duty of the husband to maintain his wife and look after her comfort and to provide her food. The claim of a widow to be maintained is

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SOCIAL MEDIA AND THE CYBER CRIMES: POSSIBLE TECHO LEGAL SOLUTIONS

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ABSTRACT

As the research and development are seeking to a new height in the field of science and technology here is the introduction of a new type of crime called Cyber Crime . This type of a crime involves a computer and a network and is conducted with the access of Internet. Nowadays the words Internet and Social Media are thoroughly interconnected. There is a drastic change in personal communication, such as on facebook, on you tube, on twitter etc. Marketing is also one of the favourable parts of social media allowing users to connect and communicate. This paper identifies the misuse of social media and we focuses on the study that lies on the investigation of social media and their use as a tool of cyber crime. The evolution of social media has changed the criteria of cyber criminals as cyber criminals do not require considerable technical expertise to get the job done. Alok Mittal as the chief of national investigation agency has said that every sixth cybercrime in India committed through social media. Data from National Crime Records Bureau (NCRB) show around 70% rise in cyber crimes annually between 2013 and 2015, Cyber experts said that high rate of cyber crime is natural in a country where technology adoption is high but awareness is low. Cyber crime related social media are basically in identifying theft, defamation, harassment, pornography, stalking, offensive posts, and others. Fifty Second report on Cyber Crime, Cyber Security and right to privacy issued by the 2013- 2014 standing committee on information technology on 12 Feb 2014, highlighted the urgent need for reform in India s cyber security framework and the need for the much awaited legislation to be finalized and to be under in LAW. there should be an online complain option in every social site in every social activities so that it will be easy to complain or report to state and provide information against cyber crime. This will help to get evidence very easily. The main goal of the paper is about to find out a easy complain and judiciary procedure. How we fulfill the gap between police and user s of social site s. For cyber security we must need a different type of procedure to deal with social media related reports.

In last few years we have record that social media getting higher position in list of cyber crimes tool.By spoting this point we want to resolve this big issue or tool of cyber crime.

1-RELATIONSHIP BETWEEN SOCIAL MEDIA AND CYBER CRIMES:-

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PROBLEMS OF HINDU WOMEN AFTER DIVORCE IN INDIA

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Abstract:-
After the divorce, the condition of Hindu women becomes extremely pathetic in society. Because somewhere the thinking of society is not good for divorced Hindu women . the society views divorced Hindu women with hatred. In this article, attention has been drawn to the situation of divorced Hindu women in society and how their conditions can be improved. There are many instances when a divorced Hindu woman goes to her parent's house even after several years of marriage. The husband does not give any share in the property and the Hindu woman is forced to go to her natal home and is financially dependent on her parents and others. In some cases, the position of divorced Hindu women becomes worse because she is held responsible for the marital conflict and is regarded as a burden.

Key Words:-Hindu Marriage act 1956, Hindu law, Hindu Divorce Women. etc.

Introduction – since its inception the society was male dominating later on due to social and biological needs male dominating society harmonies with the opposite sex to transform the society, In pre Independence Era the status of Hindu women is not good in the British period, Mughal period, and rather in Hindu period. Women are treated as slaves but after the post-Independent Era, our constitution guarantee equal rights and equal protection to Hindu women too. Several socio-legal legislations had been done for the betterment of Hindu women, Marriage is one of the best instruments to honor and protected. The marriage institution is governed by marriage laws enacted by Parliament and by Personal Law Boards, such as Hindu Marriage Act, and Special Marriage Act. Through these actions, the status of Hindu women in the first decade of the Independence era become somewhat better but with the reflection of the social culture of western countries their occurs several offenses against Hindu women are Cruelty, Adultery, Bigamy, Rape, Sexual Harassment, Financial Issues, Lack of Intimacy, Marital relationship, etc are which causes divorce. The rule regarding divorce under Hindu society is governed by the Hindu Marriage act (1955), the basis of divorce for Hindu women is given under sec 13(b) of the Hindu marriage act (1955) the major grounds for divorce are the offenses mentioned above in the article.

Statement of the Problem:- Divorce is considered a social problem in Indian society. It is a painful personal experience. Divorce in Hindu society is often difficult as well as humiliating.

The objective of the Study: -

The main objective of my article is the family and social adjustment of divorced women in India.

1. To find out the socio-Legal and economic status of women after divorce.
2. To find out the problems caused by divorce.
3. To study the Legal provision for the protection of Divorce women.
4. To study the social relations of divorced women.

Review of literature:-I have read books, Numerous articles, and publications in addition to the latest cases and news related to the current scenario of divorce women in India.

Dr. Prerna Kohli, one of India's leading psychologists, says in her article 7 Effects of Divorce on Children that in some marriages, divorce is compulsory and children below 9

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CYBERCRIME'S IMPACT ON INDIA'S BANKING SECTOR

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ABSTRACT

In this research article, due to the effects of cybercrime on the banking sector, the country is facing losses. At present, the whole worldis making new developments in the field of digitalization; on the other hand, due to the increasing cases of cyberattacks, it has become a problem for all the countries ofthe world. For this reason, European countries have fully recognized hacking by ethical hackers in the past. It is easier to track cyber fraud cases in European Countries than in India. The hackers sitting in any country withdraw huge amounts from the bank account, which requires their mobile IP address to catch them, but it is very difficultto catch them due to the constant changing of SIM cards by cyber thugs. One reason for the rise of cybercrimes is the lack of complete information about cyberbanking transactions in society and the digitalization of banks without implementing cybercrime as an essential subject in the Indian education system is also a fundamental reason. In India even today, most of the population lives in villages, which are very easy to lure and they do not even know about banking transactions in their account after staying money through money mike accounts by digital fraudsters are transferred and even if it I dete4cted, then there are rounds between the banks and the police because the process of reporting cybercrime is very complicated that the person himself does not want to waste time in filing the report. At the same time, the impact of cybercrimes in India is also affecting banking more because even in the present time in India, the employees of police stations and banks are not fully trained in information technology.

INTRODUCTION

In the fast-changing environment of the 21st century, our life has become completely dependent on banks. At present, banking has become a part of our daily routine with the convenience[1] of online transactions like phone pay, Google pay,ATM, Credit Card, Debit Card, Internet Banking, Mobile Wallets, Pay TM, BHIM Axis Pay, Mobikwik, Yono by SBI, Citi Master Pass, ICICI Pockets, HDFC Pay Zapp, Amazon Pay, etc. on the other hand, due to online transactions of banks, cybercriminals are getting a lot of encouragement. Crimes like ATM card swopping, phishing, one-time password fraud, Troyan-horse, spoofing, Identity Theft by vishing,malware, hacking, etc. by Cyber criminals are committed in the banking sector. Cybercriminals gain unauthorized access to bank accounts from bank computer servers. Cybercriminals are also using Jan-Dhan Accounts on rent for banking fraud. Big scams like money laundering in India have already made the country's economy quite unthinkable. The most important factor for the development of any country is its economy. The country's economy has suffered due to the continuous increase in cybercrimes.

India is a developing country, so cybercrimes had a deep impact on Indian Banking. By trusting banks, a person collects his hard-earned money in currentaccounts; the money deposited in banks is cheated by cyber criminals. The global tech. support Scam research report for the year 2021 has told that about 31% of cyberbanking in the world has been done in India and according to the report of RBI, between the years 2008 to 2021, about 1.38 rupees were cheated from the banks, whichhas caused a loss of about 100 crores every day in 7 years. Cybercrime emerged as a rest for Indian banks financially and socially. Which is also a hindrance to thedevelopment of the country. In this research paper, the damages caused by cybercrimes in the legal and economic fields have been studied.

STATEMENT OF PROBLEM

In this research the effects of cybercrime in the banking sector have been studied.

Madhya Bharti (मध्यभारती) UGC Care Group I Journal
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AN OVERVIEW OF THE CHILD CUSTODY AFTER DIVORCE IN HINDU LAW

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ABSTRACT

This article investigates that who gets the custody of the child after [illegible] if the financial condition of the mother of the child is not good, should the child be kept away from the mother and given to the father. Will always take advantage of the [illegible] and what is the fault of the child who is not yet capable of knowing anything good or bad. Just himself, has he become a mere puppet between a parent and the court.

Keywords: Child custody, Divorce, Hindu law;

I. CUSTODY RIGHTS OVER MINOR CHILD AFTER DIVORCE- AN INTRODUCTION:

For proper upbringing of children, they need both parents for proper [illegible] of children' for the mental and physical development of a child, father's love and mother's care is necessary. Everything is going well but the problem comes when small quarrels of husband and wife take a big form one day and the differences become so much that they decide that they can no longer live together and their marriage should be dissolved because section 13 of the Hindu Marriage Act 1955 has prescribed the manner of dissolution of marriage then the couple has to apply for divorce in court as per that rule and follow that procedure Then the divorce petition is accepted or rejected.

But the problem becomes more serious when a child is born to them after marriage and from here a new turn takes place in the fight between husband and wife because the person getting divorced has children wants to keep the custody of the child while the other party is making a strong claim for the custody of the child, now in such a situation, the question arises before the court that whose claim should be accepted. It is also true that the dissolution of marriage is a common thing, and when a child is born out of that marriage, then the situation and inequality Because the mental condition of the parties is not normal, one party is not only mentally ill, but by calling the other party on the date in the court and harassing him in other ways, he also makes him mentally ill. Divorce after the birth of children and seeking custody of the children shows the arrogance of the parties. It is that the husband often asks for the custody of the child so that it puts pressure on the wife and she can get divorce easily whereas the wife always wants to keep her child with her after the divorce.

Husband wife relationship is the most beautiful relationship, but when the relationship turns sour and both people start disliking each other and there comes a time that both of them are not able to tolerate each other with them and their togetherness, If living becomes difficult, then in such a situation both the parties reach the court to end the sacred bond like marriage, the parties think more only about their own interests, they are not so aware about the future of their children that What will happen to their children after the marriage is over, how they will be looked after, how their physical development, mental development, will be affected by divorce.

In only 5% of cases, children are sent in the custody of the father because it is believed that no one can bring up better than the mother, although the father is the first natural guardian of the child, but because of business and job, he can fulfill his duty honestly, is not considered capable of fulfilling the It is true that if the custody of the child is given to the mother, then many things are filled in the mind of the child against the father so that he turns against his father.

Husband wife in matrimonial dispute gives little thought to the future of their child and it is not important who gets the custody of the child and who wins the custody case but the child is always paying a huge loss. Courts have in many of their judgments held that the welfare of the child is the first and foremost issue and no one else should take into account the logic of either of the parents while deciding the interest of the child. Because he is actually the victim in the divorce

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PROTECTION OF RIGHT TO DIGNITY AND COMPENSATION TO ACID ATTACK SURVIVORS IN INDIA

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Abstract
Acid Attack has emerged as the contemporary form of violence which is generally targeted against women with the intention of deforming her face and body and even to kill her. Increasing number of acid attacks over the years have created an alarming situation which needs to be redressed. Rejection of love or marriage proposals, refusal to pay dowry, rejection of sexual advances are some of the motivation behind the commission of such heinous offence. This paper explains the various physical, psychological and socio-economic consequences which ensue upon the victims of the acid attack and make their life worse than death. Furthermore, the paper delineates the various legal provisions to combat the menace of acid attack and how the recent amendments have changed the Indian legal system with respect to acid attacks. Efforts have been made in this paper to highlight the deficiency in the role played by the judiciary and police while dealing with acid attacks. Towards the end, the author has tried to give certain suggestions that might prove helpful in curtailing the perils of such attack.
Keywords: Acid Attack, Violence, Dowry, Indian Legal System, Judiciary.

Introduction

"Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women."[1]

There is a wide spread violence against women around the world, based on considerations of their sex alone. Acid attack is one such manifestation of violence against women which is becoming a growing phenomenon in India. Though acid attack is a crime which can be committed against

Any man or woman, it has a specific gender dimension in India. Most of the reported acid attacks have been committed on women, particularly young women for spurning suitors, for rejecting proposals of marriage, for denying dowry etc. The reason behind this is that, the attacker cannot bear his rejection, loss of honour and shame, insecurity, jealousy, aggression and frustration; his so-called male ego comes in between all this, and as a result he takes revenge by destroying the body, specially the face of the women who dared to refuse him. It leaves the victim charred, blinded, and mutilated, it melts human flesh and even bones, causing excruciating pain and terror and scarred for the rest of their lives. A woman burnt by acid is like a living corpse. Those who commit such vengeful acts

[1] The United Nations Declaration on the Elimination of Violence against Women, General Assembly Resolution, December 1993.

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WOMEN EMANCIPATION AND INDIAN JUDICIARY: AN ANALYSIS

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The history of men's opposition to women's emancipation is more interesting perhaps than the story of that emancipation itself."

Virginia Woolf[1]

INTRODUCTION

Preamble to Fundamental Rights, Fundamental Duties to Directive Principles, Constitution of India guarantees gender equality in India. Its duty of states to make proper frameworks to empowers females adopt positive measures. Empowerment of women means developing them as more aware individuals, who are politically active, economically productive and independent and are able to make intelligent discussion in matters that affect them.

Present article discusses about the various violence against the women and on various initiatives taken by the government of India to empower them. This article also discuss the role of judiciary to empower the females. In this article researcher adopt doctrinal research method.

Increasing interdependence, interconnectedness and integration of economics and societies to such an extent level is the positive process of empowering the women worldwide[2].

WOMEN EMPOWERMENT

'Women Empowerment' has a broader meaning in the legal field. All prospects are based on the their status in the society, their social, economic, political and other conditions are also decide their status.

In simple term, concept of gender empowerment can mean formal legal conferment of rights on women equal to men with a view to make them socially, politically economically independent and self-confident.

In the legal terrain, the concept of gender empowerment is contingent on location within the family, the class and/or religious community as well as within the definitions of the nation-state. Law is not the only site for the pursuit of gender independence. But given law's location as an authoritative discourse, it does have a critical role to play in shaping the meaning and content of gender empowerment[3].

WOMEN EMPOWERMENT IN INDIA

In 2021, it was a historic moment when three women took oath as judges of Supreme Court. But Indian Judiciary has been criticized for lack of gender representation, three women taking oath as

[1] Virginia Woolf, A Room of One's Own, 1929
[2] Puja Mondal, Essay on women empowerment in India
[3] Ratna Kapoor, 'Challenging the Liberal Subject: Law and Gender Justice in South Asia'

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RIGHT TO EDUCATION ACT: AN EFFECTIVE WEAPON TO ERADICATE CHILD LABOR

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ABSTRACT:
Children are strong pillars of the developing country. Their strength is necessary for society. But, unfortunately, a large part of the child population remains in child labor. they are compelled to work. Today the practice of child labor has spread all over the country. Child labor has become a curse for our society in India. the practice of child labor did not stop even after many campaigns, rules, and laws run by the government. there are many reasons for this. Most of the population of India is suffering from poverty, illiteracy, unemployment, etc. Because of poverty, poor parents send their children to work from house to house and in shops. Children are the building blocks of human history and the foundation of human life.
Key Words: RTE, ILO, Fundamental Right, Factories, Dhaba, Bricks Industries, Cry, Ngo,

INTRODUCTION:

Children are the gift of God to the entire human race, these children grow up and do the work of new construction of the society, for which educating them is the main responsibility of the society and the state. Today when we see that a large number of children are engaged in other work outside school instead of going to school during school time, it is a matter of great regret for the future of our country because children are the future of our country. To reform the education sector, the Government of India incorporated Article 21A in 2002 (86th Amendment) and introduced the RTE Act 2009 to attract children to schools. The RTE Act provides for free and compulsory education to children in the age group of 6 to 14 years. Despite this, it is seen in a society that many children are deprived of education. The Right to Education (Free and Compulsory Education Act) came into force on 1 April 2010 as a historic victory after 60 years of independence, providing free education up to class 8 for students in the age group of 6 to 14 years. The Act seeks to achieve 10 broad objectives, which include the responsibility of teachers to ensure quality education, fix social responsibility and protect most poor children from regressive attitudes at the time of admission to the nearest educational institution. The responsibility of overseeing this act was given to NCPCR, currently, its target was to educate 100 percent children of 6 to 14 years but still, we are far away from our target. The year 2021 has been declared by the United Nations General Assembly (UNGA) as the " International Year for the Elimination of Child Labor", with the ILO having a caretaker role. The resolution commits all states to eliminate all forms of child labor by 2025. Forced labor, modern slavery, and human trafficking are the worst forms of child labor. To eliminate which immediate and effective measures are to be taken to secure its prohibition and abolition. It also recognized "the global partnership for the implementation of the goals and targets relating to the elimination of child labor and the 2030 Agenda for Sustainable Development".

India has the largest number of child laborers in the world. Which is 13.5 percent of the total population of the country, in which the total labor is 4.2 percent of the population. About 92 percent of the child laborers are in rural areas and most of them are engaged in agriculture and allied activities. According to NITI Aayog's Poverty Index report[1], the 'poorest states' in India are the states of Bihar, Jharkhand, Uttar Pradesh, Madhya Pradesh, and Meghalaya. About 52% of the population in Bihar, Jharkhand (42.5%), Uttar Pradesh (37%), Madhya Pradesh (36%), Meghalaya,

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A SOCIO- LEGAL PERSPECTIVE OF SEXUAL HARASSMENT AND LAWS RELATED TO RAPE IN INDIA

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ABSTRACT: Sexual harassment is nothing less than the showcasing of male dominance. Given an opportunity, such men (those committing sexual harassment) would try fulfilling their desire. However, it also not true that all cases of sexual harassment are such- where the accused is guilty of conceiving the intention of a sexual intercourse. But it also depends on each individual case and circumstances, because it may well be the case that the woman may also be at fault. Rape is an unlawful sex without assent of a man because of physical drive or dangers, or due to deceitful demonstration of perpetuator. In India rape by an outsider is a penal offense under section 375 and 376 of IPC. Shockingly, it unequivocally avoids marital rape from ambit of conviction. Marital rape is sex by spouse with his better half without her assent or by compel or danger.
Key Words: Sexual harassment, Rape, Indian Penal Code, Constitution of India.

I. INTRODUCTION:

The Marriage in India has been considered as a sacramental union from Rig Vedic period itself. The sacramental nature of Hindu marriage is evident from a passage in the **Manu Smriti:**
I hold your hand for Saubhagya (good luck) that you may grow old withyour husband, you are given to me by the just, the creator, the wise andby the learned people.
"The husband is innocent in eyes of law when rape has been committed by himwith his wife and for doing such act consent of wife have no any role." The women has a right given by the legislators to fight for protection when alleged accused is not supposed to be known for doing such act but protection is withdrawn when perpetrator of her bodily integrity is her own husband.

Sexual harassment is nothing less than the showcasing of male dominance. Given an opportunity, such men (those committing sexual harassment) would try fulfilling their desire. However, it also not true that all cases of sexual harassment are such- where the accused is guilty of conceiving the intention of a sexual intercourse. But it also depends on each individual case and circumstances, because it may well be the case that the woman may also be at fault.
Rape is an unlawful sex without assent of a man because of physical drive or dangers, or due to deceitful demonstration of perpetuator. In India rape by an outsider is a penal offense under section 375 and 376 of IPC. Shockingly, it unequivocally avoids marital rape from ambit of conviction. Marital rape is sex by spouse with his better half without her assent or by compel or danger.

II. STATEMENT OF PROBLEM:

Sexual harassment and rape are two sides of the same coin. Both showcase the power of man to dominate that of women. Both have one victim- women. Both are barbaric in nature; but many people extenuate sexual harassment to rape, just because the victims are not physically harmed. Whereas in rape- the victim is ravished like an animal for the fulfillment of desire and lust of another man. Both have the same object- to undermine the integrity of the victim, physically as well as mentally.
As observed by Justice Arjit Pasayat:
"While a murderer destroys the physical frame of the victim, a rapist degrades and defiles the soul of a helpless female."

The question is not whether women have the right to bodily integrity, as this right is already adumbrated under Article.21 of the Constitution of India. Article.21, which guarantees the right to life and liberty to men and women both alike- but whether it is really imperative to take a decisive

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CYBERCRIMES AND THE VICTIMIZATION OF WOMEN AT SOCIAL PLATFORMS

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ABSTRACT
There's no doubt that social media has completely revolutionised the way people interact.But there's a dark side to the world's loving with social media. Criminals and abnormal people finding new ways to utilize social media to commit many types of act against the dignity of a woman. And Victim don't know about the solution about that situation[1].She don't know that how she deal with that criminals. That's why if you want to continue to enjoy social media, you should be aware of the common crimes committed on social media so that you can avoid becoming a victim.

Police" and "Public Order" are State subjects under the Seventh Schedule to the Constitution of India. The responsibility to maintain law and order, protection of life and property of citizens rests primarily with the respective State Government/ Union Territory. The State Governments/ Union Territories are competent to deal with cases of misuse of social media to commit cyber crimes.

Pornography/Child Sexual Abuse Material, rape/gang rape imageries, deformation, edited photos, abused comment or sexually explicit content. The Portal facilitates the States/UTs to view complaints of cyber crime online and take appropriate action. Since inception of the portal, more than 16000 complaints, including other cyber crimes, have been received through this Portal, till 15.06.2019 for action by the States/ UTs concerned[2]. Steps have also been taken to spread awareness, issue of alerts/advisories, training of law enforcement agencies, improving cyber forensics facilities, etc. These steps help to prevent such cases and speed up investigation.

So,In this paper we discussed about crimes against women at social media,that type of crime is a focused type of cyber crime .we just checked the validity of cyber law.we search to find that where is loophole in statury law? What type of law needed to deal with crime related to women at social media?

- THANKING YOU

Introduction

Social media is an internet based of communication system. Social media application/software provides users to have conversations, idea sharing, chatting creativity with each other. This is a fine example of globalization. There of many form of social media including blogs, sub blogs, social networking sites. Online Gaming, Shopping Sites and more.

Billions of people around the word connected by social media. They share information emotion experience and make connectivity with each other.

On a professional level we can use social platform to broaden our knowledge in a specific area and make our connection with the client. Social media allows us to communicate with friend and family, learn new facts develop your interest and enjoy social activities a society.

Some popular social media sites are, facebook, whatsapp, hangout, Gmail, Shopping (Snapdeal), Youtube, Matrimonial Sites, Online Gaming etc.

Women and Social Media:

Today women are very active on social Media and they communicate naturally across them. Because they share similar communicate logic and social activity.

Male domination in technology has become thing of the past more and more women have found their voice of social media. Most women really on the internet of entertainment and tend to prefer to

[1] http://www.crime-research.org/wiki/Victim_mentality
[2] https://cybercrime.gov.in/Webform/FAQ.aspx

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EMPOWERMENT OF BANKS UNDER THE SARFAESI ACT

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Abstract

"Securitization And Reconstruction of Financial Assets and Enforcement of Security Interest Act" (SARFAESI ACT) 2002 is the law's full name. In India, it gives banks and financial institutions the freedom to seize non -performing assets (NPAs), enforce their security interest in those assets, and sell those assets to pay off their debts all without the need for court innervation. The SARFAESI Act 2002 enables banks and other financial institutions to recoup loans from defaulting borrowers by selling commercial or residential assets at auction. Also, this regulation allows banks considerable control over NPA recovery and it has been proven to help banks fight the NPA menace. Banks can thus use recovery and rebuilding techniques to lower their non-performing assets thanks to the SARFAESI Act, of 2002. This essay will look at the SARFAESI Act's 2002 benefits and drawbacks, How it has given banks more power, and how they are now handling their NPAs. It also examines the SARFAESI Act's 2002 current status and the role of the judiciary.

Keywords

Debt Recovery, Creditors Protection, Security Interest, Financial Intermediaries, NPAs, PSBs, Deliberate Default.

POLICY MAKING FOR ENVIRONMENTAL LAW- AGENTS FOR FRAMEWORK DEVELOPMENT AND IMPLEMENTATION IN INDIA

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Abstract
In this research paper, the author is trying to analyse the development of environmental jurisprudence in India. Environmental Law in India is growing day by day. New theories are evolving. Old doctrines are applied, and they are applied vigorously. New laws are designed and enacted. The Goal of sustainable development, the doctrine of public trust and the precautionary and polluter pays principles are not empty slogans, but they turn out to be robust premises on which courts rely to deliver environmental justice to the citizen and the community. They are already embedded and structured into our legal system. Remedies for environmental hazards are tailored into environmental regime in more ways than one. Environmental law is being reinforced by judicial creativity. Both the Courts and the Green tribunal hold the view that victims of environmental and ecological perils should be rendered timely and suitable compensation. One may say that the state should strictly follow their dicta instead of being negligent, relaxed or complacent. Inclusion of corporate environmental responsibility as a condition for approving a project is a welcome step although the idea is not a panacea of all the evils.
Keywords: Environmental Policy, Legislations, Sustainable Development, CSR etc.

Introduction

Environmental policies are needed because environmental values are usually not considered in institutional decision making. There are two main reasons for that omission. First, environmental effects are economic externalities. Polluters do not usually bear the consequences of their actions; the negative effects most often occurs elsewhere or in the future. Second, natural resources are almost always under-priced because they are often assumed to have infinite availability. Together, those factors result in what American ecologist Garrett Hardin in 1968 called "the tragedy of the commons." The pool of natural resources can be considered as a commons that everyone can use to their own benefit. For an individual, it is rational to use a common resource without considering its limitations, but that self-interested behaviour will lead to the depletion of the shared limited resource and that is not in anyone's interest. Individuals do so nevertheless because they reap the benefits in the short term, but the community pays the costs of depletion in the long term. Since incentives for individuals to use the commons sustainably are weak, government has a role in the protection of the commons.

Genesis of Environmental Policy making:

There is no entry on the subject of "environmental protection" in the legislative lists of the Constitution of India. At present, by virtue of the Constitution (Seventy-fourth Amendment) Act, 1992, a state legislature may, by law, empower the municipalities to perform functions in relation to, inter alia, "urban forestry, and protection of the environment and promotion of ecological aspects."[1]
However, there is no such specific provision about protection of the environment and promotion of ecological aspects on which state legislature can make laws conferring power in this regard on the panchayats.[2] Subjects having relationship with environmental protection fall under a few categories[3] of law-making power of states[4] in relation to panchayats and municipalities.

[1] The Constitution of India, 1950, Article 243 W read with 12th Schedule, entry 8
[2] The Constitution of India, 11th schedule
[3] The Constitution of India, 1950, 7th schedule
[4] The constitution of India, 1950, Article 243 G read with 11th schedule and article 243 W read with the 12th schedule

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Issues and Challenges of Enforcing Environmental Laws in Developing Countries

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Abstract

This research paper analytically examines the formidable issues and challenges that impede the effective enforcement of environmental laws in developing countries. The enforcement of such regulations is vital for mitigating global environmental degradation, yet the disparities between developed and developing nations pose unique obstacles.

Firstly, a comprehensive exploration of the legal frameworks in developing countries reveals intricate complexities and legislative gaps. Inadequate laws and weak regulatory structures hinder the implementation of environmental standards, exacerbating challenges in enforcement. Financial constraints constitute a significant hurdle, as developing countries often allocate limited resources to environmental enforcement. This scarcity impacts monitoring capabilities, compliance measures, and the overall efficacy of regulatory bodies. The article delves into the repercussions of such resource constraints on addressing and rectifying environmental violations.

Institutional weaknesses further complicate the enforcement process. Issues such as insufficient training, corruption, and political interference undermine the effectiveness of regulatory agencies, demanding meticulous examination. Capacity building and technical expertise emerge as critical components for successful enforcement. Developing countries grapple with shortages in skilled personnel and advanced technology, hindering their ability to effectively enforce environmental laws. The article discusses potential solutions, including capacity-building initiatives and collaborations for acquiring technical know-how.

Public awareness and community engagement play pivotal roles in environmental governance. However, developing countries face challenges in fostering public awareness and mobilizing communities for active participation in enforcement efforts. The article sheds light on the difficulties in educating and engaging communities, highlighting the impact of their involvement on overall compliance.

Transboundary issues, such as cross-border pollution and illegal resource extraction, further complicate the environmental landscape. This paper emphasizes the necessity of international cooperation to address these challenges effectively and explores the hurdles faced by developing nations in fostering such collaboration.

Drawing on specific case studies, the research paper provides real-world examples illustrating the complexities of enforcing environmental laws in developing countries. It concludes by proposing comprehensive strategies and recommendations to overcome these challenges, emphasizing the urgency of collaborative efforts at local, national, and international levels for sustainable environmental governance in developing nations.

In this present paper, an effort has been made to momentarily outline the various Indian legislations relating to the environment, which are mainly and more relevant to protect and improve the environment in India. The enforcement of these legislations has also been critically examined and evaluated in systematically manner. Lastly, some suggestions also have been provided by the author.

Key-Words: Environmental Protection, Air Pollution, Water Pollution, Public Interest Litigation, Constitution of India, National Green Tribunal and Judiciary

Introduction:

Environmental issues are a global concern, and effective enforcement of environmental laws is paramount in safeguarding our planet. However, the challenges faced by developing countries in enforcing these laws are

NOTES AND COMMENTS

Pros & Cons of Triple Talaq: Post Shayara Bano Judgment

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Dr. Ravi Kant Verma[2]

Abstract

"We are the nation which proudly professes about it being the largest democracy and ensures to both men and women equal rights meanwhile it claims itself to be a secular state. However, under all these pretty claims there lies heinous and discriminatory laws which jeopardize the lives of many people who are in most cases unable to earn a living for themselves. The different courts in India have passed various judgements in the cases of Triple Talaq which is not helping the Muslim women as well. Triple Talaq, a patriarchal practice should be banned because first, it is unconstitutional; secondly, it leaves the women who are divorced and dependent in acute poverty; thirdly, it is un-Quranic.

Key-Words: *Triple Talaq, Equality, Democracy, Unconstitutional etc.*

I. INTRODUCTION

In *Shayara Bano v. Union of India*[3], the Indian Supreme Court pronounced a split, though bold and progressive verdict setting aside the practice of *instant triple talaq* or *talaq-e-biddat*. Against the backdrop of this judgment, this paper traces the jurisprudence evolved by Indian courts vis-à-vis personal laws and therefore the right to spiritual freedom. Two central arguments are presented within the course of this paper. First, the courts haven't adopted a uniform approach when handling issues connected to non-public laws. Second, the courts by means of the doctrine of essential religious practices have, besides interfering within the domain of private laws, attempted to

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[3] (2017) 9 SCC 1.

fashion the faith specific personal laws as per the understanding of the respective judges. In reference to this, the paper briefly considers the efficacy of the top-down approach of private law reform which has been practiced in India within the post-independence period. While showing that the top-down approach of private law reform has not fared well within the Indian context, the paper suggests a special and more inclusive approach which may be adopted within the endeavour to reform personal laws. During this paper, I try to analyse the recent developments against the populist grain by clearing a number of the misconceptions surrounding the rights of Muslim women under the Muslim personal law regime.

II. RELIGIOUS BASIS OF INSTANT TRIPLE TALAQ

Unlike other religions where marriage has been traditionally viewed as a sacrament, under Muslim law, marriage is a civil and social contract. Talaq-ul-Sunnat of the divorce sanctioned by Prophet is sub-divided into: (i) Talaq-e-Ahsan (ii) Talaq Hasan (iii) Talaq-e-Biddat.

In the Talaq- e- Ahsan form, once the husband pronounces talaq, there has to be a three-month iddat period to factor in three menstrual cycles of the woman. This time is meant for reconciliation and arbitration. During this period, if any kind cohabitation occurs, the talaq is considered to have been revoked.

In Talaq–e-Hasan (Proper), there is a provision for revocation. The words of Talaq are to be pronounced three times in the successive periods after menstrual cycles. The husband has to make a single declaration of Talaq and then waited for another menstrual cycle to pronounce another declaration. The first and second pronouncements may be revoked by the husband. If he does so, either expressly or by resuming conjugal relations, the words of Talaq become ineffective as if no Talaq was made at all. But if no revocation is made after the first or second declaration then lastly the husband is to make the third pronouncement in the third period the Talaq becomes irrevocable and the marriage dissolves.

The Talaq-e-Biddat which allows men to pronounce talaq thrice in one sitting, sometimes scrawled in a written talaqnama, or even by phone or text message. Thereafter, even if the man himself perceives his decision to have been hasty in hindsight, the divorce remains irrevocable. It is a disapproved mode of divorce. The Talaq-ul-Biddat has its origin in the second century of the Islamic-era. According to Islamic scholar and jurist Ameer Ali, (1849–1928), this mode of

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CHILD RIGHTS PROVIDED IN INDIA WITH SPECIAL REFERENCE TO EDUCATION

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ABSTRACT

The basic root of education is a bitter one, but yes, the resultant fruit is very sweet.
This article has highlighted the major issue that how the lack of education, as well as proper awareness, has caused so much disturbance in the life of a child that has eventually blocked their growth mentally, and they have been later even subjected to various violations.
After complete research about illiteracy, it can be clearly stated that this term has been traced for ages and the root cause of major discrimination faced by our countrymen was lack of education, and still, that issue subsists in our society; though comparatively, the ratio has described it compared with the growth of our country we still lack to provide compulsory education to every child.
Further, the article talks about the need for the RTE act which claimed free and compulsory education to every child who is under the age of 14 years it simply stated that primary education is of utmost importance for a child's overall growth and even for personality enhancement, and the article also puts light on, insertion of Art 21A and also Article 45 and hereby lastly the challenges this act faced while implementation.
The international convention that supports the importance of child education has also been discussed here and finally, the author has suggested some of the ways that can be implied for better and more effective use of the RTE Act.

KEYNOTES: child's right, right to education act, free and compulsory education, UNICEF, UNESCO, international conventions, Article 21A, etc.

INTRODUCTION

Since bygone eras, kids have been amongst the most significant categories of casualties of criminal offenses and have been confronted with infringement of their privileges. They have forever been the culprits moreover as 'vulnerable objective' as they don't comprehend the level of the discrimination that has been committed against them. These youngsters are hence, the most favored casualties of guilty parties because of their guiltlessness and absence of development descriptors that are typically straightforwardly connected with the child's age.
Childhood appears to have evolved and changed shape over time as lives change and adult expectations shift.
It is quite saddening to watch kids being withdrawn, wandering to defend themselves even on the streets or when facing violations, also missing over the boon for the most basic elementary education. They endure many such forms of brutality. Moreover, they even lack to have a full allowance for basic and even some important medical facilities. They are bound to face cruel and also inhumane treatments every day. These are such kids who are innocently young as well as beautiful but still, these children are under privileges for their basic right to education.
Over the chronology of people, these basic rights of such kids are the most constantly ratified. Such rights of a child go beyond the mere basic human rights those warrant or even ethical treatment of every person who is all around the globe and hereby to upgrade their overall well-being. A child, who is defined as any individual who must be below 18 years of age, requires much more than just basic human rights merely because of the set of privy needs that rose from their weakness.
Education for everyone is a basic and also a fundamental human right that is very essential for the development of all the other basic human rights. It also promotes freedom for individuals and also empowerment yields important evolution advantages. Yet many of such kids, and even adults,

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In Indian Society, Women Empowerment & Judicial involvement

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ABSTRACT

'Empowerment of women is more constructive tool for development of society."

-Kofi Annan

Women empowerment means- empowerment within the family and in the society. In Indian society the women empowerment includes- Involvement of women in decision making, earning, sharing of basic needs and commanding respect for itself. Women are also required to actively take part in the process of development - planning, policymaking, evaluation and implementing along with their counterpart male. The increasing educational opportunities, obtaining employment opportunities, sharing economic resources, raising social status of women, raising of standard of living, active participation of women in governance and so on constitute the process of 'empowerment of women' in letter and spirit. Gender inequity is a major problem that is seen all over the world. Women have been mistreated in every society for ages and India is no exception in that. Indian judiciary- by law & by legal means feel convinced of the need for women's empowerment. The Indian Constitution has taken a long jump in the direction of eradicating the lingering effects of such adverse forces. Indian Constitution makes express provision for concurrence action in favor of women. Indian Constitution prohibits all types of discrimination against women and lays a reprimand for securing equal opportunity to women in all walks of life, including education, employment and participation. India is the 2nd most populous country in the world after China. In June 2022, India has about 1,405,902,718 population and the women constitute about 682,903,415. In India, approx. 72% of women reside in rural areas & most of them live below the poverty line. The sex ratio is 948 females per 1000 males population, this skewed sex ratio between men

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STUDY THE SOCIO-LEGAL PERSPECTIVE, IN RELATION TO WOMEN STATUS IN MODERN INDIA

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ABSTRACT
"Status" represents solitary position in a society, which identifiable it from others in terms of rights and obligations. In the society, there is no standard to measure the equality. Equality scales are out of balance. "Women" means full of liability, while "men" mounts high with power. Women must do all domestic work. In the course of history of the world, the drift & direction of advancement has been more towards establishing the supremacy and authority of human male. In India, also the men citizenry throughout the ages has controlled women. The conventional social system, cultural standers and value networks continue to positions Indian women in conditions of pitfall in phrase of role relationship, decision-making and sharing of liability. Women's social states is still shield by a large number of biased exercises which bring the question of freeing of women, a chief social concern since long past. In this paper, we will discuss on social status of women in modern India.
Keywords: Indian Society, Women Status, Socio-Legal Power, Responsibility

Objectives of the paper
1. To study the status of Indian women.
2. To recognize the cause behind the inferior condition of women in Indian society.
3. To considers the various laws approved for the protection of women in India &
4. To inspects how far these laws are beneficial in delivering justice for women.

Introduction
In this paper, we assigns with the historical feature and social conditions of Indian women, negotiate through the transformation of women at different phases of the history of India. In ancient times, Women relished significant privilege and high positions in the society. During these period women also relished same positions in social and political entity. They participate in argumentations and in popular councils. They were also permitted to undergo education along with men. However, in Aryan hegemony, women gradually began to drop there all socio-economic & political virtues especially in the Post-Vedic period. The new *Manusmriti Law* further women status exacerbated. An explanation of status, position & education of the ancient Indian women is imperfect without the introduce of Manu's views.
About 200 B.C. in *Manusmriti* authorize responsibilities and assignment of a woman. For Manu, woman is an everlasting unimportant and has to accompany whole of her life under the guardianship of the father, the spouse or the son. Manu authorize that the wife must always venerating her spouse as God even if he is corrupt, unethical and lacks good qualities. It is the bounden commitment of the wife to obey and follow the recite of her spouse. The woman's lifeline lies only in the loyal favor to her spouse.
Manu mentions her responsibilities in the following words:
"Women must always be light-hearted, jolly, merry, intelligent in the governance of her household affairs, careful in scour her implement and lucrative in expenditure"
Manu always favored the domestic and religious education only for women & favored the allowing of schooling in music & dance in order that she may be capable to gratifying her man. According to Farhat, 2004,[1] the egalitarian social order which is based on the principle of equal rights and equal privileges for all people got transformed into hierarchical means based on the principle of rank or status in the society

AN ANALYSIS OF PARTICIPATION OF WOMEN IN THE INDIAN LEGAL SYSTEM

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Abstract
Women is best creation of earth, but they are loaded with full of responsibilities. So that they never actively took part in their future formation & society development. Men have routinely governed the legal profession in India. Women's approach could be feasible only after extensive and prolonged legal battles, and even then, their occupancy in the courts remained negligible until the end of the twentieth century. However, the approach of gloglobalization the twenty-first century has on conditions that subsidiary opportunities to Indian women in legal education and training. The conquering of modernism has not only moderated the court domain but has also set an end to the dark-age male jingoism in the profession.
The present paper, based on the data collected from the District Court in Allahabad & varanasi, Uttar Pradesh, India, critically analyses the gender bias, sexual morality and criminal discourse within the court premises, in addition to women's role and status as legal professionals, wives, mothers and daughters-in-law in the disintegrating joint family structure,

KEY WORDS: Women, Participation, Legal Professions, India

Introduction

Due to a serious paucity of literature on the issue, research into women in the legal profession is substantially hampered. Despite the fact that there have been numerous studies on gender-specific issues, including women in various professions, literature on women in the legal profession is mostly absent. As a result, the study mostly leans on similar publications that provide important context for the subject.
Women who work in the legal profession include lawyers (also known as advocates, barristers, attorneys, solicitors, or legal counsellors), paralegals, legal scholars (including feminist legal theorists), prosecutors (also known as Crown Prosecutors or District Attorneys), judges, law professors, and law school deans.
Women's professional importance has been stressed in recent years in order for the economy and society to attain their full potential. Gender equality has become a global standard for progress and prosperity. In a multitude of fields, women have demonstrated and are leading the way toward financial independence, equal rights, and opportunity.
Despite the fact that few tend to follow the field after a brief stint at a legal firm, a growing number of women in India are graduating with a law degree. Because of gender discrimination, many women leave the sector and seek work in fields that are more tolerant of women. Nonetheless, there are success stories in the country's legal profession, where women have defied all barriers to achieve their goals and became renowned professionals.

Aim/ Objective

1) To study the role of women in juridical system
2) To study the Gender discrimination in the legal profession
3) To study family pressure to opt out after marriage is expected to fade once women lawyers' practice

INDIAN SCENARIO

Men have always dominated the legal profession in India. Women were only allowed into the courts after protracted legal battles, and even then, female involvement in the courts was limited until the

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An Analysis Into The Dowry System In India And Its Legal Aspects

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ABSTRACT

Dowry is a social problem that keep going the oppression, torture, and murder of women in India. Dowry, in culture an expected part of arrange marriage. Violence against women can occur when the recipient deems the bride price unsatisfactory. In spite of various prohibiting laws, in India the practice not much has changed over the last 50 years. According to National Crime Records Bureau of India, recorded 19 women were killed for dowry every day in 2020 & 6,966 cases of dowry deaths, with 7,045 victims. The current review we reveals that despite efforts on the part of the Indian government, social activists and feminists organizations in India, not much has changed over the past decade, in fact, the problem has increased, resulting in an unprecedented amount of mortality and morbidity among women in India.

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INCLUSION OF INDIAN CULTURAL EDUCATION AS A PART OF CURRICULUM STUDIES

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Abstract
The concept of Culture and Education are interrelated to each other, both influence each other and also closely related to each other. A well-educated person is said to be who is a well cultured, disciplined and behaved and in the same way a well cultured person is considered to be an educated person. The article mainly focuses on impact of cultural education in children and the effect of including cultural education in the course curriculum structure as a mandatory subject. Indian culture has always been a very diverse and also very complex in understanding. Various communities live in India having distinct culture and believes among each other and with distinct features. Once Pt. Jawaharlal Nehru defined it as India is a nation of cultural unity in the vast diversity, a group of contradictions which held together by some strong but with the help of an invisible threads. Importance of cultural education in all round developmental growth of the children and benefits to having healthy physical and mental health are discussed. Impact of yoga and meditation on the growth of children is also focused in the article and how to make learning process more meaningful and effective.

Keywords: Culture, Cultural Education, Impact on Children, Curriculum structure

Introduction

Culture in itself is a very broad and important concept to concern in the modern times. School education and its environment always plays a vital and huge role in overall development of the child and which is also ultimate goal to improve the ability and understanding level of students. It not only creates interest and successful carrier understanding but also help in becoming a better person of the society. Teacher or mentor and the surrounding friend circle in the school premises plays a crucial role in an individual life during the days of school education. Whatever one learns or experiences in their school days remains throughout their life and will guide them in handling various circumstances in the decision-making process of life. Apart from this, curriculum structure also plays the most significant role in process of overall growth of children. Therefore, it is necessary to provide good and best quality of curriculum structure. In T. M. A. Pai Foundation and Others v. State of Karnataka and Others, B.N. Kirpal, C.J. stated that India is land of diverse culture, also there is lack of quality education and not adequate number of schools[i]. It needs to be updated with the changing time and circumstances to facilitate proper development of the children. With the day-to-day advancement and with changing time the cultural knowledge of our country or more appropriately our diverse traditional culture is diminishing. It is majorly of great concern that moral values are decreasing and intolerance is increasing more widely among the people of our country. It is the need of the hour to take further and effective steps in this regard to overall develop our nation and take pride of what we already have in the form of diverse golden culture.

Statement of the Problem

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ANIMAL RIGHTS IN INDIA: AN OVERVIEW

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Abstract
The concept of animal rights is a very old concept during the ancient times they were worshiped and treated with love and respect. On the religious context, Jainism and Buddhism are live examples of animal protection which prohibited killing of animals and causing hurt to them. Animal rights are mainly concerned with laws concerning with animals and the way of how they are being treated rather than conservation of animals. The article mainly focuses on the origin of animal rights or animal welfare concept in India and their various related laws enforcement. It is very important for any country to not only enact laws but their effective implementation also plays a vital role. The article briefly covers various laws implemented for animal protection in India and create an awareness in the mind of the readers. Various judicial interpretation and its active role played for the animal welfare is also discussed.
Keywords: Animal Protection, origin, laws, role of judiciary

Introduction

Rights granted to animals is not a mere concept but a sentiment associated with humans who makes effort and came forward for it. There are some unaffected people who derive pleasure by causing harm to speechless animals while there still exist those people in the society which raise their voice and fight for their rights. Instead of feeling bad and agitated for cruelty caused to animals they can't do anything, due to lack of awareness and leave the situation as it is, which further worsen the situation. This ignorance can be shrinked by creating awareness about existing laws that compassionate law makers have passed in order to safeguard and protect the animals. There are various kinds of cruelty caused to animals like animal abuse, neglect, exploitation, experimentation, slaughterhouse cruelty, bestiality, violence and other harsh treatment causing great pain and sufferings to them. The main purpose of this article is to highlight the importance of and understand various laws related to rights of animals welfare in India and various organizations continuously working for their welfare.

Statement of Problem

In the modern society the animals are being subjected to unnecessary hurt and cruelty. There is lack of awareness in the society for various laws provided to them and the active role of judiciary played from time to time for their protection. The variety of these laws need to be studied systematically and amended from time to time as the need of the society. A structural and integrated study of various laws can serve the purpose of creating awareness in this regard which later on serves as the tool for its effective implementation of laws relating to animal protection.

Origin of the Concept of Animal Rights in India

India is a country known for its unique quality of animal worship as the part of its culture and tradition. During the ancient period, Vedas are the primary and oldest scripture which taught the value of ahimsa, compassion and love to the society. Killing or causing harm to animals was considered as bad karma and against the Dharm. Jainism also incorporated ahimsa as their main teaching and strictly practice

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RIGHT TO REHABILITATION OF VICTIM AND ACCUSED CHILDREN

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Abstract- Children are the most innocent ward. They are gifts of the god and they need special care and protection. But unfortunately, they become victims of crime. These children need special care and protection and rehabilitation. Because they are the mainstay of development and they are major aspects of social changes. But it is only possible then we provide complete opportunity and chances to participate in development in our country. For this, it is necessary to protect the children from crimes and arrange rehabilitation. Our society has many types of children but juvenile children are categorized in two ways. 1. Is children conflict in law and 2. Is the need for protection and care of children. Our society has seen such children as criminals and pitiable vision. But such type of behavior with children is not human. These children feel down and lonely and they cut off from the society, and a big group of children is become avoid progress and development. We try to know what are the arrangements for the rehabilitation of such children.

Keywords- conflict, victim, protection, rehabilitation, policies, juvenile, etc.

Introduction

protection of children from exploitation, and rehabilitation of accused and victim children, is a serious matter of the present time. Those children are under the protection are exploited by the society, and under the rehabilitation, these children are covered who need special care, and children with conflict of law. Here we study both children. Juvenile justice care and the protection act according to children are categorized into two types. (1) needy children, (2) children with conflict of law. Needy children as orphan children, begging children, lost children, children separated from families, and orphan children. Children with conflict of law include those children who are caught stealing, convicted of murder, or convicted of any type of criminal offense. Every child has the right to protection and rehabilitation. What are the National and International policies are such children we study about that through this article. Children who conflict with the law under the age of 18 and committed a criminal offense or any suspect is juvenile. Such children are not to be arrested by the police. If any 16 or 18-year child committed a heinous crime then he was treated as an adult. Children who conflict with the law are not tried in criminal courts. They carry in front of the juvenile justice board. This board decides on such children's matters. Board decided and handle children's care and protection treatment. Conflict with law children has the right to rehabilitation and protection such as humane treatment, no criminal punishment, Approach to legal assistance, education, sports, and others. The main subject of a such child to make him understand the crime and repent for the crime committed. The child may release on prohibition after the board's decision. Children are the future of any society and any country. For the protection and rehabilitation of children, the Indian constitution and legislation have been made many provisions and laws, and from time to time effective legal reforms have been made for the protection of children

Statement of the Problem- To analyze the right of rehabilitation of juveniles. Analyze the policies of rehabilitation of victim and accused children. what are the efforts of the government for children's rehabilitation and protection?

Objectives-

1. Need to know rehabilitation policies for children who conflict with the law.
2. Aware of society's right to rehabilitate children.
3. Refreshment of laws related to protection and rehabilitation.
4. To be aware of the children for their right to protection and rehabilitation.

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AN ANALYSIS OF SOCIO-LEGAL RIGHTS OF WOMEN IN INDIA

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Abstract

The status of women is subject to change in Indian culture and this diplomatic time but before this, we need to know what kind of rights of wo enjoy in the ancient period. The objective of this research study is to the women and every person in tin society about the rights of women, and their constitutional rights. Now the time is all about to know and a big change for women's life because a woman is the base of the continuing society and future of any country. As all are to know strong and educated women built up a strong future. The rights of women are subject to a charge from time to time. The meaning of women right is the liberty of making decisions for her home, family as well as herself. Rights have great importance in human life. Without right the growth of human life and personality is not possible. The right of liberty is very necessary for the complete development of a person. Man and woman both are important parts of human society. The development of a country is possible with the growth of men and women. If anyone develops and the other one is downfalls, the imagination of developed India is not possible. So the development of both needs equals rights. But India is a democratic country, where women do have not so many rights compared to men. Despite the Indian constitution providing many types of rights to women for their growth, development, and their empowerment. Here we review the rights women got from the Indian constitution and for being human.

Keywords: Equal rights, development, empowerment, implementation, society, and Indian women.

Introduction

In our society men had gotten many social and legal rights. But women do have not rights. What kinds of rights provide to Indian women and what are these? Through this study we will research which types of rights were given to women in ancient India and all over the world. And how much the women were getting availed of those rights. The complete development of human life is based on its right and also the liberty of rights. Rights begin the birth. Like to live life, food, water, air, etc when nature has not made any difference between man and woman, we do not have any

right to make difference in them. Besides this liberty of high education is necessary for the growth of a woman. A great mass of women remained to avoid getting an education because of our customs or practice. So when our country was struggling for independence, our constitution-makers provided some special rights to women and make some provisions to avoid social evils and exploitation. Rights come from birth but when they are implemented by states. They become fundamental rights buts do not mean that the rights are grown by states they grow with the birth in this world. Humans have so many rights which involve in favor of women like liberty of their body freeness, to vote, to accept the social post, to do business to get higher education, to choose any work outside of the house according to her will, to accept the property of her father and husband. We will analysis of women's rights from past to present and study constitutional and legal provisions for their implementation. And also we study the national and international efforts for this.

Statement of the Problem- To analyse the socio-legal rights of women and the implementation of women's rights national and international framework and constitutional provisions.

Objectives of the study—

- The objective of the research is to study the reality of women's rights.
- To acquaint society with the reality of women's rights.
- To analyse the [illegible] rights.

RIGHT TO PRIVACY-PROTECTION IN THE DIGITAL ERA

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ABSTRACT
Right to privacy is right which a private possesses by birth. Privacy simply means the proper of a private to be left alone which is recognized by the common law. The notion of privacy is usually ambiguous due to the various historical theories of privacy given by three different groups of eminent jurists. While one group of jurists including Douglas, Blackmun regarded privacy as protection of individual liberty, another set of jurists including Black and Rehnquist adhered to non-recognition of some unrecognized substantive due process rights as fundamental. The third group of justices including Justice White and Justice Harlan regarded privacy as a view to guard the family from governmental interference. However, the very fact that privacy is an existing right a bit like the other right can't be denied. Another view of the importance of right to privacy is that it's essentially considered to be a natural right. Natural Rights are those divine rights which are considered supreme to all or any other rights.
KEYWORDS- privacy, fundamental right, natural right

INTRODUCTION
Many jurists like Aristotle and William Blackstone differentiate between private wrong and public wrong. Public wrong means wrong against the society and personal wrong means wrong against the individual. The Greeks were the primary to acknowledge the connection between a private and a State and also gave a summary that how the connection between the two is formed. Black's Law Dictionary defines privacy as, "right to be let alone; right of an individual to be free from unwarranted publicity; and right to measure without unwarranted interference by the public in matters with which the general public isn't necessarily concerned." Privacy right may be a facet of right and hence, it's inalienable from the personality of a human-being. Privacy isn't a replacement right that needs introduction; it's as old because the common law and wishes legal recognition. It is so deeply embedded with liberty and dignity of a private that it can't be denied the status of a fundamental right. The idea of liberty during a democratic nation would be vague if privacy isn't given the status of a fundamental right. According to Justice Krishna Iyer, "Personal liberty makes for the price of human person". Hence, the notion of dignity and liberty is not independent of privacy.
The underlying idea in entrenching certain basic rights is to take them out of the reach of the transient political majorities. It has, therefore, come to be regarded as essential that these rights be entrenched in such a way that they may not be violated, tampered or interfered with by an oppressive government. With this end in view, some written constitutions guarantee a few rights to the people and forbid governmental organs from interfering with the same. In that case, a guaranteed right can be limited or taken away only by the elaborate and formal process of the constitutional amendment rather than by ordinary legislation. These rights are characterized as fundamental rights.

STATEMENT OF THE PROBLEM
The right to privacy comprises a bundle of rights. It is not a single concept but is multidimensional and deserves more of enumeration than definition. There is no legal, philosophical consensus on the

THE RIGHTS OF PRISONERS IN INDIA

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ABSTRACT
Prisoner's condition can be seen a lot more in trouble around quite a while back in light of the fact that they were mercilessly treated and there was no particular provisos for them. After a long-sighted battle society perceived that there are, Rights of Prisoners which ought to be made accessible to them. All men are equivalent and are rendered equal rights with certain essential privileges. These privileges are for the most part right to life and liberty, however in the event that any individual doesn't follow morals of the general public then that individual is denied by these freedoms and given punishments by the state with the procedure established by the law . The prison system in India is not so developed due to the financial circumstances which don't allow developing better prison system. Along these lines remodelling of prisons in India demands prime consideration. This article comprehends the constitutional and other statutory provisions including the historical background, established and legal arrangements of the prisoners which are upheld by case laws. Besides, the privileges delighted in by prisoners, under Article 14, 19 and 21, however qualified but not unchanging and will come to motion when there is happening emerges. The condition of wellbeing is additionally a significant issue which needs consideration regarding the prison specialists. The understanding for this article is to examine the rights of prisoner's right under Indian laws.
Keywords- Prisoner, Rights, Prison, Freedom, Provisions

INTRODUCTION
A prison is regarded as a range where people are truly constrained and are divested of individual freedom partially. Of any nation prison is considered as an inherent component of the criminal justice system. Prisons might be entailed solely for grown-ups, children, women, sentenced prisoner, under trials and so on. The chief functions of prison to safeguard society against heinous crime and criminals. Several approaching of legislations of human rights and human rights in addition to that judiciary have alleviated modification with an adjustment of the methodologies of criminal justice system. The United Nations has additionally given specific rules to the treatment of prisoners.
Throughout the long term there has been an enthusiastic discussion, which is as yet going on, about the functions of the imprisonment. A few observers contend that prison ought to be utilized as it is for. Others assert that primary object is to prevent people are in prison from perpetrating further wrongdoings after they are discharged, aside from to dissuade the people who may be tended to carry out wrongdoing. One more linear perspective is that individuals are placed to prison to be meliorated or rehabbed. In other words, prisoners will come to understand that perpetrating offence is incorrect and will acquire accomplishments which will assist them with having a well behaved observant life when they are relinquished. Now and again it is contended that personal rehabilitation occurs through work. In certain occasions, individuals might be sent to prison in light of the fact that the crime they have perpetrated demonstrates that they confront a severe peril to public wellbeing.
In functional terms, the functions of detainment will be construed as a blend of some of these reasons. The general significance of every one will deviate as indicated by the conditions of individual prisoners. In any case, an increasingly more broadly held notion is that prison is a costly final resort, which ought to be employed just when it is obvious to the court that a non-custodial sentence wouldn't be suitable. Everybody is assumed to be innocuous until the guilty is evidenced. Hence, the character or honesty of incriminates to be ascertained as soon as possible. Thus, officeholder on the court to see that no liable individual breaks, it is even more obligation of the court to see that justice isn't postponed and the accused ones are not endlessly pestered. Appropriate to specify that denial of justice which is supposed to be justice delayed is justice

POLICE ATROCITIES IN INDIA

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ABSTRACT

India is the country with the largest democracy in the world. It is unfortunate that being the largest democratic country, India is still facing up around serious issues regarding the police atrocities in India. While dealing with civilians, police's unlawful conduct and unnecessary use of inordinate force is the main problem at present and created contention in recent years. Unjust and brute exertions of power on people is the police atrocities acts on people and in accordance with the reports and recent cases, since the commencement of policing in India, such phenomenon of police atrocious acts are taking place all over India. No cautiousness is necessitated till now even after many police reforms which can help in reducing police atrocities. This article explicates about the forms and effects of police atrocities including the rights of people against them. Also covers the role of police towards society to create a better place including the laws against them which stop them doing atrocious act and their impact on society creating mistrust in people towards the police. Considering it a major concern in India looking for a separate act or provision through which can held police liable of its criminal acts n unlawful conduct. Such atrocious acts can be controlled if the people are aware of the basic and fundamental laws, police following the laws in proper manner and strict adherence to the Supreme Court guidelines on police atrocities act in India.

Keywords – Police, India, Atrocities, Unlawful conduct, People

INTRODUCTION

The name police is a word which gives the sense of safety and secureness to the people around the world. In India police play the vital role in maintaining law and order and responsible for the implementing the law. Our constitution mentions that police is a matter of state subject i.e. state government is responsible for the organisation and working of the police. States in India have their own rule and regulation framed by each state for their particular police forces. In English the word police is a French word came from the Latin term 'politia', which itself has its origin from Ancient Greek. Definition of term police is also provided by The Police Act 1861 under section 1 as "the word 'police' will incorporate all people who will be selected under this Act".

Police gets power from the state government but as the adage goes - with great powers comes great responsibility. Police has the duty to be responsible and perform his duty best of its capacity to implement laws, maintain the law and order and stop any kind of unlawful activities in the society but there are many cases which are seen and observed by the society regarding the police misconduct and atrocity. Police utilizes its power in excessive manner which leads to police harshness, cruelty and misconduct towards the individual and society. Such atrocious acts of police are prevalent from decades since the commencement of policing in India. In recent past years such atrocious act are increasing rapidly which involves excessive physical force to people, brutally beating to innocent people, false arrest and wrongful conviction, torture of innocent people to obtain confession, wrongful search and seizure, sexual harassment to women, racial discrimination etc.

Discriminatory, unlawful, atrocious actions of police towards the vulnerable segments of the societies, also misconducting and passing off the bad and abusive words to the people has become so normal in a society nowadays that any police officers can misapply his power to at any extent during interrogation, which is the most baffling and burning issue towards society, juddering the humanity, fraternity and brotherhood.

STATEMENT OF PROBLEM

This article ... to bring the attention of the people about the police atrocities towards the civilians of I... is a question to determine that the abuse of power, outlawed conduct, and

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LIABILITY OF BANKS IN FRAUDULENT TRANSACTION

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ABSTRACT

Financial transactions are now conducted on computer, mobile phones and internet, which appear to be extremely difficult for those who are not proficient in the use of such technological equipment. As a result, IT is required in banks to handle lengthy and complex transaction. Banking has been transformed by technology. Procedures are simple, convenient, quick, and professional, making is one of the most important benchmarks in the industry.

Historically, banks were primarily intended to lend and deposit money. Today, however, the definition of the because of the provision of the wide range of services, the bank has undergone tremendous transformation provided by the banks are now contributing to a variety of different services, such as E-commerce. Payment in commerce, such as utility bills, shopping bills, and so on as well as collection. They are arrived on behalf of their clients. For these services, the bank charges a fee to their customers, as well as a minimum service charge.

Every research topic must first be established in order for it to be effective and appealing. The justification for the study of research effort that was done the study subject must be dedicated. In the direction of finding solutions to the problems that have arisen in that field of study. In light of the current situation, a general statement of goal must be drafted. Eventually the study's objectives, as well as it's scope and constraints, are determined. A similar situation in this investigation, the researcher made an attempt. (Whenever the term " Traditional Customer " appears in this thesis, it refers to consumers who go to the bank in person to complete their banking transactions thesis not use e-banking). "New Clients" those who only go to the bank once in a while, but prefer to do their banking online. E- banking services are available on mobile phones, laptops, computers, and other devices.

INTRODUCTION

Information and communication technology (ICT) has progressed in the banking industry under the moniker "E- banking", or electronic banking. "Internet banking, or virtual banking, or online banking" are all terms that can be used to describe it. When banking transactions are carried out electronically, It's known as " e-banking". It is paperless, simple and quick, and it has no geographical limitations.

It's also come as affordable price. Because of majority in bank transaction in E- banking are conducted via the internet, the internet is a valuable resource. E-backbone banking's because it is done through the use of computers, E-banking is more of science than a skill various electronic gadgets, such as computers. telephones and mobile phones as well as the internet it aids in putting technology in the hands of customers and allowing them to manage and run it on their own. Today's youth are well- versed in the use of the internet and are projected to be the next generation of online customers. Banks will conduct all financial transactions entirely through computers and technology.

The internet has enabled customers and suppliers to collaborate and share crucial information. Information about the business indentures Global Trust Services, for example, assists banks and their clients. Costumers make secure online payments and interact with other risk management system. The asymmetric information, adverse selection, and moral hazards have all been investigated lending has been discussed extensively in the literature. Today, a significant quantity of money is lent carried out via the internet banks provide a variety of services to their customers through E- banking. Services such as knowing their

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THE JUDICIALISATION OF POLITICAL AFFAIRS IN INDIA

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ABSTRACT

Is the Indian Supreme Court the foremost powerful court within the world? This wasn't always an issue posed by those that study Indian politics. When Indian Independence was young, the Westminster model was at the forefront of constitutional thought and therefore the supremacy of parliament quickly became the central paradigm for understanding Indian politics, polity and policies. With Nehru at its head, the Congress party wasn't content with gaining office and majorities, but aimed for nothing but boundless legislative freedom to rebuild Indian society from above. what's more, with the inauguration of a republican constitution in 1950, the ascendancy of universal suffrage, and therefore the consolidation of a unitary legislative power, any sort of reform politics and any agenda for social change not only implied changes within the contents of laws but in particular a revolution of law's institutional premise in terms of popular sovereignty. For the primary time, modern institutions of mass democracy would claim a pivotal role within the administration of justice and as India held her first election in 1951, the thought of law itself inevitably became captive to the last word primacy of the legislature and therefore the mobilising power of democratic competition. Speaking in Parliament on March 14, 1955, on the fourth constitutional amendment, Nehru elaborated; You may say, you want to accept the Supreme Court's interpretation of the Constitution, they're wiser than we are in interpreting things. But, I say, then if that's correct, there's an inherent contradiction within the Constitution between the fundamental rights and therefore the Directive Principles of State Policy. Therefore, again, it's up to the present Parliament to get rid of that contradiction and make the elemental rights subserve the Directive Principles of state policy.

The Ultimate authority to get down what political or social or economic law we should always have is Parliament and Parliament alone, it's not the function of

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DOWRY SYSTEM IN INDIA

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ABSTRACT

Marriage is a basic portion of society, a wellspring of bliss and merriments and also of fresh starts. However, one of the longest standing shades of malice related with marriage from a lady's perspective in the Indian culture is the Dowry framework. In spite of a great deal being said and done against the custom, it is as yet pervasive in the 21st century, in both unobtrusive and clear ways. The foundation of a large group of social outrages against ladies, the custom of introducing endowment is the crudest articulation of the male-predominance in the general public. It is regularly the compulsory custom of a young lady's folks providing a lot of money, gold as gems, electronic gear, portable or ardent properties, to the prepare and his family, at the season of marriage. In spite of the fact that the starting point of the custom lies with guardians attempting to guarantee budgetary soundness for their little girls, in current viewpoint it has converted into guardians paying up for the affirmation of prosperity of their girls.

The adornments and money that a lady of the hour carries with her from her folks' home is frequently alluded to as "Streedhan" and in principle is the property of the young lady, yet truly usually regarded as their legitimate due by the boy's family. The total to be paid as share has no set standard, the measuring stick incredibly relies upon the boys calling/social standing and is frequently seen as the prep's family as the remuneration they have made to instruct their kid. The settlement framework spread unabated to disturbing extents taking toll of numerous youthful ladies. Due to the Frankenstein an approach of the general public the nation saw the development of the shades of malice of this framework in a more intense and serious shape. The bigger segment of the nation requesting and anticipating the spouse cost is in vogue. Extreme entireties and other significant contemplations are requested.

Keywords: Dowry system, Settlement framework

INTRODUCTION

Marriage has been considered as the most sacred, pious and indispensable institution in Indian society. The most common endeavour of the mankind is an inherent instinct for companionship. Since ages, the underlying aim behind the institution of marriage has been the fulfilment of the need of companionship and lineage. As the institution of marriage came into existence, it gave rise to several marriage related rituals, customs, ceremonies and traditions. In many communities, gifts and valuables were given to the bride by her parents and relatives at the time of wedding while she had to leave her parental home and become part of her husband 's family. It was considered as an auspicious custom that also served as a support to establish and arrange newly required household amenities. In those times, women were neither employed nor had any personal source of income. Hence the economical value of brides was considered to be lower in comparison to her bridegroom. Therefore, the custom of dowry also originated as a compensation for this lower economic value of bride to her bridegroom and in-laws who were supposed to bear all her financial expenses after marriage. Dowry was also looked upon as a compensation paid by the father of the bride to his son-in-law for the maintenance of his daughter as well as to the parents of groom for the expense they had borne while in educating and upbringing their son. Moreover, the daughters were not given any share in the parental property therefore dowry was impliedly a kind of share in their father's wealth given to them at the time of their marriage. With the passage of time, several rituals and customs came and gradually vanished with the passage of time, however, the practice of dowry has not only continued, rather flourished over the years. The perspective of people towards the prevalence of this custom is neither [illegible] nor predictable. Hypothetically, a large number of people among the educated

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GENDER INEQUALITY ON ECONOMIC GROWTH: A STUDY OF INDIAN

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Abstract

We have a have a take a observe whether or not or now no longer or now no longer better gender equality lets in financial boom via way of approach of permitting better allocation of a precious beneficial aid: female tough art work. By allocating female tough art work to its greater inexperienced use, we hypothesize that reducing gender inequality ought to disproportionately advantage industries with generally better female proportion of their employment relative to exclusive industries. Specifically, we take advantage of interior - U.S. of the us model at some point of industries to check whether or not or now no longer or now no longer folks who generally lease greater women increase quite quicker in global places with ex-ante lower gender inequality. The take a look at permits us to recognize the causal impact of gender inequality on company boom in value-brought and tough art work productiveness. our findings display that gender inequality impacts actual financial effects. Keywords: financial boom. financial development, gender inequality

INTRODUCTION

"The term gender refers to the economic, social and cultural attributes and opportunities associated with being male or female". "Gender inequality refers to the social constructs. and or disparity that consequences in human beings (women and men) now no longer having the same rights, opportunities, or privileges because of their gender). Genderbased completely roles have an impact on an individual as speedy as he or she is born. These roles, later on, decide the individual's get entry to belongings, freedom of movement or maybe a manner to behave. People are almost knowledgeable right from starting to act like a woman or a boy.

"Gender inequalities were recognized as inefficient and high-priced to sustainable economic growth and whole social development of a country". From an economic element of view, every women and men are a human beneficial aid and within side the occasion that they will be without a doubt carried out the economic similarly to traditional development[1] of

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America of a can be huge. For notable utilization of these belongings their competencies want to be advanced to their capability, and then the ones belongings want for use suiting their competencies. Gender inequality decreases human capital outcomes and consequences in lower growth.

[1] The costs of Missing the Millennium Development Goal on Gender Equity. *World Development, 32*(7), 1075-

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CONTEMPT OF COURT IN INDIAN LEGAL SYSTEM

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ABSTRACT

The main aim of "contempt of court" is to protect the dignity and authority of the Courts as it tries to guarantee that there is fair administration and delivery of justice.

Democracy follows the principle that the people are supreme and they are the decision makers. It follows that all authorities whether judges, legislators, ministers, bureaucrats are servant of people. By keeping this fact of sovereignty in mind it becomes evident that the people of India are the masters and all the authorities including the courts are their servants and being a master people have the right to assess their servant if they does not act proper The Constitution of India presents essential proper of speech and expression however this proper isn't always absolute in nature. The contempt is made a punishable offence as it may shake the inspiration of the judiciary which contains of agree with and self belief of the general public to supply unjust and fearless judgment. Contempt of Court Act, 1971 turned into brought to guard the idea of justice through punishing the contemnor. The stated Act had numerous drawbacks, certainly considered one among which turned into that reality turned into now no longer appeared as defence in instances of contempt. This disadvantage has been ratified through change delivered in 12 months 2006 to Section thirteen of Contempt of Courts Act, 1971.

Keywords -, Democracy, contempt intending, charter, courts. Dignity, freedom of speech, criminal contempt.

INTERODUCTION

A Government has specially 3 kinds of organs: Legislative, Executive, and Judiciary. Each of them has its functions. Judiciary is more often than not answerable for the management of Justice. Justice is specially achieved via Courts. According to Merriam-Webster Dictionary, the word "Contempt" means, "Lack of Respect or Reverence for some thing".1 Contempt of Court refers to a prison violation through someone who disrespects/disobeys the Judge There have been pre-Independence legal guidelines of contempt in India. Besides the early High Courts, the courts of a few princely states additionally had such legal guidelines. When the Constitution turned into followed, contempt of courtroom docket turned into made one of the regulations on freedom of speech and expression. Separately, Article 129 of the Constitution conferred at the Supreme Court the energy to punish contempt of itself. Article 215 conferred a corresponding energy at the High Courts. The Contempt of Courts Act, 1971, offers statutory backing to the concept. There are major kinds of contempt of courtroom docket: crook and civil. Criminal contempt can arise inside a civil or crook case. Civil contempt may

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HOSTILE WITNESSES: PROBLEM AND SOLUTIONS

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ABSTRACT
Whether it's a case of Best Bakery case, Jessica Lal or Phoolan Devi Case it's been located in maximum of the excessive profile or even in everyday instances additionally, eye witness of the Case grow to be adverse all through trial of the case which now no longer simplest make the prosecution case vulnerable however grave in justice to the sufferer additionally. In a rustic like India, in which there may be no regulation and scheme for the safety of witnesses, in such scenario judiciary has grow to be puppet for the wealthy human beings. Even there may be no provision of recording announcement in oath and signed with the aid of using the witness all through research below Section 161 of Criminal Procedure Code with the aid of using the investigating officer. And this is why witness after recording announcement below segment 161 Crpc, grow to be adverse all through trial that is every other effect withinside the method of prosecution. Many instances it's been located that, the research officer did their great to acquire proof towards the accused however because of a few lapses and shortage of provision for the safety of the Witness, the accused get gain from it and make a laugh of the judiciary in addition to the executive (Police department) which now no longer simplest create a poor effect withinside the society however additionally human beings don't need to return back ahead to provide announcement in instances because of their lifestyles hazard and harassment confronted with the aid of using themselves with the aid of using the research and prosecution agencies. It is excessive time to convey regulation for the safety of the witness in addition to change have to be achieved in Crpc. Through this studies paper I will speak approximately the lapses in gift procedural regulation and its treatment and 2nd issue to convey regulation for the safety of the witness for correct justice.

KEYWORDS: - Hostile witness, Justice, Investigating Officer, Accused

I. INTRODUCTION

"Witness as Bentham stated: are the eyes and ears of justice. If the witness himself is incapacitated from performing as eyes and ears of justice, the trial receives putrefied and paralyzed, and it not can represent a honest trial".[1] Eye witnesses are essential to many convictions wherein no different fabric witness is available. However, on many occasions, the witness offers a positive assertion on his expertise approximately fee of against the law earlier than the police however refutes it whilst referred to as as witness earlier than the courtroom docket for the duration of trial. Such a witness is named adverse as it influences the route of the case.

In Himanshu Singh Sabharwal -vs- State of M.P and others (2008) four SCR 783 Suprem Court held that "unfastened and honest path is sine qua none of Article 21 of Indian Constitution. It is trite regulation that justice must now no longer handiest be achieved however it must be visible to had been achieved. If the crook trial isn't always unfastened and honest and now no longer unfastened from bias, judicial equity and the crook justice gadget might have the ability at stake shaking the self assurance of the general public withinside the gadget and wow might be the guideline of thumb of the regulation"[2].

Whether it's a case of Best Bakery case, Jessica Lal or Phoolan Devi Case it's been observed in maximum of the excessive profile or even in everyday instances additionally, eye witness of the Case turn out to be adverse for the duration of trial of the case which now no longer handiest make the prosecution case susceptible however grave in justice to the sufferer additionally. In a rustic like India, wherein there may be no regulation and scheme for the safety of witnesses, in such state of affairs

[1] www.lawyersclubindia.com
[2] ibid

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MARITAL CRUELTY

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ABSTRACT

Violence against women is of great concern which varies in harshness. The greater part of the marital cruelty cases remain unreported in India because they are committed by their community. Generally, the sufferer refrains from complaining due to horror and terror of getting her reputation affected. Cruelty cases were prevalent earlier also, events such as shaming women, stripping also occurred specifically from women of lower casts but there were no such studies bout women and martial cruelty was conducted so very little data is available before British time. In the modern scenario, the law is being misused by women. As a result, the section was made for the advantage of women to ones who were the victims of cruelty but some of them used it as a weapon to entrap fake charges against the spouse and his family members. This paper examines the history, relevance of the provisions and traces how the misuse began and the way forward.

Keywords: marital cruelty, misuse, dowry.

INTRODUCTION

Physical assault, actions harming the life of a married individual in any way is considered as marital cruelty. Violence against women is of great concern which varies in harshness. According to Section 498A,[1] "the spouse or any individual connected with the husband of a her lady to brutality will be rebuffed with three years of detainment which might expand and the individual would be responsible to pay the fine". The savagery incorporates physical or mental damage to a lady's body or wellbeing, hassling her or her folks for endowment. Provocation for endowment goes under the locale of the segment's last part. In India, it stays one of the most horrendously awful maltreatment. There isn't any complete examination on this subject in India. Most of the conjugal savagery cases stay unreported in India since they are committed by their kin. For the most part, the victim ceases from griping because of dread of getting her standing impacted. Dowry[2] is a well-known cause of marital violence in several regions of India, due to the groom and his family negotiating to secure a huge amount from the bride's family. When the dowry demands are not satisfied the bride is tortured by her husband and in-laws.

According to a report published in, "Crimes in India,"[3] the IPC rate of torture cases against women accounts for 44% of total crimes against women. Marital cruelty in India is threatened by the patriarchal society. Marital Cruelty in post-independence 1922-96[4] reflects the history of marital cruelty in modern Ireland. During that time numerous ladies were exposed to savagery by their spouses yet the survivors of mercilessness had not many choices for something like fifty years following opportunity. The genuine physiological real factors of mercilessness are exceptionally stressing, the socio-social set and understanding of savagery and methodology utilized for severity have a verifiable perspective.. Women of high society were unaware of the cruelty that affected women. Section 498A was added in the case of Shobha Rani v. Medhukar Reddy[5]. So Section 498A protects women from cruelty. This section was added in IPC for the protection of women from all kinds of cruelty. This is the only section under IPC

[1] Indian Penal Code 1860, s 498A
[2] Dowry Prohibition Act, 1961, s 2
[3] Meghna Bhat & Sarah E. Ullman, 'Examining Marital Violence in India: Review and Recommendations for Future Research and Practice'(SAGE Journals, 24 July 2013)
[4] Ibid
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REASONS OF DIVORCE IN INDIA WITH SPECIAL REFERENCE OF HINDU MARRIAGE ACT

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Abstract
In ancient times, there was no belief of divorce in Hinduism and there was no practice of divorce. First, the relationship between husband and wife can only be ended by death. And the means of dissolution of marriage was not available. It is a never ending relationship which is termed as a divine sacrament. The origin of marriage was not for the use of sexual relations, but for the fulfillment of the purpose of life and for the furtherance of the lineage. By the Hindu Marriage Act 1955 it is an obligation that could not be terminated by any means between a husband and wife during their lifetime. Origin of Divorce it started because of some special personal interest. Keeping in view the social interests and morals of the Court, the public interest demands that the marriage relationship should be fully secured and its termination is told only by the court which can be done only during judicial proceedings. Pure words like divorce have been allowed because of serious problems. The similarity is that divorce is not considered a good thing in Hinduism and certain grounds have been given by the court for dissolution of marriage by which divorce can take place. The situation of divorce can be very serious or even when a situation arises when living together becomes impossible.
Keywords- Hindu , marriage , divorce , ancient , sacred.

Introduction-

The history of hindu civilization in our country is very ancient. Hinduism have been developing here since the vedic period. Although primitive humans used to live under trees and in mountain caves, but gradually Hindu civilization began to develop and Hinduism began to develop. Now the thing to consider here is that we did not know that the sacred bond of marriage ever came in our hindu religion. The study of ancient texts shows that the practice of divorce has not been lacking in Hinduism. Now here or there the question arises whether there was any law regarding marriage of Hindus in this regard in ancient times. In this regard, it is certain to look into the ancient texts of India. There are four distinctions in the Vedic period.The first Rigveda, Yajurveda, Samveda and Atharvaveda are found and their developed Manusmriti and the Adi texts of the Graha Sutras are found in which information has been given regarding the marriage of women.

Hindu marriage is discussed in detail in Manusmriti. Hinduism is a way of life in which Hindu marriage is considered very sacred. In many places in the world, marriage is seen as a covenant. There the divorce took place during the economics department and they consider breaking the bond and the husband and wife get separated from each other. But Christianity is considered by the Catholic sect that marriage is a sacred relationship of a contract, it is a forever sacred bond that lasts throughout life, but there some denominations are not ready to fulfill this sacred bond of department. But we have been told to fulfill this sacred bond of marriage in the Rigveda period itself. In Rigveda, the husband tells his wife to be his wife that I accept your water and will maintain this sacred relationship. Hindus believe that marriage is not a bond but a sacred sacrament among the 16 sacraments. Sanskar is related not only with the body, it is with our soul, Hindu marriage is not only the union of man and woman, but two families meet each other so closely that there is a unity in them. The marriage was divine among Hindus and it was believed that the marriage was arranged by God. Marriages are made in heaven and they are

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ACID ATTACKS ON WOMEN IN INDIA- A LEGAL STUDY

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Abstract
Be viewed on the world screen. Women in every society have to face different types of oppression and exploitation. Today even in this developed and civilized society, new forms of acid attacks and their violence are seen on women. Acid attack on women is one of the brutal crimes. Acid is sprinkled all over their bodies with the intention of destroying them. Acid attack is a forced violence. Which is done intentionally, although acid attack can also happen on men, but becomes common for women. Especially women are the victims of this. Violence is done to establish a patriarchal and male dominated culture and male domination. The man oppresses to show his superiority and treats her as his slave. Even uneducated men, who can compare the qualities of women, harass women to maintain their dominance. Our society is such that it recognizes violent and aggressive men. The society where women are respected is commendable. In this way the society is called civilized. It is the duty of the society to condemn the oppression of women and not to encourage. Acid attacks on girls are on the rise these days. That is why human rights and NGO organizations and good social workers have raised their voice against the oppression of women due to acid attack. Worked to provide relief to oppressed women. Inspired by these, the Indian Parliament has also amended its laws and some new rules have been made for protection from acid attack, so that women can get some relief from acid attack.
Keywords- Acid , attack , women , victim, relation .

Introduction

The society has been male dominated and has been a patriarchal system. Big festivals have been celebrated on the birth of a son. In the study of history, it is known that from the small people of the society to the king, the gods have been wishing for a son. In the epic period, it is known from the study of Ramayana that King Dasharatha was very sorry for the fact that he did not have any son. No person in the society wants the blessings of getting a girl, the girl gets it spontaneously, for that no person or king seeks blessings from the sages and sages, the reason seems to be that women are considered very weak in the society. As the mother of the weak body is surrounded by many rivers, similarly due to weakness in the society, there are many types of atrocities, incest and fathers, that not only in India, women have been considered synonymous with weakness, but women in western countries too. She has been considered weak, that is why the world famous great poet Shakespeare of England has described women as a weakness. " Frailty thy name is woman " (Macbeth) Many incidents have happened in the world against women because of their weakness or weakness of women is a big reason for their oppression women have many forms of oppression before birth and even after birth harassment takes place in Rajasthan's kshatriya society, after the birth of a girl, her parents used to kill the girl by filling her main tobacco. All kinds of crimes happen with them, the incidents of fraud, cheating, murder and rape etc keep happening and the society keeps watching silently. Such a crime which happens especially on women is acid attack. When a young man falls in love with a beautiful girl and he wants to marry her, but if the girl turns down his marriage proposal, the young man becomes very angry.

He threatens to make her unfit to live in the society and as a result attacks her with acid. Due to this not only the core of the girl gets distorted but she gets destroyed in various parts of her body. He has to endure unbearable pain. It is clear from this that her weakness, ie being a woman, is not the main reason for her oppression. The male dominated or society not only treats women harshly, but they are subjected to crimes like violence, rape, incest, incest, feticide, sexual harassment, child marriage, dowry

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LEGAL RIGHTS OF ARRESTING PERSON

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Abstract
Everyone individual organ is with these fundamental rights, such as the freedom to life under article 22 to liberty. Correspondingly, so each citizen of every country is given certain rights that are completely fair and equal brotherhood without regard for the spirit of sense of morality, such as the right to life, the rights of people, the right to be free, the right to equality, the right to equality, this same right to religious freedom, and so on. However, a person's rights may be forfeited if he is convicted or arrested for criminal activity. A person, who has been arrested, on the other hand, has some rights, which are detailed below. The Indian judicial system is based on the principle of "free until tried and convicted. "No human being shall be deprived of his right to life and personal liberty," it says.

Introduction
Under the 1973 Code of Criminal Procedure, the concept of arrest is defined. The deprivation of a person's liberty by a legal authority, or at least by seeming legal power, is known as arrest. Furthermore, "any compulsion or physical restriction does not constitute an arrest," but "where the restraint is comprehensive and the deprivation of liberty is complete, it is an arrest."

When a police officer apprehends a pickpocket, he is arresting the pickpocket; but, when a dacoit apprehends a person in order to extract ransom, the dacoit is unjustly confining that person rather than arresting him. Stopping someone from moving and moving according to their own will is the same as arresting them. one thing to considerIn a free society like ours, the law is fiercely protective of each individual's personal liberty and will not accept the detention of anyone without due process. Personal liberty is a fundamental human right recognised by the United Nations General Assembly in the Universal Declaration of Human Rights.

It is a fundamental right in India, according to our constitution. Article 21 stipulates:
No one's life or personal liberty can be taken away from them unless they follow the legal procedure. For the security of the person being arrested, as well as society at large, criminal process offers several essential rights of arrested persons.

Everybody should be held in custody:
A person should be arrested if he has committed a crime.
The following are the reasons for the arrest:

1. To ensure that you show up for the test.
2. Getting the correct name and address.
3. Do not interfere with any police officer's ability to do his or her job.
4. To apprehend and apprehend a fugitive from justice.
5. To keep the offender from committing another crime.
6. To prevent evidence from being lost or tampered with during a trial.
7. Talk to someone who is knowledgeable with the realities of the matter to avoid being inspired.

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CYBER LAWS IN INDIA: AN OVERVIEW

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ABSTRACT
Since the invention of the Internet, communication around the world has advanced significantly. The rise of cybercrime, also referred to as e-crimes (electronic crimes), is one of the biggest problems facing modern society. Cybercrime thus represents a threat to all countries, businesses, and people in the world. Cybercrime has spread to numerous regions of the world, and millions of people have fallen victim to it. It is obvious that a shared knowledge of such criminal behaviour is needed in order to effectively combat it given the seriousness of e-crime as well as its global character and effects. This paper covers e-definitions, crime's varieties, and intrusions. Additionally, it has emphasised India's anti-e-crime legislation.

LITERATURE REVIEW
1. Shubhaman Kumar et al. (2015) in "Present scenario of cybercrime in INDIA and its preventions" have discussed various categories and cases of cyber-crime which are committed due to lack of knowledge or sometimes due to the intention behind it. Writers have also suggested various preventive measures against these unlawful acts in day-to-day life. The paper starts with the data where Indian stands second top-most country in Asia in the number of cybercrimes according to International World Stats and Kumar's article/paper. Moreover, writers discussed what is cyber-crime in legal parlance. Furthermore, the paper deals with the types of cyber-crimes which include email-spoofing, phishing, identity theft, internet fraud, etc. Additionally, authors have also discussed present trends, cyber-laws in India, the penalty for damages, and basic practise for prevention.
2. Ravi Shah (2016) in "A Study of Awareness About Cyber Laws for Indian Youth" talks about a conceptual model explaining how to uphold and implement the awareness programmes among internet users regarding cybercrimes. The writer starts with a brief introduction to the topic by providing statistics. Furthermore, Shah discusses the concept of cybercrimes by giving several definitions. Moreover, the paper talks about user awareness and then categories of cybercrimes. Additionally, Shah has analysed the data of every aspect.

RESEARCH & DESIGN
The main objectives of the research are to analyse the cybercrimes in India with reference to the authentic data available. The data thus obtained has been standardised, studied, and exhaustively analysed. The exclusive objective of this paper is to know:
1. What are the types of Cybercrimes?
2. What are the Laws related to Cybercrime in India?
3. How can we prevent Cybercrimes?

This paper is divided into three sections. Firstly, I have examined all about cybercrime and discussed different definitions. Furthermore, paper deals with types of crime which include hacking, salami attack, phishing, spoofing, email-bombing, logic bomb, trojan attack and many more other types. Additionally,

CHILDREN IN NEED OF CARE AND PROTECTION – NEEDS IN INDIA CONTEXT

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Abstract: The purpose of this study is to see at that factors affecting the growth of children. For a human being the occasion of his childhood is most important because this is time which shapes his future. Family and society are looked upon for children's relationship and their development for safety and health. It is very important for children to be fully alert of their society and they also need protection. They need care.The power that a human being has to contribute towards the society enters his min
d during the instance of his childhood which is his beginning but this component is not emphasized so much in India. Children engage in recreation an main role in the procedure of a development of the nation. A child's body has an impact on his mind, socially, mentally and morally. The subject of conversation has started on the troubles of kids as result of creature badly treated. Like orphans or abandoned children who have be abandoned, children who live by begging and those children are trafficked meant for the day.

Keywords: Child protection , emotional needs, positive childhood , substance abuse

Introduction: The upcoming of any country depends a lot on the worth and value of the children of place. Those children who has an opportunity to become responsible citizens of the country, which can prove useful for the interest of India is not given of the country. For this, it is very important to raise the level of their education to make the country developed, because these children are also the future who will take steps for humanity and national attention in the country. Childhood has a great impact on a person's life. Depends on his status and ability to contribute in the life of any person to the society.

He has his faith or path since his childhood. But this statement much attention. No effort is made to go to the river Darji so that he can be prepared for a better tomorrow. Has an impact on a child's moral and social lifeA child who does not have a happy childhood has to go through many joke jobs and live with these same dangers which also push the child towards socially negative thoughts which have the potential of Jainism in them. Due to which the ability to contribute to the society becomes helpful. Anyone who believes that the life span passes through phases, then childhood adolescence was busy and old age is the first phase of life very important. The mental development of the child takes place in the remaining three stages. And the experience of things comes in his empty mind. He also attains the ability to send things, success and scripture his path.

Statement of problem: The main problem of this article has be unnoticed by the Indian administration. It is very important to fix it. Such necessary laws should be made for the safety of children and they should also be strictly followed so that the children are safe and the country will also be safe

Objectives: The main objective of this research is to protect children, education and save them from indulging in crimes.Child protection means protecting children from incidents like telepathy, child labor violence and letting children live the safety of women on business. being pushed towards business. to be protected from them. The child protection plan states that children should be kept away from risks.

- The children need care and protection in India
- The factors affecting the development of children
- What is the impact of child on his mind, socially , mentally , and morally
- The children Right to learning in india
- The child protection means is protect the child for child abusing, child labor, and child sexual offence.

CHILD PORNOGRAPHY: A COMPARATIVE ANALYSIS

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Abstract:
In the modern days of Technology where is every single person is connected to the entire word through the internet facility the danger of transmitting Mischief and social tablet striving content is also become an statured some of the Pawn Industries to satisfy their hunger of wealth and increasing their space using quality content, which is leading to disbalance moral and harmony of the society among such content the most dangerous and henious content is child pornography Children's are the future of society who are mentally innocent and annually to depend then selves from the impact of such as content in their young age on the version of the physician and mental growth becoming victims of such Malviya as practices such practices not truly harm. They are officially personality also donate their psychological state for the rates of their lives. becide it is well known that during natural climates and contact city and other humanitarian emergencies women and children especially females are most vulnerable hence. It is need of the hour to address the problem at wider scale.
Keywords Child Pornography, Sexual Pedophile, Child abuse, Impact

Introduction:

According to the optional protocol to the convention of the right of the child definition child pornography as any representation by whatever means of a child engaged in real are simulated explicit sexual activities or any representation of the sexual part of a child for preliminary sexual purpose is considered as child pronography. Also according to the article 9 of the cybercrime convention 2001 child pornography is detained of honour graphics of material that valuable displays and minor engaged in sexual explict. conduct and a person appearing to be minor engaged in saxualy explicit conduct In simple words any content which visual the sexual part of a minor in any form which is wrong in tension sexual preference in an act of a child pornography. There is a cases rising of sexual abuse children due to such as content is leaking through the different. There is mostly dark web. In most cases close relative friends family or any known adult of child has found involved in sexual abuse which is not only impact physically but also psychologically a child in many ways. The child pornography is not just a threat to its victim. But also in entire society and growth of a country is valuable and used to such is rising cases in any country because these children are The any key to lete society to their future.

Statement of problem:

The main problem of this research is to depict and depict the sexual crimes against children, for which the government has taken strict steps and there is a need to take strict measures on the donkey for the safety of the children and thereby save the society from this very shameful crime.

Objectives:

1. To study extent of child abuse and exploitation.
2. Study of Government's role in preventing child abuse and sexual abuse
3. Facts about the commission of sexual offenses against children.
4. Study of the ill effects of juvenile delinquency on children.
5. Suggested measures to address child abuse and sexual abuse in India

Methodology:

The methodology of research is a method based on doctrinal theory. Its two sources are the primary source which includes judicial decisions, legal, rules and related case law. Secondary sources include books, articles and the medium of the Internet.

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PRESS FREEDOM IN INDIA: A LEGAL STUDY

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ABSTRACT

Opportunity of Expression has forever been underscored as a fundamental reason for the vote based working of a general public. Opportunity of Press has stayed an issue that has prompted unending number of discussions across the vote based world in the beyond couple of many years. The vote based qualifications of a state are passed judgment on today by the degree of the opportunity press appreciates in that state. The Press gives exhaustive and objective Information of all parts of the nation's Social, Political, Economic and Cultural life.

Key Words: press, opportunity, a majority rules government, Constitution, regulative honor.

Introduction

A free press is vital and fundamental for the compelling working of a majority rules government. A free press has likewise been portrayed as the oxygen of a majority rules government; one can't get by without the other. Our genuine encounter since Independence, and particularly somewhat recently or somewhere in the vicinity, likewise proposes that a free and watchful Press is crucial to control debasement and bad form basically to the degree that general assessment can be energized because of press examinations and remarks.

The press fills in as a strong remedy to any maltreatment of force by government authorities and as a method for keeping the chosen authorities mindful to individuals whom they were chosen for serve. The majority rule qualifications of a state are passed judgment on today by the degree of the opportunity press appreciates in that state. At this current point of time, as we moved toward the 6th 10 years of our opportunity, it is crucial for remember, the relevance of opportunity of press, which is viewed as the fourth mainstay of a vote based system A further aspects to the opportunity of articulation is added by the presence of mass society in which correspondence among resident can happen just using media like the Press and broadcasting and not straightforwardly which wins both specialized and in the Indian setting, monetary, the significance of the Press is considerably more pivotal.

WHAT IS FREEDOM OF PRESS?

'Opportunity' signifies nonattendance of control, impedance or limitations. Thus, the articulation 'Opportunity of press' means the right to print and distribute with no obstruction from the state or some other public power. Yet, this, Freedom, as different opportunities, can't be outright yet is liable to notable special cases recognize in the public interests, which in India are identify in Article 19(2) of the constitution. The excellent reason for the free press ensure is viewed as making a fourth foundation outside the public authority as an unexpected beware of the three authority branches:-

- Executive
- Legislative
- Judiciary

Meaning OF FREEDOM OF PRESS

Press plays an educative and preparing job in trim general assessment and can be instrument of social change, for the opportunity of Press is viewed as "the mother of any remaining freedoms in popularity based society. The press fills in as a strong arrangement of force by government authorities and as a mean for keeping the chosen authorities dependable to individuals whom they were chosen for serve. A Free press remains as one of the incredible translators between the Government and individuals. Thus, the opportunity of Press must be secured and simultaneously, the opportunity of individual even

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THE ROLE OF MEDIA IN INDIAN DEMOCRACY

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ABSTRACT

Without media or free press a majority rules government can't find success. In straightforward words a vote based system is the public authority of individuals, for individuals and by individuals. In this sense for the dynamic and watchful support of free press is fundamental in a majority rule society. It is voice of individuals. It assumes a significant part in the forming of a sound vote based system. Media is viewed as a heart of a majority rules government society. The media is by and large thought to be as fourth mainstay of a vote based system. It makes individuals aware of various happenings from grounds like games, governmental issues, financial, and social, and so forth. Media resembles a mirror likewise which delineations the essential reality and at times it very well might be brutal. The current paper is an endeavor to look at the job of media in Indian majority rule government.

Key Words: India, Democracy, Media, Corruption.

Introduction:

In straightforward words Democracy is characterized as an administration of individuals, for individuals and by individuals. Media is considered as the fourth mainstay of majority rule society[1] after chief, governing body, and legal executive. A majority rule government and media walk inseparably. Media fortifies the majority rule values and standards as well as enlivens the speed of advancement. The new year's saw a more prominent point of interaction between the everyday person and media. It is the media which has turned into a piece of the existence of those individuals of India, who are for the most part subject to it for different needs including data and diversion. Media keeps the people groups stirred and there is no denying the way that it has become one of the significant instruments of social change.

During the British rule, the job of media was very unique. For the sake of safety of the State, in the twentieth century individuals were denied of the essential data and straightforwardness during the time spent administration was a far off dream. The print media during the opportunity battle of India assumed a principal part and got a certainty sponsor. It is verifiable truth that the vast majority of the political dissidents were well acquainted with editorial information and a large number of them were supposed to be columnists. Media generally affected the India's opportunity development. Hence after India's freedom, the obligation and job of the media was improved however during the time of crisis (1975) the exercises of media were unequivocally controlled[2]. Indeed, even severe orders were given against the media houses and media autonomy was totally squashed. Notwithstanding, the job of media during the post crisis time frame fortified again as well as it drew a lot nearer to the hearts of the commoners. The political, social, monetary and social areas of India were reflected in the papers which at last made ready for reinforcing the majority rules system and the public authority of individuals of India. Presently a-days, other than the print media, the electronic media, especially, the TV projects and web got progressive changes the pitch of information broadcasting and investigation.

[1] Ajun Kumar, "Role of Media in Democracy", available at https://www.google.com/amp/s/legadesire.com accessed on 20-January-2019.

[2] VaibhavChakraborty, "Media's Role in Indian democracy", available at https://www.google.com/a[illegible]mapsofindia.com accessed on 21-January-2019.

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HUMAN TRAFFICKING IN INDIA

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Abstract

This paper addresses the scenario of human trafficking in India. It argues that the point of interest on trafficking both as an problem of unlawful migration or prostitution despite the fact that dominates the discourse of trafficking, which prioritizes country safety over human safety and does now no longer appropriately deal with the foundation reasons of trafficking and the lack of confidence of traffickers. The root reasons or vulnerability elements of trafficking which consist of structural inequality, culturally sanctioned practices, poverty or monetary lack of confidence, organ change, bonded hard work, gender violence, which might be similarly exacerbated via way of means of corruption, have remained unrecognized in educational and coverage region. This paper argues that emphasis wishes to accept to such underlying root reasons and modes and additionally crimes associated with human trafficking, that threatens human protection of the trafficked humans in India Accordingly, it offers a few preventive measures to deal with and deal with the trouble.

Keywords: Trafficking, Human Trafficking, Causes and modes, Preventive measures.

INTRODUCTION

Human trafficking that's for the functions of sexual exploitation is turning into an more and more commonplace problem round the arena. Trafficking is a big enterprise which has been recognized because the quickest developing crook enterprise inboard the world. The worldwide and Indian prison definitions of bonded Workers, baby Workers and intercourse trafficking used all through the file are highlighted on this segment. Under the brand new segment 370 of the Indian Penal Code, trafficking of humans for "bodily exploitation or any shape of sexual exploitation, slavery or practices much like slavery, servitude and the compelled elimination of organs" is prohibited. Cases overlaying a huge type of kinds of present day slavery were registered under this segment. Since India signed the Palermo Protocol and amended its Penal Code, trafficking

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TEERORISM AND POVERTY: A SOCIO - LEGAL ANALYSIS IN INDIAN SCENARIO

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Abstract

Since 9/11 and 26/11 Terrorism has end up the problem of a tremendous deal ofstudy, comment, debate and controversy. Terrorism at gift one of the maximum quite emotionally charged subjects of public debate each on the national and worldwide level. Government at some point of in South Asia are profoundly involved approximately the developing have an impact on of Islamist-actions and their terrorist offshoots. The AI-Qaeda and one in every of a type Islamic outfit's presence on this area are prominent. India is a rustic wounded with the beneficial useful resource of using terrorism. Virtually all ourneighbors, with the beneficial useful resource of using choice or default, with the beneficial useful resource of using acts of fee or mission, compulsions of geography and the terrain, have been or are worried in receiving, sheltering, overlooking or tolerating terrorist sports activities sports from their soil directed toward India. Problem at gift isn't always with Jihadist garb or any Islamic countries. The actual problem is quite politicized and radical model of Islam, which has been with no trouble interpreted with the beneficial useful resource of using Islamic clerics for his or her slim purposes. The most essential root motive of terrorism isn't always poverty or US remote places policy, however a compelling political ideology, radical model of Islam. Weakening radical model of Islam with the beneficial useful resource of using demonstrating the power of democratic values and democraticmotion on this area is greater long lasting solution.

Keywords- Poverty, Terrorism, impact on of Islamist, democratic, abuse

Introduction

Terrorism has stretched its hands to attain each corner and nook of the arena, with only a few nations being spared from its ill-outcomes and consequences. The escalation of terrorist sports withinside the beyond few a long time has made terrorism one of the maximum demanding cutting-edge problems. Today, the various problems without delay affecting human beings and the authorities for the duration of the arena, terrorism has taken middle degree with nearly all states, having to go through on the arms of such miscreants. Forthe closing 3 a long time, terrorists were gambling a pivotal function in making and reversing the worldwide family members withinside the worldwide arena. These terrorist organizations are engaged in severa forms of acts which magnetize the eye of the general public towardtheir reasons, their involvement in assassination, kidnapping of diplomats, politicians and their close to relatives, bombing crowded locations, embassies, commercial enterprise homes and location of worships, hijacking and piracy and chance of nuclear terrorism has created monstrous worry and uncertainty in public existence and thereby hampering international peace, safety and order.

With the arrival of globalization and new generation, terrorism has additionally had a face raise with in advance it being worried inside countrywide barriers however now spreading its wings to worldwide spheres. Internationally, there's no broadly prevalent definition of terrorism which stays as a flaw. Basically, terrorism is using violence, or chance of violence, to frighten human beings on the way to acquire a political, social or non secular intention. It is an act which influences the target target market past the instantaneously sufferers. The fundamental motive of such terrorist sports is to instill withinside the minds of the overall public a worry which will become an overreaction and to show off the inefficiency of the authorities in countering such sports. Such incidents are supposed to steer the general public's psychology in place of on attaining the dreams of such terrorist organizations. Terrorists typically play a thoughts sport with the authorities of any U. S. A.

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EUTHANASIA: RIGHT TO LIVE & RIGHT TO DIE

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ABSTRACT

The phrase euthanasia triggers a spate of controversy international as there are exceptional varieties of working towards euthanasia. At the acute ends of disagreement, few U. S. A. have exceptional opinion on euthanasia who help it and announcing that sufferers has proper to die. At the opposite cease, there are fighters of euthanasia who agree with that this technique is a shape of murder. In the prevailing article, the authors deliver a short description approximately the issue, exceptional varieties of euthanasia and act of euthanasia in exceptional U. S. A.

Key Words: Euthanasia, Legitimate medical Euthanasia, Pros and cons of euthanasia.

INTRODUCTION

Everyone on this global desires to stay a protracted lifestyles and need a painless loss of life. But someday it isn't viable to have giant enjoyable loss of life. Some human beings have plenty of ache and conflict at closing degree of loss of life. Euthanasia is the termination of a completely ill individual's lifestyles that allows you to relieve them in their struggling. From the instant of his birth, someone is clothed with simple human rights. Right to lifestyles is one of the simple in addition to essential proper without which all rights cannot be enjoyed. Right to lifestyles approach a individual has an crucial proper to stay, mainly that such individual has the proper now no longer to be killed through every other individual. But the query arises that if someone has a proper to stay, whether or not he has a proper now no longer to stay i.e whether or not he has a proper to die? The phrase euthanasia is connected tothe Greek phrases for excellent (eu), and loss of life (thanatos). Euthanasia is consequently related to the concept of trying to die loose from struggling, or to have a terrific loss of life (Du Gas, 2006). Euthanasia is described as a technique that is aimed to purpose painless loss of life in someone to cease his/her lifestyles (Burkhardt, 2002).

Pros and Cons of Euthanasia The execs of Euthanasia

1. An End to Suffering
2. Death with Dignity
3. Frees Up Funds and Equipment
4. The Freedom to Choose

The cons of Euthanasia

1. Devalues Human Lives
2. Religious and Ethical Problems
3. Corruption of The Worst Kind

Classification of Euthanasia

The phrase euthanasia originated from the Greek language approach a non violent loss of life. It additionally approach the intentional termination of lifestyles on the specific request of the person that dies. However, euthanasia consists of exceptional bureaucracy in exercise which may be widely labeled as follows:

Active Euthanasia

It is equal to mercy killing and entails taking motion to cease a

SOCIO LEGAL STUDY OF JUVENILE DELINQUENCY

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ABSTRACT

When any anti-law or anti-social act is completed by a toddler, it's called juvenile crime or child crime. From a legal point of view, child crime is an anti-legal act done by a toddler over 8 years aged and below 16 years aged, which is presented before the Children's Court for legal proceedings. consistent with the Juvenile Justice Act 1986 (Amended 2000) in India, the offense of boys up to 16 years aged and girls up to 18 years aged is included within the category of delinquent.

The maximum regulation of delinquency varies from state to state. On this basis, anti-legal work Done by a toddler under the regulation set by any state is child crime. Not only does age determine child crime, but the seriousness of crime is additionally a crucial aspect in it. No crime has been committed by a 7 to 16 year old boy and a woman between 7 and 18 years aged, that the state gives execution or captivity like murder , treason , fatal attack etc., then it'll be considered as a toddler criminal.

From sociological point of view, age is not given much importance for juvenile delinquency as the mental and social maturity of the person is not always affected by age, hence some scholars consider the behavior tendency manifested by the child as the basis for child crime, such as loitering , Absent from school, disobeying parents and guardians, using obscene language, keeping contact with characterless persons etc. But until a valid method is unanimously accepted, age will be considered as the determinant baseis of child crime. According to Gillin and Gillin, from a sociological point of view, a child criminal is a person whose behavior is considered harmful by society and therefore he is prohibited by it.

Introduction

From sociological point of view, age is not given much importance for juvenile delinquency as the mental and social maturity of the person is not always affected by age, hence some scholars consider the behavior tendency manifested by the child as the basis for child crime, such as loitering , Absent from school, disobeying parents and guardians, using obscene language, keeping contact with characterless persons etc. But until a valid method is unanimously accepted, age will be considered as the determinant baseis of child crime. According to Gillin and Gillin, from a sociological point of view, a child criminal is a person whose behavior is considered harmful by society and therefore he is prohibited by it.

In this way, child crime is taken against the antisocial behavior of children or the behavior of children which is detrimental to public welfare, is known as child criminal. According to the robi

Robinson, loitering, begging, aimless hovering around the abdomen, euphoria are signs of child criminality.

On the basis of the above definitions, a child who disobeys the law and conducts anti-social behavior is a child criminal, as Newmeyer states that a child criminal is a person under a certain age who has done a criminal act and whose abuse is breaking the law. Going to do.It has been known by psychological and sociological studies that criminals are born in humans only in childhood. Statistics have revealed the fact that the most serious and serious offenders are adolescent boys. From this point of view, juvenile delinquency has been seen as an important legal, social, moral and psychological problem.

The nature of Cashore offenses is different from the usual offenses. In legal terminology , it is a Crime to conduct against the prescribed laws of the country , but the Cashore crime is a

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HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM IN INDIA A CRITICAL ANALYSIS

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Abstract

A Human right are those rights which are inherent in every human being just by virtue of being a member of human family . HumanRights are fundamental to our existence as citizenry. they're universal and cut across all national boundaries and political frontiers. By theexperience of two World Wars, mankind aspired for an honest civilized life inwhich the inherent dignity of each person is well respected and protected. The United Declaration of Human Rights, 1948) have been hailed s normal standard of accomplishment for all human beings and nations. The preamble of Universal Declaration Human Rights proclaims is truly hear:

Speaking within the immediate context of the history of human rights we see that as a website of intellectual activity and developing consciousness human rights belong roughly to the efforts of sixteenth and seventeenth century to deal with the challenges of adjusting times. This focussed temperament of human rights isn't to deny the very fact the some kind of right perspectives had always existed in pre-industrial societies. Therefore, we will observe that aspects of human values, respect, right, duties etc existed in ancient codes like the Code of Hammurabi the Cyrus Cylinder, and within the reforms of Asoka. We can also see the long debates about natural rights by Hugo Grotius and Locke and then intellectual inputs by Rousseau within the sort of his famous terminology - 'rights of man' within the agreement (1762), then within the American Declaration of Independence (1776) and therefore the French Declaration of the 18 Rights of Man and Citizen (1789), then finally the United Nations' Universal Declaration of Human Rights (1948), proclaiming that each one citizenry are free and equal. As well, within the American struggle for independence human rights had been elevated to what Jefferson called self-evident truths of human freedom and equality. As Lynn Hunt shows, these empathies of latest individual experiences the increase of anti-colonial anti-slavery movements response and resistance to torture etc. created the space for human rights.

The three segments of Criminal Justice System viz. the police thejudiciary and therefore the correctional institutions need to function in harmonious andcohesive manner. But in practice one often finds that it's not the case. The police, rather than protecting and promoting human rights are often found to violate them. The National Human Rights Commission has been receiving reports of custodial deaths non-registration of cases arbitrary arrests custodial violence etc. an individual in custody of the police an under-trial or a convicted individual does not lose his human and fundamental rights by virtue of incarceration. The two cardinal principles of criminal jurisprudence are that the prosecution must prove its charge against the accused beyond shadow of reasonable doubt and therefore the onus to prove the guilt of the accused to the hilt is stationary on the prosecution and it never shifts. The prosecution has got to stand on its own legs so on bring home the guilt of the accused conclusively and affirmatively and it cannot take advantage of any weakness within the defence version. The intention of the legislature in laying down these principles has been that many guilty persons may got scot free but even one innocent shouldn't be punished. Indian Constitution itself provides some basic rights/safeguards to the accused persons which are to followed by the authorities during the method of criminal administration of justice. There are some provisions which are expressly and directly create by importants rights in favour of the accused/arrested person.

INTRODUCTION

A Human proper are the ones rights that are inherent in each individual simply through distinctive fe[illegible]mber of human own circle of relatives . HumanRights are essential to our life as

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DOWRY DEATH IN INDIA – A LEGAL STUDY

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Abstract

Dowry deaths are deaths usually including young women who are killed or physically or mentally harassed by their husband or her in-laws to such an extent to extract dowry that they commit suicide. So dowry death is sought of a **constructive homicide**[1]**.** This is the term that we use to describe dowry deaths. Homicide means the killing of a human being by another human being and if the woman whether she is killed or whether circumstances are constructed wherein she is compelled to take away her own life then that is what we term a constructive homicide. So whether a woman driven by circumstances is compelled to take away her own life to commit suicide or even if she is killed by her in-laws both these incidences would be covered under the term Dowry Deaths. So dowry death includes killing and suicide both.

This paper reviews the challenges faced by women in the course of their marriage specifically dowry and the deaths about it, and the outcome of past and present government policies for effective legislation and robust regulatory mechanism to deal with the said challenges.

Keywords: dowry death, suicide, homicide, Violations, dowry, Government legislation.

Introduction

Dowry in ancient times was considered as a Dakshina given to the groom in Canadian which was a ritual without which the marriage was incomplete and named Var Dakshina in earlier times the concept was stridhana which was quite prevalent among upper-caste Hindu groups in ancient times. Under the mitakshara system as per our Hindu law, a woman was not entitled to inherit her parent's wealth. So a huge and handsome dowry was considered a Premortem [2]inheritance. This provided her with some social ad economic security. Many scholars believed that the dowry system was not necessarily bad and in many cases was handed directly to daughters to enable them to have some kind of financial independence post marriage. With due time as the time progressed and new laws were made the economic value of men increased and made women more dependent on them. Hence the system of dowry took a new turn from the voluntary exchange of things between families and their daughters to a demand for a compulsory economic transfer from the bride to the groom's family. Earlier dowry as per tradition included gifts, jewelry, and clothes but today families give expensive cash gifts or luxury goods during marriage negotiations. It has become obligatory to provide the groom's family with a sizeable dowry at the time of marriage which has turned the woman into a financial burden for her parents and this, in turn, has worrying outcomes and implications thus giving rise to the preference for a son into the families and in extreme cases leads to sex-selective abortions and female infanticide. On the other hand, the groom's family and the groom feel entitled to this dowry making her more prone to violence or abuse if she or her family members are unable to fulfill their dowry demands. This harmful system of dowry continues to persist in India. Marriage is seen as a market in which people bargain for a spouse who would give them the maximum social and material gains after marriage. Women, regardless of being educated or employed, substantially contribute to the economic prosperity of a family. The running of a household, the growth, and the social status of a family most often rely on a woman's unpaid care work, which she spends most of her time and effort on. These contributions made by a woman are never taken into account and a woman is considered a financial burden to the family which is or reason compensated using dowry. In no other cultured country similar problem of this degree exists. This is indeed a slur on our rich heritage and civilization. I would also like to point out that not in all

[1]AIYAR'S P RAMANATHA, CONCISE LAW DICTIONARY 584(fourth edition 2012) The killing of a human being by another hum[an] [IPC (45 of 1860) , S.299].

[2] Existing or tal[...] immediately before death.

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PROTECTION OF WOMEN IN INDIA – LAWS AND FLAWS

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Abstract
A country that worships gods in female forms like Laxmi, Durga and Saraswati offers eve-teasing, sexual harassment, rape, domestic violence and many more to its women. Who is responsible for this and how can this be resolved? Confidence is the belief in our ability to perform well in the face of challenges. It plays an important role in so many forms of success. Professional success requires self promotion at the same time achievement in sport requires grit and leadership role requires decisiveness and surprisingly all these fields are dominated by men. Across the globe, while woman show equal competency to succeed, men show higher confidence than women. So why only women needs to struggle hard and is suppressed by the societal norms to proof their own power, ability, worth despite being so talented?
Domestic violence, feminism and equal rights to women are the issues which are every day discussed worldwide. By now, mostly everyone understands what these issues are and related to gender disparity that's the ultimate cause of the brutality against a woman.
Keywords: dowry death, domestic violence, rape, gender disparity, Government legislation.

Introduction
India has achieved a lot in the 70 years since we got independence way back in 1947 but where do we stand when we draw our attention towards the rights of woman? The world holds a wrong perception about the woman in India. To begin with India has passed a lot of protective laws for woman like commission of sati prevention act, dowry prohibition act, protection of woman against sexual harassment laws, prohibition of child marriage act, Indecent representation of woman (prevention) act, protection of woman from domestic violence act, national commission of woman act, Married woman's property act, equal Remuneration act , maternity benefit act etc and the list is endless but then where are the females in India still struggling and why? A marriage is a legal contract by which a woman gave herself to her husband for life. Section 375 categorically exclude marital rape from the definition of rape and various activist movements have led to many progressive changes in India's anti rape laws and yet the exception granted to Marital rape still stands. While the other countries were still debating on whether they were ready for a female head state or not we've seen a woman prime minister in 1966, two-woman Lok Sabha speakers and sixteen-woman chief ministers since 1963 and all thanks to the 1/3rd reservation for females in the gram panchayats. Its very unfortunate that woman do not occupy political space whether you see the parliament, or all sought of elections that are going on woman do not really occupy political space and there are times when they have been when they actually try achieving things they face trolling, shaming and naming. Despite so much work on women empowerment its very sad to see that their percentage in the parliament of has seen a slow increase in percentage from 9% to 13% till 2022. In police the percentage of woman is less. We're ranked 149th in the world, numbered by countries like Kenya, south Arabia, North Korea, Syria, Kenya, South Sudan. Even in education we are slacking behind at a higher rate. Only half the % of the girls who have completed the basic primary education in India seem to be literate that doesn't sounds so bad actually, but we are outshined by countries like Nepal, Bangladesh and Pakistan.
We shouldn't ignore Punjab's recent effort at tackling this issue by giving free education from nursery to PhD. Women safety in India is becoming challenging these days specially in the era where we talk of women walking shoulder to shoulder with men. Delivery of justice is also a far too long to think of specially when higher authorities are involved the cases are either suppressed or closed through power.

STREET CHILDREN WHO EFFECT ON BUSINESS OPERATORS

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ABSTRACT

This part of a broad study that sought to investigate the psychological effects of the presence of street children in Harare Central Business District to business operators. This particular study focused on the activities of street children that affected the operations of business operators in Harare Central Business District. The study sought to identify the activities by street children which psychologically affected business operators. The study used the qualitative approach to get business operators' experiences with street children. The research used questionnaires as research instruments. Forty (40) questionnaires were distributed to gather data from business operators in Harare Central Business District. Twenty seven (27) business operators responded to the questionnaires. Since street children are not found all over the Harare Central Business District (CBD) but specific areas dotted around the Central Business

District (CBD), the study used convenience sampling. The study found out that street children were involved in stealing from both the operators and their customers. The street children also begged from the operators and their customers. Street children were also engaged in touting which disturbed customers and in urinating and defecating publicly which was a menace to customers. At times the street children smoked marijuana and consumed alcohol in the public. The study recommended that it is imperative for the government through the Ministry of Public Service and Social Welfare to put policies that cater for social welfare of disadvantaged children. The Government and NGOs should plan and implement public awareness campaigns on the importance of the public's contribution to assist street children have a better life. The corporate sectors should also be urged to contribute to the alleviation of the street children life style. This can be done through the promotion of corporate social responsibilities. The government should make effective legislation and ensure strict implementation of the laws for example execution of Child Protection and Adoption Act.

The government should undertake measures to provide free primary level education to street children in Zimbabwe and to provide for the associated costs of education for such disadvantaged children.

KEYWORD – Street children, business operators, Harare Central Business District, touting,

INTRODUCTION

People who are in business do all they can to present their services in good light to consumers. They however face a number of challenges as they promote their products. They have stiff competition and they have to face the menace of street children who perform activities that negatively affect the way they operate their businesses. Street children act in ways that scare customers so as to shun visiting their business places where they will be operating. The sight of street children who in most cases have an unkempt appearance, beg from customers, steal and generally make customers have a negative perception of their business operation thereby affecting the way they operate. The presence of street children make customers detest visiting premises thereby reducing to a large extend their sales. Phenomenon of street children Regardless of definition, the phenomenon of street children is not new and neither is it restricted to certain geographical areas (Connolly, 1990).The phenomenon of street children is an alarming and escalating worldwide problem. The problem of street children in Africa may not be new as related by Grier (1996). According to Le Roux (1998) the phenomenon of neglected

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AN ANALYSIS OF ORPHAN CHILDREN EDUCATION IN INDIA

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This article aims to provide a concise overview of a range of studies and findings that can inform approaches to caring for children who, through orphan hood, abandonment, or other reasons, have been separated from parental care. Included are present day international estimates and key statistics about orphans and kids dwelling in orphanages; an introduction to the range of care options, called the continuum of care, enormous findings that display the significance of family based care and the restrictions of orphanages; and interventions that enhance circle of relatives care and help save you placement in orphanages. A sturdy evidence base helps the contents of this report. Research over a few years in a wide variety of cultures and contexts have always confirmed the fine effect family care has on children's growth and development. It has additionally illustrated the damaging results that living outdoor circle of relatives care can have on children. This useful resource highlights the importance of effective interventions to reinforce families, stopping needless separation. For instance, presenting fabric and educational support to children in families reduces the chance of being located in orphanages to get right of entry to food, shelter, and college. When children are separated from their dad and mom because of loss of life or different reasons, priority can nonetheless be placed on making sure they're cared for within households. Family based interventions include reunification and — when that is not feasible or within the infant's high-quality pastimes — placement in prolonged own family care (kinship care), foster care, or adoption. The motive of this document isn't to argue that residential care for orphans and susceptible kids is in no way needed. Many churches have hooked up or funded orphanages as a manner to serve kids in want. For children in emergency situations and without a different manner of help, exquisite residential care can provide transitional, rehabilitative, or intervening time unique-desires care. As a primary or lengthy-term answer, but, orphanages cannot replace the loving care of circle of relatives and too frequently fail to satisfy the social, emotional, cognitive, and developmental desires of children and teens. Formal residential care varies in kind and best, from higher nice smaller orphanages based totally on an "own family-fashion" model, presenting more individualized care, to massive-scale establishments. The detrimental consequences of orphanages are improved when children are placed at an early age and/or for lengthy durations of time, and especially inside institutions with large numbers of youngsters and few caregivers. Global discussions, studies, and coverage reveal that despite the fact that better first-rate residential care is an identified option on the overall continuum, the advantages of circle of relatives care need to be extra widely recognized and supported,

The proof base on the subjects addressed on this paper is significant and the problems are complicated. This manual strives to summarize key usual findings, whilst also supplying examples within particular countries or regions, to similarly illustrate a number of the general factors. A word list of key phrases and list of citations can be observed on the end of this paper. A partner annotated bibliography of posted running papers, meta-analysis, authentic studies papers, and select interagency dialogue papers will allow the reader to delve deeper into precise topics highlighted inside this document. The goal is to offer a foundation that informs and supports churches, religion-primarily based businesses (FBOs), and those of faith to anchor their outreach and programming within current proof three Orphans and Children in Orphanages: Global Estimates And Key Facts Orphaned and Vulnerable Children Worldwide An orphan is defined as a child that has lost one or each mother and father. The lack of one figure classifies a toddler as a "single orphan" and the loss of both dad and mom as a "double orphan."1 In many cases an "orphan" may additionally nevertheless stay with primary or extended circle of relatives. Globally, it's miles predicted that there are about 153 million kids who have

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DOMESTIC LAWS AND WOMEN EMPOWERMENT

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ABSTRACT

The record expects to reveal insight into the connection between ladies' strengthening
The issue they face during abusive behaviour at home. Aggressive behaviour at home is maltreatment of oneself or oneself mental wellbeing. It can take many structures, including actual maltreatment, sexual maltreatment, psychological mistreatment, Financial and Psychological Abuse Brutality against ladies is a worldwide issue and an inclination to maltreatment at the family level it is extremely high. Viciousness against ladies has appeared as a worldwide pandemic
Its cost is in the physical, mental, sexual and monetary existence of a lady. This isn't as it were It disregards basic liberties however essentially affects physical, mental, social and sexual wellbeing Ladies' wellbeing. Around the world, little is had some significant awareness of how aggressive behaviour at home can hurt ladies' wellbeing and choice power. To shield ladies from savagery, an exceptional regulation, that is to say, insurance The Women's Domestic Violence Act, 2005 was passed. Engaging ladies is a cycle where ladies make and once again make their best be, do, and examine a situation that was recently kept the strengthening from getting ladies Full cooperation in monetary life in all areas is vital for building more grounded economies, accomplishing globally concurred objectives for improvement and maintainability, working on the personal satisfaction of a Ladies.

- **Presentation of Domestic Violence**

"Aggressive behavior at home is a weight on various areas of the social framework and unobtrusively yet emphatically influences the improvement of a country. Batterers cost countries fortunes with regards to regulation implementation, medical services, lost work, and general advancement and improvement these expenses don't as it were influence the current age; what starts as an attack by one individual on another, resonates through the family and the local area into what's in store"

Keywords- Maltreatment, Sexual attack and conjugal assault

Introduction

- **Presentation and History: -**

Aggressive behavior at home, otherwise called home-grown maltreatment, spousal maltreatment, battering, family viciousness, personal accomplice viciousness, is characterized as an example of oppressive ways of behaving by one accomplice against one more in a personal connection like marriage, dating, family, or dwelling together. Home-grown viciousness so characterized, has including actual hostility or attack (hitting, kicking, gnawing, pushing, controlling, slapping, tossing articles), or dangers thereof; sexual maltreatment; psychological mistreatment; controlling or overbearing, terrorizing; following; uninvolved/clandestine maltreatment (e.g.; disregard); and financial hardship. Liquor utilization and psychological maladjustment can be co-horrible with misuse and present extra difficulties in dispensing with aggressive behavior at home. Mindfulness, discernment, definition of aggressive behavior at home contrasts generally from one country to another, and have developed from one period to another. Aggressive behavior at home can likewise mean danger, criminal intimidation, abducting, unlawfully detainment, intruding, provocation, and following.

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EDUCATION REFORM IN INDIA

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ABSTRACT

India has arisen as a worldwide pioneer and a solid country. Education is the way in to the undertaking of country working as well as to give imperative information and abilities expected for supported development of the economy and to guarantee in general advancement.

Schooling begins with us when we start our life process. From the absolute first second, a child steps into this world, she/he begins to learn. She/he figures out how to cry, to show any kind of distress, grins to show his/her satisfaction and furthermore figures out how to recognize his/her mom's touch. This interaction go on all through his/her life since she/he discovers some new information each snapshot of his/her life. John Dewey said: "Instruction isn't groundwork forever, schooling is life itself India is a Nation of youngsters - out of a populace of above 1.2 billion, 0.672 billion individuals are in the age-gathering of 15-64 years, which is typically treated as the "working age populace". It is anticipated that India will see a sharp decrease in the reliance proportion throughout the following 30 years, which will comprise a significant segment profit for India. This huge populace ought to be considered as a priceless human asset and ought to be given the fundamental abilities in order to engage them to carry on with a deliberate existence and add to our public economy.

Education has been identified as a critical input for economic development and for human resource development. India's education system is divided into different levels such as pre-primary level, primary level, elementary education, secondary education, undergraduate level and postgraduate level. Toward the finish of the tenth Plan time frame, National Literacy Mission (NLM) which was sent off in 1988, covering the age bunch 15-35 years), had made 127.45million people educated, of which, 60% were females, 23% had a place with Scheduled Castes (SCs) and 12% to Scheduled Tribes (STs). It prompted an increment of 12.63% in education - the most noteworthy expansion at whatever ten years. Female proficiency expanded by 14.38%, SC education by 17.28% and ST education by 17.50%.In an exceptional address coordinated by National Literacy Mission Authority (NLMA), Nobel Laureate ProfAmartya Sen, underscored the significance of literacy referring to instances of created countries. He said that the absence of appropriate schooling is the main driver of numerous issues in India and hailed the Right to Education as a vital stage.

Keywords- Education, Elementary, secondary, primary education

Introduction

Plan of Infrastructure Development in Minority Institutions (IDMI) has been operationalised to expand framework in private helped/independent minority schools/organizations to improve nature of instruction to minority kids. Program for Nutritional Support to Primary Training (NP-NSPE) usually known as the Mid-Day Meal Scheme (MDMS) was sent off as a Centrally Sponsored Scheme on fifteenth August 1995 covering all kids concentrating on in Classes I-VIII. The District Education Revitalization Program (DERP) was sent off in 1994 with a plan to universalize essential training in India by changing and vitalizing the current essential schooling system. This essential instruction plot has likewise shown a high Gross Enrolment Ratio

ADULT AND WOMEN EDUCATION

SAAKSHAR BHARAT was sent off in eighth September, 2009 meaning to speed up Adult Schooling, particularly for ladies in the age gathering of 15 years or more. It focuses to raise education rate to 80% by 2012 and lessen orientation hole to half by a similar period. Public Program for Education of Girls at Elementary [illegible] (NPEGEL) is executed in instructively in reverse blocks (EBB).Kasturba Gandhi Balika [illegible] ...modates setting up private upper grade schools for young

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IMPACT OF CYBER CRIME ON THE BANKING IN INDUSTRY

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Abstract

As man is an effigy of mistakes and greed, he and his whole life's hard earned money is taken out by hackers in a jiffy. As long as it is understood by a person, that money is withdrawn either through clone ATM hack or phishing. Bank and Bank Guidelines have given so many facilities in which a person sitting at home can send or take money from his bank to any bank And whenever the convenience increases, then the possibility of fraud will also increase, its an example ATM card, which anyone can get out just by knowing the ATM password.

It is estimated by the Ponemon Institute that banking institutions have lost more than $12.6 billion to cybercrime in 2015 alone. Continuously making headlines with online fraud and scamming, it is no surprise that these numbers continue to grow year after year.

The most recent data from the FBI's Internet Crime Complaint Center reports that a total of 224,246 complaints were filed in fiscal year 2016, with a total of $1,686,827,434 lost as a result of scams and fraud.

For this, there is also a provision in Indian law to punish under certain sections in the IT Act 2000. In fact, the way bank fraud is happening, in which the work of the bank and the image of the bank are being filled and the un-security is spreading from them. The bank itself is worried that how to understand it and understand it. Due to the mistake of the customer and the ATM provided by the bank in a secure way, fraud is done through net banking etc.

Keywords: e-banking, cyber-crime, IT Act, 2000, communication device, computer resource

INTRODUCTION

As we know India is a vast country which is in developing phase where people are not normalise to used of digital things like digital cards , digital payment ,etc. The financial issue or supply of the Indian rupees is controlled by the RBI(Reserve Bank of India) section of the government. RBI is the regulatory body responsible for Indian banking system. It is contrSince the advent of internet banking, in addition to Neft, Rutgers ATM, money can be transferred through third party apps. Since then the possibility of fraud has also increased.olled by ministry of finance , government of India. Prime goal of RBI is to ensure monetary estability of the country and to fulfil the economic challenges by modernising the monitory policy.RBI has small institute called bank across the country where a common man can deposit their money and can take loans at very simple interest . As we earlier told India is a vast country where there is a large number of population where one has to stand in a que for a long time to take out their own savings from their accounts.It is very time consuming for common people those who works in private sector,etc. Keeping that in mind the government has installed ATM (Automated Tellar Machine) across the country from where people can withdraw certain amount of money at a time by using a card provided by the banks. Along with all these things and with this much digitalization here comes the responsibility of security. People can be robbed of their own income, saving if they show a little bit of irresponsiblity while using their ownATM pin (Personal Identification Number).There is a certain procedure to be followed while taking out your money so let no one else can harm your bank account savings. There are lot of people in the city who don't know how to use the ATM and often get theft by some unknown person who knows how to tackle the machine.

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JUDICIAL DELAYS IN INDIA: CAUSES & REMEDIES

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Abstract

Nobody can scrutinize the way that the Justice transport structure in India is struggling. An outline of working of something different than 50 years of Indian Judicial System uncovers that this structure which had worked effortlessly and adequately forhundreds of years has now forgotten to convey Justice expediently there is an outstanding saying that "Value conceded is Justicedenied." With 30 million cases impending in various courts and a commonplace time period of 15 years to get the inquiry settled through court structure, the legitimate structure it can barely be depicted as great. An undertaking is made in this article to highlight the explanations behind legitimate deferments and to suggest recuperating measures for chipping away at the System. .Legitimate deferrals are one of the difficult issues looked by the Indian Judiciary which impacts the right of quick fundamental of the faulted permitted under article 21 for the Indian constitution and moreover debilitates the certainty of general society on the lawful leader. The legal framework in India is perhaps of its most significant organization, however it is likewise one which has been ignored by progressive states, with a lot of its monetary assets going to the military and public safety powers. Thus, it is much of the time seen as a representative establishment in which equity can be purchased or is basically not conveyed by any means. At the point when an inappropriately prepared cop shoots a non military personnel who was plainly not representing a danger, and in this way kills him, the legal executive should be considered liable for bombing in its obligation of apportioning equivalent equity. At the point when a court doesn't give quick equity to the survivor of a street mishap, particularly when the official of the law had recklessly disregarded traffic rules, then it is to legal executive that the fault is coordinated. This obviously demonstrates that the legal executive has not satisfied what is generally anticipated of it, and must consequently be improved in order to satisfy the hopes of its residents.

India has an on-going build-up of multiple million cases, with a couple of courts in the nation working at full limit. The Supreme Court has had over half a greater number of cases than the wide range of various high courts set up (National Crime Records Bureau).

INTRODUCTION

One of the not well characterized circumstances, where our value transport structure has forgotten to come up to people's suppositions is essentially the legitimate leader has failed to convey value rapidly [1]. This defer in transport of value is in actuality potentially of the best difficulties before the legitimate leader. The issue of deferments is most certainly not another - it is by and large around as old as the genuine regulation. The issue has expected to be such a tremendous degree that with the exception of on the off chance that it is handled rapidly and effectively, it will before long crush absolutely the whole construction of our legitimate system[2].Defer in setting of value connotes the time consumed in the evacuation of case, in excess of the time inside which a case can be reasonably expected to be picked by the court. An ordinary future of a case is a characteristic piece of the structure.

No one guesses that a case ought to be picked for the present. Nevertheless, inconvenience arises when the continuous taken for evacuation of the case far outperforms its not unexpected future and that is the place where we say there is delay in distribution of value. Defer in evacuation of cases makes bewilderment among the examiners, yet furthermore undermines the genuine capacity of the structure to present value in a capable and reasonable manner. Long deferment in like manner conquers value in a ton of cases

The tremendous overabundance in the courts has been the subject of number of Reports, chitchats in parliament and lawmaking bodies,in Judicial gatherings and the Media. Supervisor Justice

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BAIL PROVISION UNDER THE CODE OF CRIMINAL PROCEDURE

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ABSTRACT

The launch on bail is essential to the accused because the results of pre-trial detention are extraordinarily harsh and unforgiving. If proper of bail is denied to the accessed it'd suggest that though he's presumed to be harmless until the guilt is proved past the affordable doubt but he might be subjected to the mental and bodily deprivation of prison existence. Bail pending trial is a obligatory degree followed via way of means of the Criminal Procedure Code (hereinafter referred as code), 1973. It is one of the loved rights, claims or privileges of the accused man or woman. The legal guidelines of bail has to do with conflicting needs, particularly, those regarding the necessities of the society for being protected from the risks of being uncovered to the misadventures of accused man or woman, and on different hand, the essential canons of crook jurisprudence viz. the presumption of innocence of an accused until he's located responsible. The, Bail provisions blends the 2 conflicting claims of person freedom and pursuits of justice. Bail has now no longer been described under the Criminal Procedure Code, 1973. The Code has categorised all offences into classes of bailable and non-bailable offence. The paper seeks to talk about the diverse provisions for bail under Indian Criminal Procedural Law.

Keywords: bail, essential to the accused, Criminal Procedure Code, 1973, bailable offences, non-bailable offences, person freedom, hobby of justice.

INTERODUCTION

Bail is a Release of the convicted man or woman to publish a non-public bond or warranty to conform with the situations imposed via way of means of the courtroom docket and to seem earlier than the courtroom docket. Just due to the fact someone is accused of a crime, an countless time period isn't required to maintain the person in custody. The motive to man paying the cash acts because the surety. Getting bail is one of the rights of the accused in a crook case at the same time as it's far the discretion of the bail granting authority in a crook case. Bail refers back to the method of acquiring the transient launch of an accused who's charged with a crime, via way of means of making positive his attendance inside the courtroom docket in destiny for trial and compelling the accused to live inside the courtroom docket's jurisdiction, till he's located, harmless via way of means of the courtroom docket.

Article 21 of the Constitution of India ensures the safety of existence and private liberty to all persons. It ensures the essential proper to stay with human dignity and private liberty, which in flip offers us the proper to invite for bail whilst arrested via way of means of any regulation enforcement authority.

The 'Bail' provision, specially anticipatory bail, is primarily based totally at the criminal precept of "presumption of innocence" i.e. each person accused of any crime is taken into consideration harmless till established responsible. This is a essential precept stated inside the Universal Declaration of Human Rights under Article 11.

Meaning of bail

'Bail' connotes the method of buying the discharge of an accused charged with positive offences via way of means of making sure his destiny attendance inside the courtroom docket for trial and compelling him to stay in the jurisdiction of the courtroom docket.

Definition of bail, as in keeping with the Black's Law Dictionary is that bail is – "the safety required via way of means of a courtroom docket for the discharge of a prisoner who should seem at a destiny time." The goal of arrest is to supply justice via way of means of supplying the accused earlier than the Court. However, if the identical goal may be performed with out making any arrest

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CHILD ADOPTION LAWS IN INDIA

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ABSTRACT

To have a child is a determiner's largest happiness. Adoption appears to be the only manner of attaining this pleasure. It arises as to the panacea to folks that crave youngsters' plight. Adoption may be the most adorable alternative now no longer simplest for unmarried-determine and childless couples but additionally for homeless children. It permits a determine-toddler dating to be installed among human beings now no longer biologically associated. In India, there may be a simple non-public regulation referring to adoption which is the Hindu Adoption and Maintenance Act 1956. Other non-public legal guidelines like Muslim, Parsi. and Christian do now no longer have provisions for Adoption. This paper throws mild on different provisions of regulation with admire to adoption and additionally, the lacunae and shortcomings inside the one's act. acts. it additionally enunciates the function of the judiciary in shaping the adoption state of affairs in India.

Children are notion to be a supply of pleasure, and the united states aAmeric"sdestiny are depending on them. Meanwhile, youngsters born in India are pampered, cared for, and supplied with all the requirements for their average growth, whilst over 60,000 youngsters are deserted in India every yr. It is a sad scenario whilst a number of those youngsters come to be sufferers of human trafficking and sexual abuse, whilst others are delivered to an adoption corporation and given the n desire for a higher lifestyle whilst ready to be followed. A determined best pleasure comes from having a toddler. Adoption appears to be the maximum green way of acquiring this happiness.

Keywords: Hindu, Personal legal guidelines, Inter-united states of America, determine-toddler

INTRODUCTION

India is rustic with superb spiritual diversity. Every faith has its very own set of practices that it follows. The Indian prison gadget consists of customs alongside law to shape regulation. The Indian society, in non-public subjects, is ruled with the aid of using the customs of the 4 maximum customary religions Hindu, Muslim, Christian,s, and Parsi. The non-public legal guidelines of Hindus and Muslims locate the assets in their respective spiritual books. Children are taken into consideration as the destiny of the united states of America. While on one hand, youngsters have properly pampered, looked after, and given all of the requirements for improvement, however, numerous youngsters are being deserted according to yr in India. In a few instances, those youngsters come to be sufferers of human trafficking and sexual violence. In lucky instances, the deserted youngsters are taken to any adoption corporation. Such instances, of youngsters adoption, offer a danger to 2d lifestyles. In its best of senses, adoption is a manner wherein someone assumes the parenting for every other and, in doing so, completely transfers all rights and obligations, in conjunction with filiations, from the organic determine or mother and father.

MEANING OF ADOPTION

Adoption is a prison manner with the aid of using which a toddler is located with a married couple or an unmarried woman who agrees to elevate her as their very own toddler and expects all duty for her. Adoption is a legally authorized manner to formulate a determine-toddler relation among folks that aren't related to the beginning. This -manner has facilitated childless mother and father to have a toddler.

Adoption is the prison act of completely setting a toddler with a determined mother and farther apart from the organic mother and father. Adoption consequences inside the severing of the parental obligations and rights of the mother and father and the setting of those obligations and rights onto the adoptive mother and father. It is a global group. Almost all religions and mythologies

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COMPARATIVE STUDY IN CONSTITUTIONAL LAW: ITS NEED AND SCOPE WITH SPECIAL REFERENCE TO SUPREME COURT CASES

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I. ABSTRACT

Comparative Constitutional Law is a newly animated field in the early 21st century. Before that, this field had no such broad range of interdisciplinary interest, with lawyers, political scientists, sociologists. Now, even economists are making contributions to the collective understanding of how constitutions are formed and how they operate. Such demand has never been there from courts, lawyers and constitution-makers in a wide range of countries for comparative legal analysis and never before the field has been so entrenched, with new regional and international associations providing for the exchange of ideas and the organization of collaborative projects.

This paper emphasizes the broader scope of comparative constitutional law in legal field. With the maturity of the field, it is of utmost importance to know the scope of Comparative constitutional law for academic and legal debate. Such efforts will advance learning to a great level, by giving attention on outstanding questions as well as raising awareness of issues worth pursuing in under-analysed jurisdictions.

Keywords: Comparative Constitutional Law; Foreign Precedents etc.

II. INTRODUCTION TO COMPARATIVE STUDY IN CONSTITUTIONAL LAW

In the globalizing world that we live in, there is an ever-growing convergence of ideas, practices, lifestyles and much more. With the rise of the recognition of a person as simply not an individual of the 'State' to which he belongs, but as an individual with a 'global' identity transcending national and international borders, the law has also kept pace with synchronizing itself in all countries and jurisdictions. Since Constitutional law is the "grundnorm" for individuals all across the globe to be governed by a legal system, the legitimacy the Courts often derive from their counterparts is an interesting and intriguing aspect of studying law and legal philosophy.

Courts in India and abroad, while adjudicating on complex issues of constitutional law, do not remain "cribbed, cabined and confined" to doctrinaire limits set by the black letter law. They expand their horizon and intellectual perspective to learn from other jurisdictions and draw inspiration from their practices and enforcement of legal rights and carve out a niche to bring about evolutionary and purposive interpretations of law.

However, while it may seem appealing to learn from the best jurisdictional practices of other jurisdictions, it remains a contentious component of domestic constitutional practice and adjudication in India. It has been maintained that there is no legal principle prohibiting a constitutional court from relying on these decisions. However, the process must be done with caution, and structural parallels must be carefully examined before applying a foreign court's ruling to a domestic case.

In the ***Puttaswamy*** judgment, the Hon'ble Supreme Court of India traces the entire history of privacy law related judgements in various jurisdictions.[1] The comparative approach is therefore, made clear in very succinct way by the text of the question itself. The use of judgements, as given in foreign jurisdiction, in their specific setting, can at times be relied upon to supplement the rationale of deciding our cases in certain. This tool can never be binding but be only of persuasive value irrespective of the reliance. This would mean that the case that has been decided relying upon the foreign judgment would become a binding principle of law but the decision of the foreign court will be nothing more than a persuasive case law.

[1] (2017) 10 SCC

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FEDERALISM IN INDIA: A SHIFT FROM COOPERATIVE FEDERALISM TO COMPETITIVE FEDERALISM

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I. ABSTRACT

Federalism is considered to be a building block or an intrinsic part of a country's constitutional set-up. In India, for instance, it has been recognised as forming a part of the 'basic structure of the constitution' in the landmark Keshavananda Bharati case. However, the tussle for supremacy of power between the Centre and states defines the type of federalism that is practiced in a particular country. If we were to take the example of India, the Centre is considered more powerful than the states and the states are expected to cooperate with each other and with the Central government for efficient administration in the country; whereas, in countries like the USA, the states have greater autonomy. The paper aims to discuss the various kinds of federal set-up and elucidate on the nature of Indian federalism which is being said to have changed from cooperative federalism to competitive federalism over the years. Various judgments are discussed in this regard in addition to various provisions of the India constitution, such as the VIIth Schedule, All India Services, Inter-state Council, Full Faith and Credit Clause and Zonal Councils evidencing cooperative federalism. On the other hand, recent trends of competitive federalism in India, such as the NITI Aayog, Make in India initiatives and GST are also discussed. The paper ends with a discussion centred on the fiasco surrounding the farm laws and central agencies (such as the CBI) versus states, and analysing the same with reference to the Indian federal set up.

Keywords: Federalism; Cooperative Federalism; Competitive Federalism; Constitution etc.

II. INTRODUCTION: CONCEPT OF FEDERALISM

The concept of Federalism envisages in itself establishment of dual polity, that is, separate governments at the state and central level. In federal structure the two governments are not subordinate to each other rather they are expected to cooperate with each other while working independently.[1] As regards the definition of federalism, there has been lack of consensus amongst the authors. According to Dicey, federalism is a national constitution for a group of states who want to come together to form a union but do not desire unity.[2] Wheare's idea of federalism envisages that governments at different tiers should exist independently and should be restricted to their own spheres.[3] As per Birch, in federal structure there should be division of powers between the Central and the State governments and they should, in their own spheres, coordinate with each other.[4] As per Garner, federal government in contrast to the unitary government is one in which there is commitment to partnership and co-operation while keeping their respective integrity intact.[5]

III. STATEMENT OF THE PROBLEM

The concept of federalism is not static and no legal system around the globe can be said to have a pure federal structure. In India, federal structure is evident from the construction of Constitution itself. However, there are some provisions under the Indian Constitution which to some extent pose a conflict with the federal structure and suggest the unitary nature of the Indian Constitution. The drafters of the Indian Constitution framed it with an aim to ensure cooperation between the states and

[1] Thomas O. Hueglin and Alan Fenna, Comparative Federalism: A Systematic Inquiry, 2nd ed. (Toronto, University of Toronto Press, 2015).
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AN ANALYSIS: TO END CHILD ABUSE

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ABSTRACT-
Children are very innocent, they are like flower. They attract people with their innocents. They make their surroundings happier. They don't put anybody life in danger. But they are always the surrounded by dangers, such as physical, emotional and sexual abuse. Children are the future of their country. And every country has responsible for children's safety. What is participation of children's safety and what is the effort of country in such field. We are study in such topics. In present most of the children are become victims of child abuse.

Today child safety is an important issue. Many government and non-government organizations are working in the field to end child abuse. [1] Objective of the research article is to analyse the laws related to child preventions and to aware everyone to child safety and their laws. It is Doctrinal research. it is totally based upon literature. In this research article we used secondary sources of data. For this we review different law books such as constitution book, law and transformation and law related to child. And besides this we review some journals, articles and research papers on internet sources. Through this research article I want to pull attention of people, that we need to change are behaviour regarding to children.

INTRODUCTION:
Child abusing is a serious crime with the child. It is a cruel behaviour with the children. Child abuse means a bad action or behaviour done with a child. when a child has been treated mentally or physically hares by others, then we called, it is child abusing behaviour. child abuse happens in all society and cultural, ethnic, and economic groups child abuse is a worldwide issue in India. It is a stigma for our country. India is a holy country, where children are considered as the form of God. specially, worship of girls as the Goddess. In India people celebrate the festival of 'NAVRATRI' and worship the girls as 'MAA BHAGWATI' and boys as 'LANGOOR'. And after this many people abuse the children [both boys and girls].

Today child abuse problems take a serious face. it is not only a city or state's problem but it's all over the world's serious situation. Often, we think that all social evil and crime's cause lack of education and lack of knowledge. But from the oldest time to present time level of education continue increase, and other side child abusing matters also increasing. child abuse occurs in every society, it is not limit to only one society, one state one city children or one country. but it is all over the world. [2] Child abuse is a heinous crime. It destroys the child's whole life. It not only affects the lives of children but always affects the whole society. Often it is said that children are the future of country, and if the lives of children are in danger, then how we expect to development of country. Indian Government made many laws for child's wellbeing, and protection, but they are not success to provide protection and end child's abusing.

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[1] Sinha Shreya Role of judiciary in protection of children 2021 march 28 see on https:// www.crccnlu.org visited on 21 July 2021.

[2] KARNIKA child harassment speech, poem 2021 page 1. In https://www.deepawali.co.in/child

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CRITICAL EVALUATION OF THE FUNDAMENTAL RIGHTS UNDER THE INDIAN CONSTITUTION

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ABSTRACT

TThe inclusion of bankruptcy of Fundamental Rights within side the charter of India is according with the fashion of current democratic thought, the concept being kept that that is a quintessential circumstance of a can unfastened society. The goal of getting an essential right announces that sure primary rights, such as proper life, liberty, freedom of speech, freedom of religion, and so on, ought to be deemed as inviolable below all situations and that the transferring majority in the legislature of the united states of America ought to now no longer have an unfastened hand in interfering with those essential rights. In West Virginia State Board of Education V. Barnet, Jackson, J. explaining the character and the motive of the Bill of Rights observed:

"The very reason of a Bill of Rights changed into to withdraw positive topics from the vicissitudes of political controversy to region them past the attain of majorities and officers and to set up them as criminal ideas to be implemented through the Courts. One's proper to lift liberty and property, to loose speech a loose press, freedom of worship and meeting and different essential rights won't be submitted to vote, they depend upon the final results of on elections."

India is credited with having one of the greatest democratic constitutions within side the world. And rightly so. For, even though the Indian Constitution has passed through many amendments and has been subjected to several criticisms, it has stood the take a look at the time and has emerged because the beacon of hope, making sure liberty, equality, and justice to the citizens. It is in this context this complete and systemically prepared ee-e book on Fundamental Rights and Their Enforcement, written with the aid of using Prof. Udai Raj Rai, an eminent educator with great criminal acumen, turns into so significant. The ee-e-book is a have a look at the essential rights assured beneath neath Part III of the Constitution. Divided into 15 chapters ??" every bankruptcy is once more divided into parts ??" the eee-book discusses elements of Liberty-primarily based rights consisting of proper freedom of expression and different article 19 rights; existence and private liberty; preventive detention, capital punishment, and prisoner???s rights; and freedom of religion. Then it is going on to present an in-intensity evaluation of Equality-primarily based on total rights ??" equality earlier than law; non-discrimination and same opportunity; social reservation; Liberty and Equality-primarily based on total rights??" social equality and proper training in addition to minority rights to set up and administer instructional institutions. The ee-e be-concludes with complete insurance on attaining of essential rights; its violation; enforcement of the rights; Directive Principles of State Policy; and the essential responsibilities of citizens. The e-book look being juridical have a look at, the emphasis is on analytical and essential have a look at critical Supreme Court judgments. So, such most important judgments as A.K. Gopalan and Maneka are highlighted. The difference in between - Maneka and post - Maneka jurisprudence are likewise certainly added out. Besides, there's a tricky dialogue at the proper information, unique troubles concerning media freedom, and the Law of Contempt of Court which, the writer feels, wishes amendment. This well-balanced and well-reuse research."

KEYWORDS : The Indian Constitution includes democracy, Sovereign, socialism, temporal, Popular, Republic, Justice, Liberty, and Equality are the keywords.

INTRODUCTION

TThe Constitution of India is the perfect regulation of India. It frames essential political principles, procedures, practices, rights, powers, and obligations of the government. It imparts constitutional supremacy and i[illegible] no longer parliamentary supremacy, because it isn't always created with the aid of using the P[illegible]nt but, with the aid of using a constituent assembly, and followed with the aid of

ABROGATION OF ARTICLE 370 OF THE INDIAN CONSTITUTION: AN ANALUTICAL STUDY

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ABSTRACT
"Architects of the Indian charter had been keen to make the u . s . a . sovereign solid, non violent and to shield the human rights of people. Constitutional legal guidelines contributed a completely pivotal position to make the u . s . a .'s judicial gadget on proper music for the sake of u . s . a .'s gift floor truth complicated eventualities and the destiny has been made secured for our parliamentary gadget is primarily based totally on upgrading or new constitutional legal guidelines. But arguable Article 370 has supplied the Jammu and Kashmir country good sized powers because the self sufficient frame which created many complicated issues consisting of the risk of harmony of the u . s . a . and our authorities bifurcated the country into successors "Union Territories" with extra confined aboriginal administrative powers beneath the Central Government. This Article become a "Temporary Provision" and it become crucial to abrogate, adjust and to put off this text. Article 370 has a ancient historical past that doesn't emerge from felony or constitutional dimensions however it has complicated political and spiritual dimensions which have an effect at the worldwide border noticcably complicated troubles among India and Pakistan. Pakistan's authorities has been claiming over J&K in view that 1947. Dispute of L.A.C. "Line of Actual Control" around "No Men's Land" and retain to complicated troubles of "Line of Control" with Pakistan were taking place in view that 1947, while China has been claiming on our land that is placed close to to Ladakh. The United Nations deliberates J&K to be disputed territory among Indo - Pak, however New Delhi, the popularity quo party, calls the latest felony adjustments an inner be counted and it also includes opposing third –component involvement within side the Kashmir issue. Since the start of this be counted Article 370 Dr. B.R. Ambedkar, the daddy of the Indian charter become definitely disagreed in introducing this text in our charter. In this Dissertation studies work, abrogation of Article 370 of the Indian charter is taken as a "Legal Analytical Study" had been focusing the complicated troubles and be counted of duties within side the making of Article 370 and its proper implication, Division of State via way of means of The Union Govt., Distinct formation of High Court, Emergency Provisions as Temporary and Transition, Fundamental Rights and Ground Reality Scenarios beneath-neath The Constitution of Indian and its Problem-Solving Skills implementation on floor truth complicated eventualities have effect on The Valley of Kashmir (Jammu – Kashmir, and Ladakh) toward u . s . a .'s peace and worldwide solid and modern relations. The desire is that the great aggregate of Muslims (Kashmiris - One Divine Wisdom) and Buddhists (Ladakh from Tibet University - Lhasa) offers us a completely unique way of life and scope of superior destiny improvements to reshape the risky u . s . a .'s conditions in non violent, enlightened and superior improvement beneath-neath the umbrella of Indian Constitution."

KEYWORDS
Article 370, Temporary Provisions, Union Territories, Ground Reality Scenarios, Human Rights, Legal Analytical Study, Problem Solving Skills, Country Peace, Stability, Advanced Development, International Stable and Progressive Relations, The Constitution of India, The Valley of Kashmir (Jammu- Kashmir and Ladakh), Article 370, Temporary Provisions, Union Territories, Ground Reality Scenarios, Human Rights, Legal Analytical Study, Problem Solving Skills, Country Peace, St

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MARITAL RAPE: INDIAN PARADOX

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ABSTRACT
Marital rape is an aspect of marriage that is ignored by the current legal framework. This study aims to provide light on the issue and current legislation that a partner can utilize as a defence in the instance of marital rape. There are many opposing viewpoints on the subject of martial law, but few believe that criminalizing it would jeopardize the institution of marriage and that courts aren't authorized to meddle with what happens between husband and wife.
India is the world's seventh-largest country, and the rate at which crime rates are increasing is disturbing and embarrassing for such a vibrant, multi-cultural, large, and secular society. Marital rape is currently the most pressing issue in the realm of women's rights, and it also breaches various constitutional prohibitions. Someone correctly stated that a country's growth and development may be measured by the status and respect shown to its women.
In this paper, the researcher will discuss the extent of marital rape in India, the laws that it infringes, a comparison of the laws of other successful countries to the laws in India, an analysis of why it hasn't been legalized yet, and why it should be legalized, and a final note on suggestions and conclusions.
keywords; Marital rape, right to privacy, Constitutional and IPC provisions, Comparative aspect, etc

Introduction
When it comes to the events in India, the concept of marital rape has always been in the spotlight. Indian law focuses on rape, sexual assault, and torture, but it ignores the concept of marital rape. It is not that marital rape is not common in India, nor is it uncommon, but the central government seems to believe that it will lower family values and make a powerful contribution to the marriage system[1]. They further said that if the spouses are granted a legal role, they will be harassed. The act of starting sexual intercourse with one's spouse without the other spouse's consent is sometimes referred to as marital rape. Marital rape has been criminalized in many forward-thinking countries, and it now has the same legal penalties and statutory status as rape against anybody else.
India is the world's seventh-largest country[2], and the rate at which crime rates are increasing is disturbing and embarrassing for such a vibrant, multi-cultural, large, and secular society. Marital rape is currently the most pressing issue in the realm of women's rights, and it also breaches various constitutional prohibitions. Someone correctly stated that a country's growth and development may be measured by the status and respect shown to its women.
Everyone has an opinion on whether or not marital rape should be punished or considered a normal part of marriage. The question, in this case, is whether the provisions of the Indian Penal Code and the Indian Constitution protect marital rape or whether they deny its illegality.
In the second half of the twentieth century, the concept of marital rape gained international attention and momentum. International organizations began to work on the concept of marital rape to bring light to the dark, hidden violence against married women. Although international accords and regulations have rendered marital rape null and unlawful, certain countries continue to practice it as part of the institution of marriage.

[1] Nandni Sharma, Marital Rape : Can Marriage be taken as a license to Rape?, OUTLOOK (Mar. 06, 2021, 07:34 AM) https://www.outlookindia.com/website/story/opinion-marital-rape-can-marriage-be-taken-as-a-license-to-rape/376280
[2] Largest countries in the World 2022, WORLD POPULATION REVIEW, https://worldpopulationreview.com/country-rankings/largest-countries-in-the-world

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ENCAPSULATED VIEW ON CRIMINAL PROCEDURE (IDENTIFICATION) BILL, 2022

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Abstract
The criminal procedure (identification) bill, 2022 introduce in parliament, the Bill 2022 wants to repeal the identification of prisoners Act, 1920 this Act was given by the queen era. Even after being 100 years, we are still carrying it, society is dynamic so that law is also dynamic we need to change those law because if there are modern people, then there is also modern crime, if everything is being developed, then new ways of crime are also being developed. For the developed society we need developed law just because of this bill has been introduced. In India, the cases go on for many years, and the police have the evidence but sometimes they get lost, some cases are 20 or 30 years old so it is difficult to keep and remember the evidence, so this bill was produced. So that when the online record will be there. In this bill, records of criminals will be maintained for 75 years and the work of police will be easy. This articles puts light on the issue which arisen from this Bill.
Keywords- Identification, right to privacy, individual, protection, DNA technology, etc.

Introduction

Parliament got the consent of the President on the eighteenth April, 2022 and in this manner published general information - The Criminal Procedure (Identification) Act, 2022 No.11 of 2022," a gazette notification issued by ministry of law and justice. The Bill looks to refresh a British-period law to empower police to gather tests of an individual's biometric subtleties. for example, fingerprints and iris examines, assuming they have been captured, kept or put under preventive confinement on charges that draw in a prison term of seven years or more. The Bill came and if it becomes Act it will be replace the Identification of Prisoners Act, 1920. A Magistrate might arrange estimations or photos of an individual to be taken to help the examination of an offense. In the event of absolution or release of the individual, all material should be annihilated.

There have been propels in technology that permit different estimations to be utilized for criminal examinations. The DNA Technology (Use & Application) Regulation Bill 2019, (forthcoming in Lok Sabha) provides a structure to including DNA technology accordingly. In 1980, the Law Commission of India, while analysing the 1920 Act, had seen the need to alter it to adjust it to introduce day designs in criminal assessment. The chapter 1 clause 1.7 in the report is in this way stressed over coercive measures used in the insightful cycle in the data of such coercive measures a balance should be struck between the honours of an individual and the essential need in light of a legitimate concern for the overall population for the protection and explicit of bad behaviour. There in conflict two contrary interest of the resident to be safeguarded from interruption of his physical, protection and the interest of the state to get confirmation which has a heading upon the commission of bad behaviour are in conflict. We are utilizing the expression privacy showing those values which an edified society might want to love for the security the human craving for mystery and anonymity as additionally for independence from physical interference.[1]

In March 2003, the Expert Committee on Reforms of the Criminal Justice System (Chair: Dr. equity V. S. Malimath) recommended rectifying the 1920 Act to empower the Magistrate to endorse the combination of information, for instance, blood tests for DNA, hair, spit, and semen. Section 293(4) of Cr. P.C. enlists the scientific experts namely-

a) Any chemical examiner or assistant chemical examiner to gov..

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CRITICALLY EXAMINATION: PEGASUS IS VIOLATIVE OF RIGHT TO PRIVACY

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Abstract-

Today, technology plays an important role in formation and operating the world. There are two aspect of technology in the world. First, for the welfare of the world. Second is where technology is used for bad purpose. So we need to control on it by the world focus in particular issue. Recently a new virus, which is news named 'Pegasus' which is built by the Israel institutions for good purposes. Yet, in India a news to a resistance claim that administration utilizes it to take the information of a specific individual.

This is a spyware instrument made by an Israeli firm, the NSO Group. Spyware spy on individuals through their telephones. Pegasus works by sending an endeavour connect, and assuming the objective client taps on the connection, the malware or the code that permits the reconnaissance is introduced on the client's telephone. Whenever Pegasus is introduced, the aggressor has total admittance to the objective client's telephone. This article puts light on the issue which arisen.

Keywords- Data, Pegasus virus, malicious, breach of privacy, etc.

Introduction-

"Each resident has the option to the sacredness of his home"
"Each resident has the option to the mystery of his correspondence"
"Each individual has the option to be liberated from obstruction in his family relations"

K.M. MUNSHI

Recently, a worldwide cooperative analytical exertion, named the project of Pegasus, uncovered that Israeli organization NSO Group's Pegasus spyware designated north of 300 cell mobile numbers in India. According to reports, somewhere around 40 columnists, Cabinet Ministers, and holders of established positions were conceivably exposed to observation.

Pegasus is a Greek word that implies an immortal winged horse in Greek folklore and hereinafter it is alluded to as the spyware developed by the NSO. NSO, an Israeli innovation firm represents N-Niv Carmi, S-Shalev Hulio, O-Omri Lavie, names the three pioneers behind the organization. The NSO bunch however has denied any bad behaviour on its part, attesting that the product was planned to be utilized against likely crooks and fear gatherings and was simply made accessible to the legislatures, military, regulation authorizing agencies, and intelligence organisations from nations with unrivalled records of human rights, the media reports state in any case. The NSO has likewise negated the reports advanced after a unique examination by the Paris-based NGO Forbidden Stories and the human rights bunch - Amnesty International. Their procedure was freely explored by Canada-based - 'The Citizen Lab' who detailed the philosophy embraced by Amnesty International.

The genuine claim against the alleged programming - Pegasus is that it taints the two IOs and android clients, permitting programmers to gain admittance to messages, calls logs, photographs and, messages; can likewise record calls; and covertly actuate mouthpieces and cameras for ongoing observation at key minutes, attacking security of people without their insight or assent. The motivation behind why this product/spyware is in the news is a result of this supposed Breach of Privacy. A great deal of people across the globe have raised the worry of Privacy breaks as information from their cell phones has been gotten to by hacking into it.

In India: In 2019 additionally, Facebook-possessed WhatsApp had confirmed utilization of Pegasus to target writers and common freedom activists in India. All things considered it was claimed NSO Group focused ... WhatsApp clients with Pegasus. Among those then designated in India ... in ancestral regions, an Elgar Parishad

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JUSTICE TO VICTIM OF CRIME

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Abstract
A major concern that the legal system has espoused in recent times is promoting the role of justice to the victims. This goal is the other side of the criminal justice system's spectrum because every crime has simultaneously the offender's and victim's. It is required to be noted that the balance of justice can ill-afford to ignore any of the sides. The very genesis of criminal law is traceable to a set of principles that primarily aimed at compensating the victim. Ancient Indian law givers prescribed a duty upon the wrongdoers to compensate the victims of offences against property in addition to undergoing a process of purification, and in the alternative duty of the king to compensate if the stolen property could not be recovered.[1]

Introduction
Victim of crime means a person against whom a crime has been committed or against whom a criminal activity has been done as well as a person who has suffered loss because of the commission of a criminal act. In Oxford English Dictionary the term victim has been defined as, "*Victims is a person who is put to death or subjected to misfortune by another, one who suffers severely in body or property through cruel or oppressive treatment : one who is destined to suffer under some oppressive or destructive agency : one who perishes or suffers in health etc. from some enterprise or pursuit voluntarily undertaken.*[2]
According to New Webster's Dictionary, victim means, "*a person destroyed, sacrificed or injured by another or by some condition or agency; one who is cheated or duped, a living being sacrificed to some deity, or in the performance of a religious rite*".[3]
In India, the term "victim of crime" has been administered a definition under Section 2(wa) of the *Code of Criminal Procedure*, 1973 and according to this section the term *"victim" means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression "victim" includes his or her guardian or legal heir.*[4]
Initially the criminal justice system in India was focused on punishment as part of the crime without much attention to the victims of crime.

Statement of the Problem
The research gives answers to the following questions
i) Why is the study of the victim and his role during criminal proceedings important in criminal law?
ii) What is the plight of the victims of crime in India?
iii) What are the emerging trends with regard to the victim compensation?
iv) What is the scheme in India with regard to the protection and relief to the victims of crime?

Object of the Study

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[1] P. Ishwara Bhat, *Law & Social Transformation,* Eastern Book Company, Lucknow,2009, p.845.
[2] G.S. Bajpai, "*Criminal Justice System Reconsidered, Victim and Witness Perspectives",* Serial Publications, New Delhi, 2012, p.90.
[3] *ibid.*
[4] S.N.Misra, *The Code of Criminal Procedure (Amendment Act 2008), 1973,* Central Law Publications, Allahabad, 2011, p.7.

INDEPENDENCE OF JUDICIARY IN INDIA

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Abstract

According to Justice **P.N. Bhagwati,** "the principle of the independence of the judiciary is not an abstract conception but it is a living faith which must derive its inspiration from the constitutional character and its nourishment and its sustenance from the constitutional values. It is necessary for every judge to remember constantly and continually that the constitution is not a non-aligned national character. It is a document of social revolution which casts an obligation on every instrumentality, including the judiciary which is a separate which is a separate but equal branch of the State to transform the status quo ante into a new human order in which justice, social , economic and political will inform all institutions of national life and there will be equality of status and opportunity for all. The judiciary has therefore a socio-economic destination and creative function."[1]

Introduction

According to **Montesquieu,** ***there are three organs of Government, namely – the Legislature, whose duty is to enact laws; the Executive, whose duty is to enforce the laws so enacted by the legislature; and the judiciary, whose duty is to interpret the laws.*** Thus, according to him, all the above three organs must be with separate and independent powers and areas of responsibility so that no branch has more power than the other branches of each other providing with some checks and balances for providing effective government.

Statement of the Problem

The appellate jurisdiction of the Supreme Court is very wide. It covers all civil, criminal and constitutional cases decided by the High Courts. By having the power to interpret the provisions of the Constitution, it has become the guardian of the Constitution. "Misbehavior by any judge, whether it takes place on the Bench or off the Bench, undermines public confidence in the administration of justice and also damage public respect for the law of the land, if nothing is seen to be done about it, the damage goes unrepaired."[2]

Object of the Study

The object of placing the power of judicial appointments in an independent body is to remove patronage from the system and ensure that judges are appointed only on the basis of their qualifications.

In the three judges' cases, **S.P.Gupta v. UOI**[3], **Supreme Court Advocates on Record Association Vs UOI**[4]and **Special Reference 1 of 1998**[5], the Supreme Court has virtually re-written Articles 124(2) and Articles 217 which pertain to appointment of Supreme Court Judges respectively. The word "collegium" is nowhere present in the constitution. It was first used by Bhagwati J. in the majority judgement of S.P. Gupta vs. UOI (4:3). Again in the Presidential reference the expression "collegium" and "collegium of judges" has been used. Any addition of

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[1]*S.P. Gupta v. Union of India* AIR 1982 SC 149

[2]J.C. Johari,, The Constitution of India- A Politico-Legal Studies, 1st Ed., Sterling Publishers Pvt. Ltd. , New Delhi (1996) , p. 175

[3]AIR1982 SC149
[4]1993(4) SCC 441
[5]1998(7) SCC 739

HONOR KILLING IN NORTH INDIA

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ABSTRACT

India is a multicultural society with pluralism. Indian subculture is primarily based on an exclusive set of values, beliefs, faiths, and ideologies of religious holy books like Gita, Mahabharata, Bible, and Kuran. It is deep-rooted in its patriarchal subculture which exists in Indian community considering the fact that time immemorial and in patriarchal society, women are taken consideration torchbearers on speaking to oneself of relatives honor. This honor is of extreme significance for indian families. India being the biggest democracy of the arena nonetheless right here in a few components of the usa womens don't have proper to explicit their desire of marriage they don't have the proper pick the get dressed they wear; they can not do some thing in their desire towards the network hobby and customs of subculture. If they achieve this they are countered via way of means of the participants of speaking to oneself of relatives withinside the call of Honor and this offers upward push to a brand new crime of Honor killing i.e. killing withinside the call of Honor to regain the honor and esteem of speaking to oneself of relatives. Honor killing or cultural killing are commonplace exercise wherein a member of speaking to oneself of relatives is killed via way of means of different different because of notion of perpetrators that this individual has delivered dishonor to the speaking to oneself of relatives via way of means of any act. The term "HoNoR" in Honor killing is misnomer as there's no Honor in killing a person via way of means of quashing their freedom of desire and expression withinside the call own of circle of relatives Honor. There aren't anyt any particular legal guidelines for the sort of heinous crime and because of this numerous cases stay unreported and unnoticed.

Keywords: honor killing, custom, cultural killing, legislation, khap panchayat

INTRoDUCTIoN:

In Indian air, wherein on the whole the wave of patriarchal of speaking to oneself relatives flows, Honor became out to be some thing that is loved above all of the different thing. People, as a way to defend the "Honor" in their speaking to oneself of relatives, tribe and network, in no way hesitated to even kill their close to and pricey ones. Honor killing can be characterised as a dying this is Honored with a female of the group to marrying in opposition to the parent's desires, web website hosting extramarital, premarital relationships, marrying in the equal gotra or outdoor one's role and marrying a cousin from an exalternate role. Honor killing has emerged as a gender primarily based totally crime. There are usually incidents approximately Honor killing of daughter and son-in-regulation and in no way approximately male Honor killings. Those who take part in Honor killing frequently justify their act through pointing out that their movement will offer deterrence to others and could save you them from committing such an act as a way to carry shame to their speaking to oneself of relatives and society. From the beyond, the rate to defend the honor of the speaking to oneself of relatives become usually paid through girl peoples, who had been visible as susceptible and structured, are shouldered with the duty to keep purity and Honor of the speaking to oneself of relatives.

The predominant motives in the back of the incidence of Honor killings consist of disobeying the get dressed code given through the network to females, refusal to set up marriage, marrying character outdoor the caste or faith, conducting lesbian and homosexual relationships or conducting pre-marital or extra- marital sexual interest whether or not consensual or non-consensual.

Even if the speaking to oneself of relatives desires, it isn't always allowed to settle the problem of inter-caste marriages amicably however is pressured to deal with it as a remember of Honor through the network which is prepared to take over if the speaking to oneself of relatives is unwilling, thereby forcing the speaking to oneself of relatives to sacrifice their daughters withinside the collective pursuits of the caste or [illegible]on. Thus, the idea of Honor operates on the price of human sentiments and values.

DOMESTIC VIOLENCE AGAINST WOMEN IN INDIA

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ABSTRACT
A ladies who has been basis stone of own circle of relatives and society in fashionable who offers beginning to existence, nurtures existence, shapes it, and make stronger it, who's transmitter of subculture and an tool thru which subculture is preserved and transmitted from era to era, the best tragedy in our U. S. is that grave injustice is accomplished to her. She is subjected to home violence no matter her age, race, and caste, social and monetary and political reputation. Her vulnerability in numerous paperwork is the not unusual place phenomenon in Indian society. The silent sufferings of a ladies is making her clean prey to the male domination that is supported through ordinary patriarchy. The authoritative, autocratic nature of male member in society and victimization of woman makes the scenario worst. Almost each domestic in India need to be laid low with a few type of home violence wherein ladies as a daughter, daughter-in-regulation, or as a spouse are abused bodily, mentally, verbally economically. Men and ladies each are identical in human proper. Women are discriminated on this male dominating society. The end result maximum of ladies are not able to recognize their very own proper and freedom. Thus home violence now no longer most effective hampers ladies however additionally impedes the U. S. growth. This paper offers with home violence opposition of ladies in India, its numerous paperwork, its reasons and answer for home violence also are mentioned on this paper.
KEYWORDS: Domestic Violence, Relationships, Partner, Socio-cultural, Abuse

INTRODUCTION
Domestic violence is antique as recorded records have been mentioned in genuinely each society, each civilization. Discrimination and oppression main to bodily, intellectual or emotional violence were regular part of each patriarchal society. Except latest reference is discovered, home violence has been each socially and legally acceptable. Some crucial event, laws, codes, offer historic context, inside which conceptualization of home violence will become crystal clear. Two essential factors blended to seal the reputation of ladies are gents dominance and projecting ladies as 'belongings' an item belonging to guys and secondly expectancies from ladies have an ideal 'position model' match every different, in this sort of manners to make her susceptible and concern to discrimination, oppression and kinds of victimization and resultantly compel their subordination.

"Violence opposition of ladies is a manifestation of traditionally unequal energy family members are women and men, that have caused domination over and discrimination opposition of ladies through guys prevention of all development of ladies..." violence is bodily, sexual or mental abuse directed closer to one's partner, associate or different member of family with withinside the family. Domestic violence takes place while member of family, associate or ex-associate tries to bodily or psychologically dominate or damage the opposite. It takes place in all cultures, humans of all races ethnicities and religions may be perpetrators of home violence. Violence opposition of ladies is mainly intimate associate violence and sexual violence opposition of ladies is the essential public fitness issues and violations of ladies's human proper. According to 2013 a international overview of to be had data, 35 in line with cent of ladies international have skilled both bodily and or sexual intimate associate violence or non-associate sexual violence. However, a few country wide violence research display that as 70 in line with cent of ladies have skilled bodily and or sexual violence of their lifetime from an intimate associate.

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THE INDIAN WAY OF REFORMING PRISONS

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Abstract
Reforming prisons in India is one of the most important subjects to address because the conception of viewing inmates as inanimate objects since they have done something illegal but still have the right to life in the situation of under trial prisoners. If we link the jurisprudence that underpins the concept of prison in India, we will find a relationship between the reformative theory of punishment and the aim to imprison an accused or convicted person. The ideology is to transform the prisoner's mind into a better person; the objective is to transform such an individual into a better man who gives value to society. Reforms are not novel thing to prison but still there is a lot which has to be taken care of. The data from the prisons are indicating the real and true picture of the prisons. Although there were many reforms which had taken place in the past but do we have achieved an idle structure of the prisons in India? The liberal viewpoint on reform holds that major improvements in the prison system are achievable without fundamental changes in the rest of society, whereas the radical viewpoint holds that fundamental changes in jail can only occur through radical changes in the society itself. The attitude of society toward inmates must be modified along with infrastructural reforms.

Keywords: Prison, Prison reforms, State Initiatives, Right to life, Supreme Court Judgements, Model Jail Manual, Reports

Introduction

The Timeline of Prisons in India depicts the shifts in society's attitude to crime over time. Ever since beginning of civilization, India seems to have had a well organized prison system to penalize habitual offenders. The jail system has existed since the dawn of civilization. It is a mechanism of penalizing the perpetrator for the offender. A prison is a facility where persons who rebel against society, state, or country or attempt to damage them are detained and subjected to punishment. The primary goal of keeping offenders in prison is to rehabilitate them so that they can begin a new life. There are other provisions for short-term confinement, life imprisonment, and the death sentence for some other prisoners. Since its establishment, imprisonment has been regarded as a modern method of dealing with offenders.

The question here is why do we need prison reforms? Because social cohesiveness is dependent on long term ties, imprisonment interrupts relationships and diminishes social cohesion. When a family member is imprisoned, the family structure is disrupted, altering connections between spouses as well as between parents and children, altering the family and community across generations. Mass incarceration causes profound societal transformations in families and communities. Prison affects both the prisoner and his impoverished family. When a family member who generates revenue is imprisoned, the entire family must suffer and adjust to the loss of income. Moreover some prisoners are afflicted with various diseases before entering the jail, or they become afflicted after entering the prison. As a result, there is no healthy environment in the prison. It is overcrowded, there is no fresh air, and there is a lack of adequate and nutritional food.

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THE REFORMATIVE THEORY OF INDIAN PUNISHMENT SYSTEM.

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Abstract

Mahatma Gandhi once said that an eye for an eye will blind the entire world. He preached a message of nonviolence and forgiveness. These were the principles that led to India's independence. Similar principles have been incorporated into Indian legal system. Various punishment philosophies are implemented in order to justify the punishment of offenders. People's perceptions toward punishment evolved as society's conventions changed. Individualism is at the heart of the reformative or restorative view of punishment, which focuses on the reformation of offenders. The promoters of this philosophy argued that by treating offenders with sympathy, sensitivity, and love, they may undergo a revolutionary change in their personalities. Even the most hardened criminals can be reformed and converted into beneficial allies with pleasant words and kind ideas.

If criminals are to be sent to prison in order to be transformed into decent citizens by physical, intellectual, and moral training, prisons, in Salmond's perspective, must be transformed into nice living spaces. Many incorrigible offenders are beyond the reach of reformative influences, and for whom crime is not a bad habit but an instinct, and they must be abandoned to their fate. However, critics point out that the fundamental and most important goal of criminal justice is deterrence, not change. Rehabilitative sentencing is another name for reformative sentencing. Punishment is intended to "transform the criminal as a person, so that he can once again become a normal law-abiding member of the community."[1]

Through this article we will look into the aspect of how much it is still relevant in prevailing conditions.

Keywords

Punishment, Theories of Punishment, Reformative theory, SC Judgments on Punishment

Introduction

According to the dictionary, punishment entails the state's judicial arm inflicting pain or a penalty on the wrongdoer. Because the law is the thread that links society together, anyone who breaks it is an offender who will be punished. Because punishment is a form of social protection, it usually deprives the offender of certain rights that are normally available. If the main objective of punishment was to cause suffering, it would be ineffective. However, if the penalty causes the wrongdoer to realize the seriousness of his crime, it is deemed to have achieved the desired result.

Punishment is a means of Social Control. **H.L.A Hart with Mr. Bean** and **Professor Flew** have defined "punishment" in terms of five elements:

- It must involve pain or other consequence normally considered unpleasant.
- It must be for an offense against legal rules.
- It must be intentionally administered by human beings other than the offender.
- It must be an actual or supposed offender for his offense.
- It must be imposed and administered by an authority constituted by a legal system against which the offense is committed.[2]

[1] *FM-Banks.qxd (sagepub.com)*
[2] *Reformative Theory of Punishment - Academike (lawctopus.com)*

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SEPARATION OF POWERS: A COMPARATIVE ANALYSIS OF INDIA AND UNITED STATES OF AMERICA

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ABSTRACT
The doctrine of separation of powers between the different wings of the government distinguishes between the powers of three main components of democracy – legislative, judiciary and executive. If this separation is not there democracy will lose its identity and will eventually become a dictatorial state and there always be overlapping and clash between tiers of the government. This paper compares the application of doctrine of separation of powers in India and United States America.

INTRODUCTION
This doctrine[1] ensures mutual exclusiveness of three wings of the government i.e. legislative, executive and judiciary. Primary idea behind this categorization is that each organ of the government shall exercise respective functions only. Which means there should not be a situation where all the burden shifts onto any one tier and exercise of power by which it takes form of tyranny and function according to personal whims and fancies. Therefore purpose for implementing this doctrine is to ensure and guard against arbitrary exercise of powers of state. If only one organ exercises all the powers there is a possibility that it would curb individual freedom, to avoid such situation this has been introduced.

STATEMENT OF THE PROBLEM
Power is a tool which when separated adequately brings prosperity and when accumulated can amount to unchartered consequences. It is very much evident that in every nation there should be a separation of power in order to flourish. This is a very concerned objective right from the start when humans came into existence and therefore it should be open to interpretation. In today's modern world, many nations have paved there way having a successful separation and whereas many end up struggling to change the primitive path.

OBJECTIVE OF THE STUDY
An effort made here to disintegrate the existing varied systems prevalent in the world's top democratic nations being the biggest democracy and oldest democracy. There is an old saying that "power corrupts but absolute power corrupts absolutely". The doctrine came into being when people were trying to look for better solutions from tyranny, to them this arrangement proved helpful.
Off course it's not possible for any state to trace exactly how this doctrine came into existence. However writings of great scholarly like Greek philosopher Aristotle possibly one could trace basic idea of doctrine of separation of power
Also the English theorist John Locke[2] visualized threefold classification of powers of the state. While writing "The second treatise of government" he distinguished between three types of power: legislative, executive and federative.

REVIEW OF THE LITERATURE
Separation of power gained importance with Montesquieu's view on the doctrine. He deduced his ideas of separation of powers from his observations and ideas of the relations between the Stuart King and the Parliament. He thought that Parliament would never be arbitrary, and the denial of

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CORRUPTION IN INDIA & ITS IMPACT ON HUMAN RIGHTS : A CONSTITUTIONAL PERSPECTIVE

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ABSTRACT
A constructive barrier holding back any nation to excel in numerous dimensions credited to be Corruption. It is the prime factor instigating the advent of a stalled growth while taking a reverse trajectory which is far apart from development. Consequently, it decays the nation in every aspect whatsoever. Therefore, it is appreciated that we should have a look into the fact of the matter as to what impacts are observed over a country and the citizens of that country whereas we try to find the impact of corruption in India and the impact on human rights.

INTRODUCTION
The term corruption is derived from the Latin word corruption which means "moral decay, wicked behaviour, putridity or rottenness". Corruption in common parlance is associated with giving and accepting some kind of compensation in the form of money, office or position fora service, rendered in an illegal form, or by overstepping ones legal authority.
In India, corruption attacks the fundamental values of human dignity and political equality of the people and hence there is a pressing need to formulate a fundamental human right to corruption-free service. The development of a fundamental human right to a corruption-free society will be observed initially from an international perspective so as to elevate the violation of this right to the status of an international crime. This would provide the comparative basis to elevate the right to corruption-free service to the status of a fundamental right within the framework of the Indian Constitution.
Corruption is define as: "Giving something to someone with power so that he will abuse his power and act favouring the giver" or "The offering, giving, soliciting or acceptance of an inducement or reward, which may influence the action of any person"

STATEMENT OF THE PROBLEM
Corruption can be classified as a substance which is very easy and convenient to cater to but as soon as there is a withdrawal to it becomes difficult to sustain. In order to have a smooth functioning a proper procedure is established by the government but sometimes it gets tampered with. That is when corruption takes place. There can be various reasons due to which corruption occurs like large population, lack of integrity, etc. Corruption is initiatednot only by the primary side sometimes the other side is also responsible of pushing the barrier to the next level.

OBJECTIVE OF THE STUDY
The study here will depict the harsh reality the country is embedded with. Pertaining to ruthless impacts that corruption has pierced through our society. In this doom, human rights are also not left unchecked they too have a much likely negative impact which is caused by corruption. As corruption flourish human rights perish and society gets rotten.
Off course it's not possible to trace since when corruption started to evolve but it can be sensed from the growth of human brain and development of human mankind it also started taking a position in our inner consciousness and made it big over the years. Although, we try to hit the possibility of dealing with this aspect which has become a habit or a by default setting down the line.

REVIEW OF THE LITERATURE
Corruption in a nation not only poses a significant danger to the quality of governance, but also

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THEORIES OF PUNISHMENT – A SOCIO LEGAL VIEW

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Abstract
According to the dictionary, punishment entails the state's judicial arm inflicting pain or a penalty on the wrongdoer. Because the law is the thread that links society together, anyone who breaks it is an offender who will be punished. Because punishment is a type of social control, it usually deprives the wrongdoer of certain rights that are normally available. If the main objective of punishment was to cause suffering, it would be ineffective. However, if the penalty causes the wrongdoer to appreciate the seriousness of his crime, it is deemed to have achieved the desired result. Punishments are intended to lessen crime by deterring offenders from committing or preventing the offense from being repeated. A person may be subjected to a variety of punishments. The penalty could be anything from the death sentence to a modest fine. It is critical to comprehend punishment theories to comprehend various types of punishment.
However, if the punishment causes the wrongdoer to appreciate the seriousness of his crime, it is deemed to have achieved the desired result. Punishments are intended to lessen crime by deterring offenders from committing or preventing the offense from being repeated. A person may be subjected to a variety of punishments. The penalty could be anything from the death sentence to a modest fine. It is critical to comprehend punishment theories to comprehend various types of punishment. There are various theories of punishment through which the state has made the punishment the offenses to maintain peace in the society. This article contains various theories of punishment and its social view in modern times.

Keywords : Theories of punishment, retributive, deterrent, preventive, and reformative.

Introduction

People from many sects and social classes can be found in society. As not all fingers are the same, some citizens follow the law, and some break the law for nefarious reasons. It is the state's job to safeguard its interests. A person who violates natural justice or statutory law commits a crime. Any crime is done against the state, not the individual. Every state's laws specify what constitutes a crime. Some acts may be illegal in one state but not in another.
An offense results in a punishment. Punishments are enforced on wrongdoers to deter them from repeating their actions and transforming them into law-abiding citizens. The type of punishment meted out to criminals is impacted by the society in which they live. The goal of various punishment philosophies is to turn lawbreakers into law-abiding citizens. A crime is illegal conduct that is penalized by the state. It is necessary to have an act that is illegal to form a crime. Punishment is required to establish or sustain the supremacy of law. In every way, the law is supreme, and anyone who violates it will be punished. To safeguard society against criminals and lawbreakers, the law threatens potential lawbreakers with a penalty and tries to punish those who have already broken the law.
As a result, criminal law in its broadest sense includes both substantive and procedural criminal law. Procedural law enforces substantive law by defining infractions and prescribing sanctions.[1]
The greatest distinguishing characteristic of criminal law is punishment. Those seeking to comprehend the criminal law must first understand the core aims of punishment and what society intends to achieve by punishing. Traditional criminology distinguishes four types of punishment. These goals are to keep criminals in check and eliminate them from society, to make recompense for

[1] Administration of Criminal Justice System in India https://www.lawteacher.net/free-law-essays/administrative-law/administration-of-criminal-justice-law-essays.php

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A STUDY ON CAPITAL PUNISHMENT WITH ITS PUNISHMENT THEORIES

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Abstract
The death penalty, sometimes known as execution or the death penalty, is a form of capital punishment. If someone is sentenced to death in this manner, it is a death sentence. Capital offenses are crimes that are punishable by death. In the past, most governments have utilized the capital penalty to punish criminals and political or religious dissidents. Historically, the death sentence was routinely used in conjunction with torture, and public executions were common.
India is a developing country, yet crime rates have been rising in recent years. In India, there are a plethora of regulations to prevent and control crime, even though crime rates are rising due to insufficient punishments. To reduce crime, the punishment should be severe. All sanctions are motivated by the same goal: to punish the criminal. In India, various types of punishment are available, including capital punishment, life imprisonment, and incarceration. The most severe kind of punishment is capital punishment. This article discusses the global position of capital punishment and explains the concept of a capital offense. This article discusses two key theories about capital punishment: reformative and preventive theories. The article also shows the rarest of the rare cases where capital punishment can be given to a person and also discusses the validity of the capital offense under the Indian Constitution and the changes made by the courts over the period providing the guidelines by the Supreme court for awarding the death sentence to any of the offenders with the procedure established by the law. The article has a details view of the capital punishment that is awarded to a person over a couple of case laws.
Keywords : Capital punishment, death penalty, rarest of the rare, capital offenses

INTRODUCTION

India is a country with a huge number of offenders and crimes. All penalties in India are founded on the desire to punish the perpetrator. The punishment is enforced for two reasons: first, the criminal should be punished, and second, punishing wrongdoers deters others from doing wrongs. In India, the death penalty is a part of the criminal justice system. Capital crimes, often known as capital offenses, are crimes that carry the death penalty as a penalty. The word "capitalism," which means "concerning the head," is derived from the Latin word "capitals." The death penalty is also known as capital punishment. The method through which a state executes a person for committing a crime is known as capital punishment. The term "punishment" or "death penalty" refers to a person who has been sentenced to death by a court of law for committing a major offense. In India, capital punishment, sometimes known as the death sentence, is reserved for the most heinous of offenses[1]. To dissuade lawbreakers from continuing their unlawful acts, the state punishes them with the death penalty. The death penalty is widely considered to have a deterrent effect; offenders fear the consequences of capital punishment, which stops them from engaging in any form of bad behavior. The President and Governor have the authority to commute or postpone the execution. Abandonment of duty, robbery with murder, murder, and other crimes often result in the death penalty.[2]
In India, eight people have been executed, including the four Nirbhaya Rape offenders, and according to NCRB data, about 2500 people have been sentenced to death since 2000. Only in the most egregious cases is the death penalty regarded constitutionally acceptable. Deterrence is the face

[1] http://www.legalservicesindia.com/article/1882/Is-Capital-Punishment-Ethical.html
[2] https://ijariie.com/AdminUploadPdf/A_Study_on_Execution_of_Death...

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CONSTITUTIONALITY OF MEDIA TRIAL

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Abstract

As we all know that media is called as the fourth pillar of our constitution in India. It plays a very important role in transforming the mindset of the society and it is capable of make the new whole view point. Though which people perceives various events. Shocking wrong actions are subject to be criticized and must be condemned, and the media would be defended in calling for the culprits to be rebuffed in concurring with the law. In any case, the media cannot wrest the capacities of the legal and veer off from objective and fair detailing. Whereas a media shackled by government directions is unfortunate for vote-based system, the opinions of proceeded unaccountability are indeed more harming. Steps got to be taken in arrange to avoid media trials from dissolving the respectful rights of citizens, whereby the media have a clearer definition of their rights and obligations, and the courts are given the control to rebuff those who outrageously neglect them.

Media plays a crucial part in shaping the conclusion of the society and it is able of changing the full perspective through which individuals see different occasions. The media can be commended for beginning a slant where the media plays an dynamic part in bringing the denounced to snare. Particularly within the final two decades, the approach of cable tv, nearby radio systems and the web has significantly upgraded the reach and effect of the mass media. The circulation of daily papers and magazines in English as well as the different vernacular dialects has too been persistently developing in our nation. This ever-expanding readership and viewership coupled with the utilize of advanced advances for newsgathering has given media organizations an uncommon part in forming well known conclusions. Be that as it may, media flexibility moreover involves a certain degree of duty.

Key words – Constitution of India, Government, Regulations, Democracy

Introduction

The subject of 'Constitutionality of Media Trials' is discussed by civil rights activists, constitutional legal counsellors, judges and scholastics nearly each day in later times. With the coming into being of the tv and cable-channels, the sum of exposure which any wrongdoing or suspect or blamed gets within the media has come to disturbing extents. Innocents may be condemned for no reason or those who are blameworthy may not get a reasonable trial or may get a better sentence after trial than they deserved. There shows up to be exceptionally small restriction within the media in so distant as the organization of criminal equity is concerned.

We are mindful that in a law-based nation like our own, opportunity of expression is an critical right but such aright isn't supreme in as much as the Constitution itself, whereas it awards the flexibility beneath Article 19(1)(a), allowed the council to force reasonable restriction on the proper, within the interface of different things, one of which is the reasonable organization of equity as secured by the Scorn of Courts Act, 1971. In the event that media works out an unlimited or or maybe unregulated flexibility in distributing data around a criminal case and partialities the intellect of the open and those who are to settle on the blame of the charged and in the event that it ventures a suspect or an charged as in the event that he has as of now been decreed blameworthy well some time recently the trial in court, there can be genuine bias to the denounced.

In fact, [illegible] after the due process in courts, such an acquittal may

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CRITICAL ANALYSIS OF VIOLENCE AGAINST WOMEN IN INDIA

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Abstract
Violence against women or gender-based are considered as an hate crime against a gender to their sensuality, to their position in society to make them feel that they are still in the same era of old times. These violence's are the result from the sense **of Misogyny, Superiority, Entitlement** or similar attitudes in the perpetrator or his violent nature, especially against women.
Violence against women has a long history and can be traced from the ancient Indian history. With the passing of time various laws and movements have changed the status of women in the society but a lot more can still be aimed for the betterment of women in India.
Violence against women does not only targets to physical harm it also includes sexual ,emotional , psychological and financial abuse. Even after multiple laws welfare programs and many social activities that aimed to reduce the violence against a particular gender, every female in her lifetime does suffer the sexual harassment at some stage of her life. This sense of objectifying the female gender as a tool to reduce the desires is so deep rooted that even within families the females are not completely safe.
There are a number of misconceptions surrounding violence against women, including how and why it occurs. We need to address these misconceptions to be successful in our responses to violence against women and their children.
Key words : Law, Violence, Indian History, Welfare Programs, Domestic Violence

Introduction
The crime against women is a big concern in India as only 14% of the total issues are reported in India.
It is found that 32% of the married women (18-49) have experienced violence by their spouse and in that physical violence tops the each and every type of violence against women. Domestic violence against women is highest in Karnataka at 48%, followed by Telangana, Bihar, Manipur and Tamil Nadu. Lakshawdeep has the least domestic violence at 2.1%.
According to the National Family Health Survey-5 report, about one-third of Indian women had experienced physical or sexual violence. While domestic violence against women has decreased in the country from 31.2 percent to 29.3 percent, 30 percent of women aged 18 to 49 have experienced physical violence since the age of 15, and 6% have experienced sexual violence in their lifetime, according to a report released on Thursday by Union Health Minister Dr Mansukh Mandviya.
Husbands with 12 or more years of education are half as likely (21%) as those with no education to perpetrate physical, sexual, or emotional spousal violence (43 percent). Experiencing spousal physical or sexual violence varies substantially depending on the quantity of alcohol use by the husband. According to the survey, 70% of women whose husbands frequently get drunk had experienced marital physical or sexual abuse, compared to 23% of women whose husbands do not drink.
Physical violence is more common among women in rural regions (32%) than in urban areas (24%), and a woman's experience of violence decreases dramatically with higher schooling and wealth - for both the female victim and the male perpetrator.
According to the report, 40% of women without a high school diploma are subjected to physical violence, whereas only 18% of women with a high school diploma are. Physical violence is experienced by 39 percent of women in the lowest wealth quintile and 17 percent of women in the highest wealth quintile.

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CYBER CRIME: EVOLUTION AND CRITICAL ANAYLSIS

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ABSTRACT

In recent years, the Internet has rapidly revolutionised a wide range of fields, from education, start-ups, and sports to entertainment medium, with widespread use of the internet. As a result, the internet serves as a knowledge hub for anyone who is unfamiliar with how to use a web browser or mobile device. The use of the internet has both pros and disadvantages. The most serious downside of the internet is cybercrime. Cybercrime is becoming a growing menace to all internet and computer users, as well as society as a whole. As a result, governments, police departments, and other intelligence agencies around the world are becoming more rigorous and reactive to rising cyber dangers and the rise of cybercrime. Governments have begun to take steps to combat cybercrime in general, as well as merge cyber threats, dark web operations, and so on. Every country, including India, has begun to establish cyber cells across the country and to make them operational by educating police employees on cybercrime prevention. The primary goals of this article are to highlight various frauds and cybercrime incidents in India, as well as distinct types of cybercrime and potential solutions.

We have developed to rely heavily on computer systems as they have become an essential element of the day-to-day operations of enterprises, organisations, governments, and individuals. As a result, we've given them highly important and valuable knowledge. As history demonstrated, valuable items have always been a target for criminals. Cybercrime is no different. As people fill their computers, phones, and other gadgets with valuable information, criminals have a target to aim for in order to profit from the activity.

Keywords: Cyber crime, evaluation, cyber crime prevention, revolution, fraud, Cyber offence.

INTRODUCTION

Humans have become increasingly dependent on the internet for all of their needs as technology improves. We can now access everything while sitting in one place thanks to the internet. Everything imaginable can be done through the internet, including social networking, online shopping, data storage, gaming, online schooling, and online jobs. The internet is used in almost every facet of life. As the internet and its related benefits gained popularity, so came the concept of cybercrime. As people's dependence on technology has grown, so has the variety of cybercrime.

There was a lack of understanding about the crimes that could be committed over the internet a few years ago, but nowadays, in terms of cybercrime, India is not far behind other countries, where the rate of incidence of cybercrime is also on the rise.

According to a survey by Norton Lifelock[1], a cybersecurity software business, 27 million Indian adults have been victims of identity theft in the last 12 months, and 52 percent of individuals in the country are

[1] 2021 Norton Cyber Safety Insights Report: Special release-https://www.nortonlifelock.com/us/en/newsroom/press-kits/2021-norton-cyber-safety-insights-report-special-release-home-and-family/

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JUVENILE DELINQUENCY: CAUSES, REPERCUSSIONS AND REHABILITATION

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ABSTRACT

A child is born innocent, and if properly cared for and nurtured, he or she will develop positively. Children are the most valuable national resource. Equal development opportunities for all children during their growth phase should be offered in order to reduce inequities and provide social fairness, which would then act as an effective technique to reduce juvenile crime. A juvenile is a youngster who has not reached the age at which he, like an adult, can be held accountable for his illegal act under the law of the land. Juvenile can be defined as a child who has not attained the age at which he, like an adult under the law of land can be held liable for his criminal act. The adolescent who is accused of committing an offense or breaking a law is found guilty, and the conduct committed is considered by law. In recent years, it has become apparent that juvenile delinquency is the most vital feature of the criminology discipline. Juvenile delinquency has taken on further serious forms; which is an indication of a sick society. Juvenile delinquency refers to a youngster's involvement in illegal behaviour when under the age of eighteen years and committing an act that would be deemed a criminal. When a youngster makes a mistake that is against the law and not recognised by society, he or she is referred to as a delinquent. Thus, a "juvenile" or "child" is a person under the age of eighteen who breaks the law and commits an offence before attaining the legal age of adulthood.

Keywords: Juvenile delinquency, child under the age of eighteen, human rights for children repercussions', rehabilitation, causes.

INTRODUCTION

Juvenile delinquency defines as per Merriam Webster - "Conduct by a juvenile characterized by antisocial behaviour that is beyond parental control and therefore subject to legal action. And a violation of the law committed by a juvenile and not punishable by death or life imprisonment" [1] - Merriam Webster.

The phrases Delinquent and Delinquent Child are defined in Black's Law Dictionary [2]. A Delinquent is defined as "He who has been guilty of some crime, offence, or breach of duty," while a Delinquent Child is defined as "An infant of not more than the stated age, who has violated any law or who is incorrigible."

A juvenile is defined under Section 2(35) of the Juvenile Justice (Care and Protection of Children) Act, 2015[3], as "a child under the age of eighteen years."

This definition is offered in accordance with the criminal procedures that are now taking place. When a

[1] Juvenile delinquency definition from Merriam Webster Dictionary
[2] Black's Law Dictionary Revised, (4th Edition)
[3] Juvenile Justice (care and protection of children) Act, 2015- Sec 2(35) https://www.indiacode.nic.in/handle/123456789/2148?sam_handle=123456789/1362

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CHILD LABOUR LAWS IN INDIA

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ABSTRACT

"If we're to educate actual peace on this international, and if we're to hold on a actual battletowards battle, we will must start with the youngsters."

Mahatma Gandhi

The difficulty of toddler labor is a frontline problem in India, as early access into labor marketplace at formative degree of lifestyles does imply absconding from right training main to lack of destiny scope of higher livelihood. Child labor is a complicated hassle essentially rooted in poverty. And on the identical time the state bears the lethal effects of this curse of the society. Children below fourteen incorporate 3.6 in keeping with cent of the whole labor pressure in India. Nearly 85.5 percentage are engaged inside the conventional agricultural sector, much less than 9 in keeping with cent in production, offerings and upkeep and approximately 0.8 in keeping with cent are in factories.

A developing phenomenon is the use of youngsters as home employees in city regions. The situations wherein youngster's paintings is absolutely unregulated and they're frequently made to paintings without meals, and really low wages, akin to conditions of slavery. There are instances of bodily, sexual and emotional abuse of toddler home employees. The argument for home paintings is frequently that households have positioned their youngsters in those houses for care and employment. The removal of toddler labor is a concern and is being carried out on the grass roots degree in India. A huge variety of non- governmental and voluntary corporations are concerned on this technique at the side of countrywide and worldwide corporations.

In this paper we intend to present the situation wherein toddler labor receives improved and diverse demanding situations which have emerged because of this specific hassle also are elaborated. The required efforts to conquer those troubles are proposed. Finally we finish that the proposed answer can be discovered worth in overcoming the demanding situations which have emerged because of the kid labor.

Keywords: *Abuse, Child labor, Poverty, Society.*

INTRODUCTION

CHILD LABOR: MEANING

The Child labor (Prohibition and Regulation) Act1986 defines a toddler as any man or woman who has now no longer finished his fourteenth yr of age. Part II of the act prohibits youngsters from running in any profession indexed in Part A of the Schedule, which consist of amongst others, home paintings, dhabas & hotels, catering at railway establishments, production paintings at the railway or everywhere close to the tracks, plastics factories and vehicle garages. The act additionally prohibits youngsters from running in locations in which positive techniques are being undertaken, as indexed in Part B of the Schedule, which consist of amongst others, beedi making, tanning, cleaning soap manufacture, brick kilns and roof tiles units. These provisions do now no longer observe to a workshop in which the occupier is running with the assist of his own circle of relatives or in a central authority identified or aided faculty.

According to International labor Organization (ILO), the term 'toddler labor' is frequently described as paintings that deprives youngsters in their childhood, their capacity and their dignity, and this is dangerous to bodily and intellectual improvement.

It refers to paintings this is mentally, physically, socially or morally risky and dangerous to youngsters; and interferes with their training with the aid of using depriving them of the possibility to

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WOMEN EMPOWERMENT IN INDIA

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ABSTRACT

Empowerment of girls is basically the system of upliftment of monetary, social and political fame of girls, the historically underprivileged ones, inside the society. It is the system of guarding them in opposition to all sorts of violence. Women empowerment entails the constructing up of a society, a political environment, in which girls can breathe with out the worry of oppression, exploitation, apprehension, discrimination and the overall feeling of persecution which is going with being a female in a historically male ruled shape. Women represent nearly 50% of the world's populace however India has proven disproportionate intercourse ratio wherein female's populace has been relatively decrease than males. As some distance as their social fame is concerned, they're now no longer handled as identical to guys in all of the places. In the Western societies, the girls have were given identical proper and standing with guys in all walks of lifestyles. But gender disabilities and discriminations are observed in India even today. Thus this paper will consciousness at the location of girls insidethe society of India.

KEYWORDS: *Women Empowerment, Education, Discrimination, Socio-Economic Status.*

INTRODUCTION:

In the twenty first century, the sector is enthusiastically progressing and taking over the ladies partake in uplifting the society and economic system of the sector. Women empowerment is the important thing to reinforce their participation inside the selection- making that is the maximum critical key to socio- financial improvement. The India is a growing us of a and its financial fame is likewise very horrific due to the male ruled us of a. Women represent kind of 50% of the nation's populace and a majority of them continue to be economically structured, with out employment. Women empowerment may be very vital to make the brilliant destiny of the own circle of relatives, society and us of a. Empowerment of ladies could imply encouraging ladies to be self reliant, economically unbiased, have effective self esteem, generate self assurance to stand any hard scenario and incite energetic participation in numerous social-political improvement endeavors. Women empowerment might be greater applicable if and simplest if ladies are knowledgeable. Education is a key aspect for ladies empowerment prosperity, improvement and welfare. Education has been identified as an important agent of social extrade and improvement in any society and us of a. Education is an important manner of empowering ladies with the knowledge, talent and self- worth vital to completely take part inside the improvement manner. Education is critical for all, however important for the survival and empowerment of ladies and women. Education of ladies is beneficial in removing many social evils inclusive of dowry hassle, unemployment issues and so on. Social peace also can be without difficulty hooked up. If ladies are uneducated, the destiny generations might be uneducated. For this cause the greek warrior Napoleon as soon as said, "Give me some knowledgeable mothers, I shall provide you with a heroic race." In the current years, numerous constitutional and criminal rights were carried out with the aid of using the authorities of Indian a good way to dispose of unwell exercise and gender discrimination in opposition to ladies. There is a listing of protection legal guidelines for ladies in India running inside the subject to offer protection to the ladies from all sorts of crimes in opposition to ladies. Women's rights are human rights. They cowl each thing of existence-fitness, training, political participation, financial nicely being and freedom from violence, amongst many others. Women are entitled to the entire and identical amusement of all sorts of discrimination that is essential to attain human rights, peace and protection and sustainable

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DOCTRINE OF RAREST OF THE RARE IN INDIAN LEGAL SYSTEM

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Abstract
The idea of a crime-free society is a fantasy. In truth, no civilization can exist without the issue of crime and criminals. The idea of crime is fundamentally concerned with the maintenance of social order. It is commonly recognised that as a member of the, man's interests are best safeguarded. The subject of crime, criminals, and punishment has piqued the interest of criminologists and penologists all around the world. Thus, punishment can be used to reduce the occurrence of criminal behaviour by discouraging potential offenders, incapacitating and preventing repeat offenders, rectifying the crime, or reforming people into law-abiding citizens. In this research paper the Doctrine of the Rarest of the rare will be examined.
Keywords – Rarest of the rare, death penalty

Introduction

Since time immemorial, the death penalty has been used as a form of punishment. However, as civilization progressed, the death penalty became more humane. The death penalty is now referred to as a capital sentence. The practise of purposefully putting an offender to death as a social policy measure is known as capital punishment. It is enforced by the country's ruling authorities. Death penalty is often applied for the most serious and heinous offences against human society or human people. The death penalty, often known as capital punishment, is a legal process in which a person is executed by the state as a punishment for a crime. The court decision to punish a person in this manner is a death sentence. Historically, most countries used capital punishment to punish criminals and political or religious rebels. Almost all nations have utilised executions of criminals and political opponents to punish crime and suppress political opposition. The death sentence is utilised as a necessary deterrent, not for revenge. It is applied in order to permanently remove the most heinous criminals from society.

In this aspect, it remains true that the death penalty is a very subjective matter, and the court's confirmation or commutation of a death sentence is primarily based on the judges' personal opinions[1]. When the nature of the behaviour is so filthy and severe that it affects and hurts society, it becomes a crime. There is a criminal system in place for the entire country of India that incorporates a range of methods to minimise crime and deliver justice. Criminality is prevalent in India. The law imposes several types of sanctions depending on the nature of the offence. Offenders can face death, life imprisonment, simple imprisonment, hard imprisonment, fines, and property seizure, among other punishments.

The two most notable instances involving the use of the death penalty are *Bachan Singh v. State of Punjab*[2] *and Machhi Singh v. State of Punja*[3]*b*. In the first case, the Supreme Court reversed its previous judgement in Rajendra Prasad, declaring that the death penalty as an alternative punishment for murder is not unreasonable and hence does not violate Articles 14, 19, and 21 of the Indian Constitution. The theory of the rarest of rare cases was created in this case, and it was declared that the death sentence should only be used in the "rarest of rare situations."

Purpose of the Research

- The purpose of this research is to understand the Doctrine of Rarest of the Rare in the Indian criminal system.
- The study also aims to provide study insight in the Doctrine of Rarest of the Rare through

[1] Swamy Shraddanand v. State of Karnataka, (2008) 12 SCC 288 para 33
[2] Bach... SCC 898

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CAPITAL PUNISHMNENT: AN EFFECTIVE DETERRENT?

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Abstract
Though penalty is a tool used by legislators to ensure that the law is upheld and adhered to, the death penalty really entails the imposition of the worst possible punishment. Given that it has an impact on human life itself, it is the ultimate kind of punishment. The death penalty should only be used in extreme circumstances of heinous murder and the most serious crimes against the state. Debates on the retention or abolition of the death penalty are raging among social activists, legal reformers, judges, jurists, attorneys, and administrators everywhere. While punishment is a tool used by legislators to ensure that the law is upheld and adhered to, the death penalty really entails the imposition of the worst possible punishment. Given that it has an impact on human life itself, it is the ultimate kind of punishment. The present paper will discuss about the deterrent value of Capital Punishment in the Indian legal system.
Keywords – Deterrent, Capital Punishment, Punishment.

Introduction
The definition of the death penalty is the societal condemnation to death of a person who intentionally and gruesomely took the life of another person without concern for the victim's life and without any remorse or awareness of the repercussions of his actions. A behaviour turns into a crime when it is so severe and strict that it has an impact on and hurts society. Throughout India as whole, there is a criminal procedure that is used to administer justice and to deter crime in various ways. India has a very high rate of crime. Depending on the sort of crime committed, several forms of penalties may be imposed by the law. India is a very well developing nation; it failed to reach a decision regarding the abolition of the death penalty, although it has granted pardons in the most exceptional of circumstances. Although there are many laws and punishments that must be followed, the death penalty concept is crucial to the criminal justice system. There are numerous problems in today's society as a result of the death sentence.
Offenders who violate the law may be sentenced to death, life in prison, simple or harsh incarceration, fines, or property seizure, among other penalties. Innocent until proven guilty is the underlying tenet of the Indian legal system.
The burden of proof in a criminal case rests with the prosecution since it is impossible to assume that the accused is a criminal. It must be proven beyond a reasonable doubt that the criminal legislation is being applied rigidly when interpreting a provision of a statute.

What is Punishment?
Although the term punishment is not defined in the Indian Penal Code, it is generally understood to refer to a social response that takes place in the event that a legal rule is broken and is administered by those who have been given permission by the legal order that gave rise to the law. Penalty would consequently entail suffering from repercussions, which are often thought to be unpleasant and would include the offender's voiced displeasure. Thus, one could conclude that the goal of punishment would be to both penalise individuals who commit an offence while also preventing the performance of any acts harmful to society and discouraging potential criminals from committing such crimes.

Theories of Punish...
...– "An eye for an eye and a tooth for a tooth," serves ... mainly used. It is more

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CHILD LABOUR LAWS IN INDIA

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ABSTRACT

The career to paintings with an earnest care and honesty is what we referred to as to be an Ethical Profession, however what occurs while those specialists best commits a huge and corrosive fraud under the ambit of the respective career they're been running at or in different phrases what we referred to as them to be a White Collar Crimes, as this crimes via way of means of Ipso Facto recognized to be the crimes being devoted via way of means of the specialists in varieties of Doctors, Lawyers, Engineers, Teachers and so forth like that. These crimes absolutely sabotage the recognition of them badly with a bad desire of the customers on the big hundreds as maximum of the clients cum customers which can be duly related to them so that you can get the high-quality dedication via way of means of them, that they may serve them with the powerful and affordable care receives down or reduce up. Under this Research Article, the writer intends to makes a specialty of to the primary motives of committing the White Collar Crimes, the forms of White Collar Crimes, and what are the legislative loopholes in the back of the system of stringent legal guidelines for committing the White Collar Crimes and additionally the writer will approximately to focus on the idea of Black Marketing in lieu with the fee of White Collar Crimes in a complete way and additionally along side that the motives and an powerful rectification of the such Black Marketing in brief. Moreover, the symptoms and symptoms of such crimes and scrupulous unethical acts being devoted via way of means of the specialists destroys and creates the hopeless state of affairs for hundreds and hundreds of thousands of clients, customers, wards, sufferers and different personnel's who've been related to them for closing longer time and additionally such acts being devoted via way of means of them makes them an entire bundle of Embarrassing Creators of Renowned Professionals.

KEYWORDS: *White Collar Crimes, Black Marketing, Ethical Profession, Ipso Facto, Scrupulous.*

INTRODUCTION

With the converting of socio-monetary state of affairs and developing linkages with the outdoor international due to each revolution in information's and generation in conversation and globalization of the economic system, the crimes via way of means of the wealthy and influential are sure to growth hastily under the coming months and years. Any profitable know-how of the brand new form of crook and new breed of crook calls for readability in technique which in turn, reaps earnings from the works finished under the west in particular in U.K., U.S.A., France, Germany and so forth due to the fact they have got already encountered them of their adventure at the route of capitalism.

Both Sociology and criminology were the topics of coaching and studies for greater than 8 many years in India. However, as on nowadays we do now no longer discover any mild on this place. There is neither an true e – book nor a chain of papers discussing crimes devoted via way of means of the wealthy and influential in all their respect. What we've is composed particularly of newspaper reports, blended with pretty quite a few sensational workforce to make to them saleable.

The remedy of the crimes devoted via way of means of the wealthy and influential remained for greater than 5 many years in which a few pupil had forgotten it. A predominant step forward got here best in 1939 the doyen of U.S. Sociologists, Sutherland, as president of the American sociological society added first time under the shape "White Collar crimes" to embody crook sports in company, industrial, expert and political sphere inside its preview. He defends it as a brand new the multi-sufferers and the unsure suffers.
...rings via the marketers and middlemen. They are all of the ... the law and getting it devoted via others. In

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CONTEMPT OF COURT LAWS IN INDIA

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ABSTRACT:

What is contempt? In its best form, contempt is the nation of being despised or dishonored; disgrace. Any act which ends up in disrespect or dismiss the authority and management of regulation is taken into consideration to be contempt of courtroom docket. The regulation of contempt has regularly advanced over current years. Judges have altered and changed the contempt jurisdiction so that it will cope with the troubles confronted via way of means of them. Most research of the regulation of contempt depend on the belief that we should adapt to the contempt jurisdiction as we discover it and that a ancient evaluation of the way the contempt jurisdiction turned into advanced is unnecessary. Nevertheless, there is lots to research from the ancient improvement of the regulation of contempt.

In this studies paper, I actually have made an try to scrutinize and examine the foundation of the idea of contempt of courtroom docket. This paper will cowl all of the factors connected to this idea inclusive of the constitutional provisions and judicial interpretations. Further, this paper additionally throws mild upon diverse landmark judgments coping with the problem of contempt of courtroom docket. With utmost appreciate of the judiciary, this studies paper may be coping with the complete evaluation of the idea of contempt of courtroom docket. The fundamental situation at the back of this idea is to defend the management of justice in crook in addition to civil instances.

KEYWORDS: Contempt of Court, Judiciary, Administration of Justice

INTRODUCTION

Republic of India revolves across the rights given in constitution & to be accompanied with the aid of using each Indian citizen notwithstanding their cast, color & creed due to our flexible society it has grow to be obligatory to attend to societal, non secular & nearby sentiments of Citizens of our country, that's stimulated from relative reassets withinside the Vedas, the Upanishads and different non secular scripts. Customization of the supplying values will differentiate as in keeping with the customs accompanied with the aid of using human beings or the involved in his / her vicinity or religion. Indian regulation is originated from many non secular practices present in constitutional device of our society. The time period regulation is described as policies of human behavior that flows from a supply diagnosed as in a position with the aid of using the criminal order and which prescribes the imposition of a sanction withinside the occasion of disobedience.

As this well-known quote turned into via way of means of the American Attorney Judge of the US of Supreme Court, stated withinside the case of Brown vs. Allen1. Here, query arises that climate a layperson, who isn't always entitled member of the bench can by no means make such pronouncement which questions the dependability of any courtroom docket, besides the Supreme Court of the land. In this superior era, if any individual humped up contempt of courtroom docket he has to stand humiliation at the back of the bars. This difficult scenario is the proof whilst we have a take a observe the ambiguous expressions defining the ambit of contempt regulation.

Contempt in not unusualplace language method any willful disobedience to, or dismiss of, a courtroom docket order or any misconduct withinside the presence of a courtroom docket; action that interferes with a judge's ability to manage justice or that insults the consideration of the courtroom docket because the ethos of contempt reduces the efficacy of affordable justice to the human beings.2

... is one of the pillars

BAIL AND JUDICIAL DISCRETION

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Abstract
The renowned delay in case disposition is a flaw in the legal and judicial systems that is accountable for the egregious denial of justice to those who are awaiting trial. It has a bad impact on the judicial and legal systems that an accused's trial does not even begin for a very much time. Even a one-year wait in the beginning of case is terrible enough; imagine how bad it will be if the delay was three, five, seven, or even ten years. The soul of criminal justice is swift trial, and then it would be little doubt that delays in trial entail denial of justice. Though the Indian Constitution does not clearly list swift trial as a basic right. It is inferred in the wider scope and suffice of Article 21, as interpreted by the Supreme Court, which held that Article 21 states that a fundamental right on every person not to be deprived of his life or liberty except in accordance with the procedure prescribed by law, and that compliance with the requirement of that Article does not require only that some semblance of a procedure be prescribed by law, but that the procedure must be "reasonable, frank, and forthright."
If a person's liberty is taken away in a way that isn't "reasonable, fair, or just," the deprivation violates his fundamental right under Article 21, and he might use that right to win his release. Obviously, a legal process for robbing someone of their liberty cannot be "reasonable, fair, or just" unless it ensures a speedy trial to determine the person's guilt. According to the article 21, no procedure can be considered "reasonable, fair, or just" unless it ensures a speedy trial. There is no doubt that a speedy trial, or one that is concluded in a fair length of time, is an important and vital part of the judicial system.
Keywords: Law, Legal, Bail, Judiciary, Courts, Discretion, Offences

Introduction
What would happen if a person charged of a crime is refused a timely case and would be imprisoned as an impact of a long-delayed trial, which is a violation of his fundamental right under Art 21? then he be entitled to an unconditional release from the case made on him on the grounds that even after such a lengthy it trial would be a violation of his constitutional right under Article 21? The Supreme Court stated in Hussainara Khatoon that this question would be determined on the adjourned date: "But one thing is certain, and we cannot stress this enough to the State Government: it is past time for the State Government to recognize its obligation to the people in the administration of justice and establish more courts for case trials." We should point out that simply establishing more courts would not be enough; the State Government would also have to staff them with competent judges, and whatever is necessary to recruit competent judges, such as improving their working conditions, would have to be done by the State Government if they want to improve the system of justice administration and make it an effective tool for bringing justice to the people".

Statement of problem
The Supreme Court's powers in protecting constitutional rights are vast, and there's no reason why it shouldn't take an assertive stance and give state-level directives that might include positive steps to make sure that the fundamental right to a quick trial is upheld. In order for the Supreme Court to comply with the aforementioned constitutional duties, it was necessary for the Supreme Court to acquire the appropriate information pertaining to the matter, and the Supreme Court issued certain directives to the

LAWS REGARDING ANTICIPATORY BAILS IN INDIA- A REVIEW

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Abstract
A flurry of anticipatory bail petitions have been filed in the post-emergency year. Many of the petitioners were powerful people who had wielded immense authority under the emergency and were now afraid of being arrested on charges of corruption, misuse or abuse of public positions, and so on. Because the people involved in the anticipatory bail processes were wealthy and powerful, they made every attempt to take advantage of the law and its apparatus. The courts were forced to interpret the law with great accuracy and circumspection during this process. As a result, the law governing anticipatory bail has gained momentum in its development and evolution. The right to life and private liberty is a fundamental right guaranteed to all people under Article 21 of the Indian Constitution, and also considered as one of the most valuable rights. Section 438 of the CRPC of 1973 in India has a provisio for anticipatory bail. In 41st Report of law comission, date 24 september 1969, the Law Commission of India acknowledged the requirement to include a provisio in the CRPC that allows the Supreme Court and thats why the Court of Sessions to give "anticipatory bail." This clause allows a person to seek bail in advance of being arrested on suspicion of committing an offence of non-bailable nature. The primary goal of including this provision was to make sure that no one was imprisoned until they were found guilty.
Keywords: Government, Policies, Restrictions, Violations, bails, Anticipatory bails,Constitution, right to life and private liberty.

Introduction
If a person thinks that he will be arrested on suspicion of committing an offence of non- bailable nature, he can go to the supreme court or the Session courts for a order under section that, if he will be arrested, he will be set free on bail, and the court will grant him anticipatory bail after considering the following factors namely:
-The type and gravity of the charge.

-the applicant's antecedents, including that he has earlier been imprisoned on a court's conviction for any offence of cognizable nature.
-the applicant's ability to flee justice.

-where the complaint is made with the intent of injuring or humiliating the accused by getting him arrested, either reject the application immediately or issue an interim order for the order of court for anticipatory bail.

Statement of Problem
The purpose of arresting and holding an individual behind bars is to ensure that the accused appears in court for the trial when needed by the court. The bail process is a complicated mechanism that is believed to be both delicate and contentious. It is extremely delicate because an accused seeks bail while his or her trial is underway and it cannot be determined whether the accused is innocent or guilty. When bail is denied to an accused individual, it may restrict the freedom of the innocent accused, while granting bail may result in the actual perpetrator gaining additional freedom.

Objectives
- To understand the nature of anticipatory bail.
- To know the [illegible] tional state of anticipatory bail

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MARITAL RAPE ON SAME LINE AS RAPE: A CRITICAL ANALYSIS

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ABSTRACT

Rape is the unlawful intercourse of a man without her consent, whether owing to bodily desire or hazards, or due to the perpetuator's dishonest display. In India, rape by an alien is punishable under Sections 375 and 376 of the Indian Penal Code. Surprisingly, it expressly excludes marital rape from the scope of criminal liability. Marital rape is when a husband has sex with his better half without her consent or under duress. The patriarchal system that governs Indian families has always seen women as the property of their significant others or guardians. As a result, rape was regarded as a robbery of women's property as well as a crime against a spouse or guardian. This religious system has influenced our legislators to neglect the crime of spouse rape by providing a shield of the spouse's wedding right.This belief system has influenced our legislators to disregard the crime of spouse rape by granting it the shield of the spouse's wedding right, thereby silently tolerating that women are nothing more than a protest of her better half's sexual satisfaction, with no will of her own over her sexuality. This decision established the ladies' right to equality and consistency.If non-consensual sex is regarded normal within a marriage, it is past time for us as a community to take a closer look at the institution's foundation, which appears to be constructed on the abuse of one partner at the hands of the other.

Keywords: Marital rape, marriage, rape, consent, offence, spouse, sexual intercourse, patriarchy, women, equality.

INTRODUCTION

"Rape is an ancient crime which has received penal punishment in the old IPC of Macaulay ... there has been a sudden explosion of aggravated forms of rape on such a larger scale that Indian womanhood as a class has begun to feel a grave danger to their safety and dignity and their very right to life " - Justice V.R. Krishna Iyer[1]

In the context of a patriarchal culture that values masculinity, sexuality and sexual assault both are intertwined. Sexual assaults against women can take many forms, from rape to domestic violence to sexual abuse to eve-teasing to acid attacks and more, all of which are considered particularly horrific acts of abuse against women, worldwide, but maybe none more so than rape. Rape is a form of violence in which women are denied their right to self-determination. According to Section 375 IPC, rape is an act of "sexual intercourse with a woman without her lawful consent."[2]

There are exclusions provided under S. 375 that exempt certain acts from the purview of 'Rape' and thereby from its punishment, rendering criminal law that prohibit rape less effective. One such exclusion is marital rape. Although the idea of consent has been construed to include an active comprehension of

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[1] Das P.K., Handbook on New-Anti Rape Law (1st ed, 2013)
[2] Indian Penal Code, 1860, S. 375.

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PROCEDURAL ASPECTS OF CYBERCRIME: THE UTILITY OF THE CODE OF CRIMINAL PROCEDURE FOR CYBER SEARCH AND SEIZURE

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ABSTRACT

Computers and the Internet have entered the mainstream of people's lives. Because of the enormous rise in computer-related crime, prosecutors and law enforcement officers must learn how to collect electronic evidence stored on computers. Many new concerns arise from computer crime investigations. Several resources are available to agents and prosecutors who require more extensive advice. Indian legislation has had to evolve in response to new issues. Following our country's acceptance to the ever evolving technology, cybercrime provisions, procedural provisions have been implemented to restrict the conduct of criminal investigative organisations in investigating cybercrime offences. The exponential growth of the value of information, combined with the creation of computer technology with enormous growth and functional potential, and its application in a variety of social, economic, and managerial activities, have imposed the need for legal regulation of processes occurring in the sphere of human society's computerization.

Keywords : Computer, Internet, Cyber Crime, Cyber Security, Investigation, Cyber Search, Cyber Seizure, Technology, Internet Offences.

INTRODUCTION

A cyber crime is a crime related to internet, network and computers. A minor lapse in managing our digital lives can open the door to cybercriminals. So it is extremely important to know how to prevent us from cybercrimes. However there is a long process involved in investigating, preventing and punishing for a cyber crime. It is very different from the tasks involved in a crime committed offline, which means the crimes that are committed around us on ground and not in virtual world. With the growing demand for internet and technology, has grown the number of cases of cyber crime. The advent of the information revolution in the late 20th and early 21st centuries has presented legislators across the world with a set of unique regulatory challenges. Since the internet is, at its core, a space populated by millions of anonymous individuals, the manner in which conduct can be regulated over the internet is fundamentally different from the manner in which criminal law regulates conduct in the physical world. For example, it would be extremely easy to identify and prosecute theft in the real world because the identity of the perpetrator is static across time. If X commits murder, X cannot, in the reasonable course of things, assume a different identity and continue living his life. Thus, since his identity is concretely tied down to his very personhood, X cannot ordinarily escape detection. On the internet, however, the situation is more easily comparable with a masquerade ball – anonymity is the norm rather than the exception. Thus, if X committed a crime (say email fraud) on the internet, then there is almost nothing to link X on the internet with X in the physical world. Thus, it is almost as if everyone on the internet is constantly wearing a mask that prevents their identification. Identities, then, are fundamentally and essentially dynamic on the internet. It is this dynamic nature of identification that makes regulation, especially of criminal conduct, on the internet fundamentally different from and more challenging than regulation in the physical world.

India has long been a popular destination for cybercriminals, particularly hackers and other malicious individuals who abuse the Internet to conduct crimes. There were 90,000 cyber-crime occurrences reported in India between 2012 and 2018, with over 27,000 cases reported in 2018, an increase of more than 121 [illegible] cent since 2016[1]. A surge in cyber-crime cases of this magnitude could pose

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CORPORATE SOCIAL RESPONSBILITY AND SUSTANABILITY: THE NEW BOTTOM LINE?

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ABSTRACT:
Each year, thousands of not-for-profit: social services: educational; health care; and environmental organizations make pitches to corporate entities to help partially or fully fund projects they deem are for the common good. And thousands are funded with the promise of some benefit in return to the funding corporation in question; usually having bottom-line metrics. And those companies, who give their money and other resources, probably deem themselves as being socially responsible; but what about beyond the bottom line? What about sustainability? Corporate social responsibility (CSR), also called corporate conscience, corporate citizenship, social performance, or sustainable responsible business is a form of corporate self-regulation integrated into a business model. CSR policy functions as a built-in, self-regulating mechanism whereby a business monitors and ensures its active compliance with the spirit of the law, ethical standards, and international norms. The goal of CSR is to embrace responsibility for the company's actions and encourage a positive impact through its activities on the environment, consumers, employees, communities, stakeholders, and all other members of the public sphere. For ages, corporations measured success primarily on profits; but do profits guarantee that the corporation will still be around in the future? The thinking a little more than a decade ago, according to J. Ivancevich, P. Lorenzi, S. Skinner, and P. Crosby (1997), was that there was no specific standard that a firm followed since managers thought quite differently about what constituted social responsible behavior. Some managers viewed social responsibility as an obligation; others viewed it as a reactive situation; still, others considered proactive behavior to be the proper position.

KEYWORDS: fair trade, green business, corporate governance, business ethics

INTRODUCTION

There is today a growing perception among enterprises that sustainable business success and shareholder value cannot be achieved solely through maximizing short-term profits but instead through market-oriented yet responsible behavior. Mahajan (May 2011). Companies are aware that they can contribute to sustainable development by managing their operations in such a way as to enhance economic growth and increase competitiveness whilst ensuring environment protection and promoting social responsibility, including consumer interest.

Corporate social responsibility (—CSRI) for short and also called corporate conscience, citizenship, social performance, or sustainable responsible business) is a form of corporate self-regulation integrated into a business model. CSR policy functions as a built-in, self-regulating mechanism whereby a business monitors and ensures its active compliance with the spirit of the law, ethical standards, and international norms. The goal of CSR is to embrace responsibility for the company's actions and encourage a positive impact through its activities on the environment, consumers, employees, communities, stakeholders, and all other members of the public sphere. Furthermore, CSR-focused businesses would proactively promote the public interest by encouraging community growth and development, and voluntarily eliminating practices that harm the public sphere, regardless of legality. CSR is the deliberate inclusion of public interest into corporate decision-making, and the honoring of a triple bottom line: people, planet, profit.

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OVERVIEW ON UNFAIR TRADE PRACTICES IN INDIA

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✓ **Abstract**

Unfair trade practice broadly refers to the fraudulent practices like misrepresentation, false advertising, deceptive practices etc. that have been prohibited by the statutes and various laws of the country and becomes actionable under the court of law.

Many customers suffer a great deal of impact throughout the lifetime on many occasion as the unfair trade practices are growing at alarming rate and is real challenge. The impacts of Unfair Trade Practices on business and in addition economy lead to a dit umstance where open mindfulness/seeing about the issue is low, both customers as well as little organizations are deceived. The article will analyze its impact on general population as well its legal implication. Finally we will look at the legal prospective of the fraudulent practices and finally provide the conclusion at the end.

Key words – *Unfair Trade Practice, Consumer Deception, Misrepresentation, false advertisment*

✓ Introduction

Unfair trade practices are practices of a company or person engages in when they use dishonest, misleading, or unethical ways to get business. These practices may be targeted at consumers or rival companies.

Unfair trade practices include any business actions declared illegal by law , such as:

- Misrepresentation
- False advertising
- Selling tactics
- Deceptive trade practices

Section 36A in The Monopolies and restrictive Trade practices Act, 1969

*36A. Definition of unfair trade practice.—In this Part, unless the context otherwise requires, "unfair trade practice" means a trade practice which, for the purpose of promoting the sale, use or supply of any good or for the provision of any services,[1] [adopts any unfair method or unfair or deceptive practice including the practice of making any statement, whether orally or in writing or by visible representation which falsely represents that the goods are of a particular standard, quality,[2] [quantity,] grade, composition, style or mode, falsely represents that the services are of a particular standard, quality or grade, falsely represents any re-built, second-hand, renovated, re-conditioned or old goods as new goods, represents that the goods or services have sponsorship, approval, performance, characteristics, accessories, uses or benefits which such goods or services do not have, represents that the seller or the supplier has a sponsorship or approval or affiliation which such seller or supplier does not have or makes a false or misleading representation concerning the need for, or the usefulness of, any goods or services.

Company gives to the public any warranty or guarantee of the performance, efficacy or length of life of a product or of any goods that is not based on an adequate or proper test thereof: Provided that where a defence is raised to the effect that such warranty or guarantee is based on adequate or proper test, the burden of proof of such defence shall lie on the person raising such defence makes to the public a representation in a form that purports to be a warranty or guarantee of a product or of any goods or services; or a promise to replace, maintain or repair an article or any part thereof or to repeat or continue a service until it has achieved a specified result, if such purported warranty or guarantee or promise is materially misleading or if there is no reasonable prospect that such warranty, guarantee or promise will be carried out;

If materially misleads the public concerning the price at which a product or like products or goods

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RESTRICTION ON MONOPOLY PRACTICES

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Anjali Dixit, Associate Professor , Faculty of Juridical Science, Rama University, Kanpur, Uttar Pradesh

✓ Abstract

Monopoly Practices broadly refers to the Market Structure where a single seller, selling a unique product in the market, the seller faces no competition, as he is the sole seller of goods with no close substitute. The monopoly practices mainly include three essential condition which differentiate the monopoly practice from the normal course of business practices i.e single producer, no close substitute and the restriction on the entry of new firm. These type of practices has been prohibited by the statutes and various laws of the country and becomes actionable under the court of law.

Many laws in the country have been made to restrict the monopoly practices like contract Act, MRTP Act 1970, Competition Act 2002 etc

Key words – *Monopoly Practices, Lack of competition, Amendment*

✓ Introduction

Restriction on Monopoly practices means to reduce the single seller system of the market and provide opportunity to the other seller to enter in the market. Monopoly practices mainly include three essential condition:-

1. Single seller of the product- In a monopoly market, usually there is a single firm which produces a particular product/commodity and such a firm constitute the entire market. [1]
2. No close substitute- There are no close substitute producer in the monopoly market
3. No entry of new firm- monopoly practices does not allow any competition in the market and rule as a single seller of a particular product.

Time to time there were many laws made in the country and also the outside of the country to reduce the monopoly practices like section 27 of Indian contract act 1872

1. M/S M A Ramzana vs Late Y N Gupta 2020

describe that every agreement in restrain of trade is void which means every agreement by which any one is restrained from exercising lawful profession, trade, business of any kind ,is to that extent void .

The major step taken by Indian legislature against the monopoly system by passing the Monopoly and restrictive trade practice under MRTP Act, 1969.

This act was enacted to ensure :-

1. **the operation of the trade practices does not result in the concentration of economic power in the hand of few,**
2. **To Control the monopolies, and**
3. **To restrict monopolistic and restrictive trade practices.**

✓ Brief Summary Restriction Of Monopoly Trade practices

The monopolies and restrictive trade practices Act (MRTP ACT) was passed by parliament of India on 18 December 1969 and approved by the President of India on 27 December 1969 but came in force 1 june 1970. Act defines Monopolistic trade practice as such practice which misuse of power to abuse the market in terms of production and sales of goods services.[2]

- Firms involved in monopolistic trade practice tries to eliminate competition from market.[3]

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COPYRIGHT PROTECTION IN DIGITAL ERA

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Abstract:
The advent of the internet and advancement in technologies in the twentieth century raised a completely new set of challenges to the copyright domain. The digitization of content has brought about an astonishing increase in the distribution of unauthorised copyrighted works and has caused a tremendous impact on copyright law. Now that most forms of content are in digital format and are globally accessible, hence the need to protect the interest of the authors have risen over the decade. The paper reflects upon the copyright issues faced in the digital era which have been left unacknowledged. Further, this paper deliberates and analyses the problems faced by copyright holders due to circumvention of laws by people to access content illegitimately and also looking at judicial responses in the digital era which has been unaddressed. The paper concludes with some solutions and ideas that could be useful for regulating digital copyright infringement.

Keywords: Copyright,. Digitalization, TRIPS Agreement, Indian Copyright Act. Digital Rights Management.

Introduction

Copyright is a right to intellectual property due to an individual's talent and labour in producing and transmitting an original concept. Copyright preserves works of heritage, such as literature, drama, musicals, and sculpture. Copyright is an exclusive lawful right provided to a creator or group of persons to protect their work or creativity from being reproduced, adapted, translated, distributed, or performed publicly without prior permission from the creator/person responsible for the work's existence. In India, Section 13 of the Copyright Act of 1957 establishes a list of protected works. According to the law, anybody who develops an original work has the exclusive right to duplicate it for a certain time. Originally, copyright applied to works that were sold and published. With the growth of technology, new challenges to existing copyright rules have arisen. As technology advanced to new heights, it made digital data more accessible, allowing for the exploitation of copyrighted works. Instantaneous duplication of original work is possible thanks to the Internet/digital media. Copyright is a fundamental problem in Intellectual Property Rights in the digital era.

COPYRIGHT IN THE DIGITAL DOMAIN- INTERNATIONAL FRAMEWORK

The influence of digitization on society is enormous. But, like they say that great inventions bring about great threats too, digitalisation, while playing a significant part in transforming society, has led to a number of other issues, such as infringement of a creator's or owner's rights through various means in the digital world. International organisations such as the World Intellectual Property Organization (WIPO) have played a crucial role in preventing the violation of these rights.The World Copyright Treaty of 1996 is an agreement specially established under the Berne Convention to safeguard works in the digital world. They are awarded three economic rights in surplus to the rights which are already considered by the Berne Convention of 1885, namely, the right to distribution, the right to rent, and the right to public communication. It ensures that every work created in the digital realm is protected for at least 50 years. Computer programmes and the compilation of data or material are two subject matters covered by the treaty that will be protected by Copyright (databases).The Copyright Act of 1957 protects copyright in India. Since then, numerous modifications have been made to fit the evolving requirements of society and to guarantee protection to the author's works. The primary goal of the act is to safeguard the authors' and copyright owners' works from unauthorised exploitation. The Copyright (Amendment) Act of 2012, which is regarded to be more significant, was recently enacted. The major goal of this legislation was to bring the act into compliance with the World Copyright Treaty of 1996 and the World Intellectual Property

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DEVELOPMENTS IN CORPORATE SOCIAL RESPONSIBILITY

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bstract

porate Social Responsibility is the continuing commitment by business to behave ethically and contribute nomic development while improving the quality of life of the workforce and their families as well as of the community and society at large"

- World Business Council for Sustainable Development

has been extensively researched over the last four decades, but little attention has been paid to explaining eoretical underpinnings. Since India became the first nation in the world to enact a legal need for it in , corporate social responsibility (CSR) has developed. A number of recent events in India have paved the for significant changes in how businesses approach social responsibility and collaborate with the nonprofit r.

is a doctrinal research paper whereby the researcher has collected secondary data from various books, ials, reports, websites, internet articles; press releases etc. relating to the recent development in the field of orate social responsibility and the reference of those have been detailed further.

Words: organizations, projects, corporate social responsibility

oduction

primary objective of any capitalist economy is to maximise its profit in light of the expanding strialization and competition. However, CSR is now becoming more popular in both theory and practise. has been crucial in developing nations like India, where the bulk of the populace lacks access to ortunities for social and economic advancement.

lern corporations have also evolved a concept of social responsibility. Profit optimization is more crucial just profit maximisation for the next generation of corporate leaders. Consequently, the responsibility has led from shareholders to stakeholders (including employees, consumers, and affected communities).

CORPORATE GOVERNANCE: STRIKING A BALANCE

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Abstract

"System by which companies are directed and controlled." -Cadbury report (1992)

Corporate governance has received wide attention in both developed and developing countries in the last couple of decades due to failures and collapses of a number of well-known companies. These incidents have resulted in urgent demands for reform and improved corporate governance practices. Good corporate governance is a key to secure and maintain sustainable competitive advantage, which is one of the major tools to maximize shareholders wealth. It is also serves as a mechanism to protect the interests and welfares of other stakeholders of companies such as employees, investors, customers and suppliers. Whereas, weak corporate governance structures and practices lead to financial disasters.

The prime intent of this article is to understand the structure of corporate governance, study how to tradeoff and balance the act of corporate governance system. The current study specifically investigates the association between the application of effective corporate governance procedures and employee job satisfaction. The general research topic is corporate governance, with a specific focus on the relationship between good corporate governance. This is a doctrinal research paper whereby the researcher has collected secondary data from varied journals, books, reports etc. and the reference of such have been provided and detailed further.

Keywords: stakeholder, employee satisfaction, corporate governance, stakeholders

Introduction

Good corporate governance is a key to secure and maintain sustainable competitive advantage, which is one of the major tools to maximize shareholders wealth. It is also serves as a mechanism to protect the interests and welfares of other stakeholders of companies such as employees, investors, customers and suppliers. In fact, effective corporate governance derives satisfaction to all stakeholders of the firm. Company's competitive advantage emanates from unique competencies that a firm has already acquired. One of the sources of firm's unique competencies is its human resources.

Recently several prominent companies have acknoweldged the essential roles good corporate governance play in building long term and profitable relationship with both internal and external stakeholders. Here the issue is how to balance the diverse sometimes conflicting claims and interests of relevant stakeholders of the company. Corporate governance plays a vital role in this regard. The stakeholders' satisfaction comes after the tradeoff and balancing act of the corporate governance system.

Madhya Bharti (मध्य भारती)
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THE CRITICAL ANALYSIS OF THE COMPETITION LAW IN INDIA: WITH SPECIAL REFERENCE TO THE ABUSE OF DOMINANT POSITION & ITS LEGAL TREATMENT BY ADOPTING AN EFFECTS-BASED APPROACH

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Abstract
Competition Law proposes that a firm has a serious degree of opposition from the standard controlling powers of rival's relentless reactions and buyer direct. of course, dominance as a monetary thought is connected with the prospect of market power. The Indian Competition Law, the Competition Act of 2oo2, as other present day competition guidelines covers plans, abuse of dominant position and solidifications. A conclusive concern of the competition.guideline is about market power & its abuse. The Law of Competition in India hopes to ensure fair competition by prohibiting trade practices which cause extensive opposing effect on competition in business areas inside India. Market power is used to mean the limit of tries to raise cost over the level that would win under the merciless conditions. Abuse of dominant position of market power suggests anticompetitive vital arrangements in which dominant firm could take part in solicitation to stay aware of or addition its position keeping watch&how impact based approach can help with dealing with it. This paper recalls a survey for what is dominance in market & how this dominant position is abused it moreover oversees total dominance & the possibility of predatory pricing & besides monetary issues of an effects-based approach to competition policing.

Keywords: Competition, Dominance, Abuse of Dominant Position, Predatory pricing, Effects- Based Approach

Introduction

Competition regulations are not in any shape or form like any usual arrangement of business guidelines, they controls the extremely manner by which businesses run their business - what they produce, how they produce, the sum they produce, at what cost do they sell their things, How they produce their goods, how they speak with peers, how they start a new business, how they draft contracts, how they put assets into various associations, & so forth. Essentially every course of the normal working of a business is inside the space of competition guideline. As such, not by any stretch of the imagination like 'contract guideline' that determines formal genuine standards for a consent to be significant, competition guideline has a direct perspective.

Anyway, like any another guideline, competition guideline tries to arrange direct that is anticompetitive or precompetitive. Despite the codification competition policing on a very still up in the air by how a competition authority examines & translates the law&the obligation standard it takes on for spreading out anticompetitive direct. A couple of experts could rigidly notice the expressed reason for the law and thusly adopt on a design based strategy, without truly extrapolating the effects of the trade or direct on competition & buyer government help. In any case, various experts ought to truly think about the real reason for the law & embrace an effects-based approach by changing the strong of relentless effects against the anticompetitive effects of the proceed with or trade reliant upon the circumstance. It is basic to note here that structuralize genuine techniques, which are fundamentally static in nature, are lacking for breaking down distinctively strong competition characteristics.

In India, abuse of dominance is prohibited under Section 4 of the Competition Act 2oo2&is predominantly executed using a construction based approach. Section 4 of the Act describes "dominance" & records down exercises which are to be considered severe. at whatever point embraced by a dominant firm. As of now, the Competition Commission of India (CCI) generally approves this plan of the Act based on three key stages - (I) recognizing the huge thing & geographic business areas, (ii) assessing the dominance of the concerned undertaking,&(iii) choosing if the dominant firm sought after a development that can be contained as an abuse of dominance under the Act. Under this construction based approach, the movement of a dominant undertaking winding up falling in the orders

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GEOGRAPHICAL INDICATIONS: THE COMMERCIAL ASPECTS AND ITS CHALLENGES IN THE PRESENT SCENARIO.

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Abstract

The essential idea driving Geographical Indications is that the item quality which is coming from a particular Geographical Indications area, either because of the Geographical Indications elements like soil quality, temperature, dampness & so forth, or because of the customary or social elements, can't be recreated elsewhere. That makes the quality & attributes of the particular item extraordinary, & that is ensured under Geographical Indications. The utilization of Geographical Indications has turned into a quarrelsome worldwide exchange issue, especially for U.S. wine, cheddar, & hotdog producers engaged with exchange between the United States & the European Union (EU). Appropriately, Geographical Indications are among the horticultural issues that have been brought up in the continuous Transatlantic Trade & Investment Partnership arrangements, a potential reciprocal international alliance that the United States & the EU are arranging. Numerous U.S. food makers view the utilization of normal or conventional names as nonexclusive terms & the EU's assurance of its enlisted Geographical Indications as a method for hoarding the utilization of specific wine & food terms & as a type of exchange protectionism

Introduction

For quite a bit of its set of experiences, the thought of an unmistakable connection between regional items & their places of origin has been enunciated in the language of terroir. This polysemous term goes about as a cipher for the impact of Geographical Indications origin on the final result's quality. As one driving researcher of the idea portrays it: 'All things considered, terroir alludes to an area or territory, normally rather little, whose dirt & miniature environment confer unmistakable characteristics to food items. The word is especially firmly connected with the creation of wine.' This sort of causal relationship where the actual topography factors inside a region leave their unmistakable follows upon the finished result - is reflected in the meaning of a Geographical Indications indication found in Article 22.1 of the Agreement on Trade-Related Aspects of Intellectual Property Rights.

As indicated by Article 22.1, a Geographical Indications is an indication that distinguishes 'a decent as originating in the domain of a WTO Member, or a region or area in that region, where a given quality, notoriety or one more trait of the great is basically owing to its Geographical Indications origin'. In any case, this part will zero in on the somewhat overlooked choice organized among characteristics & attributes – notoriety. Amusingly, notoriety is the least discussed type of linkage among item & spot. The examination which follows considers the subject of when an item's notoriety can be supposed to be basically inferable from its Geographical Indications origin.

This is an inquiry worth researching in light of the fact that it connects with the actual reinforcement of Geographical Indications security. The reason for regarding Geographical Indications as an unmistakable Intellectual property (IP) regime lay on the idea of an unquestionable connection between an item & its place of origin. In the expressions of the World Intellectual Property Organization. It is significant for the legitimization of the components of the definition to be made in the most true way conceivable with the end goal of giving the connection an exact & explicit structure, since this comprises the reason for the assurance of a GI. The award of a selective right to a category is made distinctly to the extent that this right is supported by true components & types of verification.

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UNFAIR TRADE PRACTICES IN HEALTHCARE SECTOR IN INDIA & ITS IMPACT

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Abstract

The term "trade" may be defined as act of purchasing, selling, or exchanging products and services between people, companies, countries, and other entities. The expression unfair trade practices can be characterized as any trade practice or act that's tricky, false, or causes damage to consumers. These practices may include acts that are regarded illegal, such as those that violate a consumer protection law. It refers to the utilization of different misleading, false, or untrustworthy strategies to get business. Unfair trade practices incorporate distortion, wrong promoting or representation of a great benefit, tied offering, untrue free prize or blessing offers, misleading estimating, and noncompliance with fabricating benchmarks. Such acts are considered illegal by statute through the Consumer Protection Law, which opens up plan of action for consumers by way of compensatory or correctional harms.

The term "Unfair Trade Practices" may be defined as *"a trade practice which for the sale, use or supply of any goods or services, adopt any unfair practice like false or misleading representation or gives the public any warranty/guarantee of performance or gives any assurance about the length of life or quality of the product."*[1]

The development of any nation depends upon its citizens who are the key to advancement of any nation. The Universal Declaration of Human Rights, Article 25 guarantees that: *"(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection."*[2].

Keywords: Trade, Impact, Consumer Protection, WHO.

Introduction

The socio-economic development of any country depends upon its healthy citizens who are the key to development of any country. In terms of GDP[3], India is the third largest economy of the world but

[1] *Section 36A, MRTP Act read with Section 2(1)(r), Consumer Protection Act, 1986*
[2] Article 25, Universal Declaration of Human Rights
[3] Gross domestic product: the total value of all the goods and services produced in a country in one year

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ROLE OF CORPORATE SOCIAL RESPONSIBILITY IN HEALTHCARE SECTOR IN INDIA

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Abstract

There is no doubt that the healthcare sector in India is suffering from devastating phase in execution of its service to the poor and the needy of the society who constitute a large portion of the total population of the nation as steps and initiatives taken up by the governments i.e., centre as well state, are not up to the mark due the prevailing corruption, lack of infrastructure and human resources. As per the Global Health Security (GHS) Index 2021, India ranked 66 out of 195 countries.

However, yet in such a scenario, we can breathe a sigh of relief that many corporate organizations are coming forward to fulfil their social responsibility towards the society by way of promoting educational, health, sanitation facilities in the needy areas. Even when the entire country was heavily affected with the arrival of corona-virus[1], these companies tried to walk step by step with the governments by trying to provide the required facilities to the health sector..

Keywords: GDP, Health Sector, Impact, Corporate Social Responsibility.

Introduction

The term *Corporate Social Responsibility* simply means that responsibility of the companies and firms which they owe towards the society. By referring to the word "corporates, companies or Firms", we imply a body which strives for profit maximisation leaving an impact on the society in terms of social and environmental nature. In every form of exploitation of natural resources, the reason is human need. Sometimes this exploitation goes beyond the extent of greed and affects the society in an adverse manner. This is when the Corporate Social Responsibility (hereinafter referred as CSR) provides a way to compensate the society. An entity, whether a company or a firm, must realise its social responsibility. No doubt profit making is the ultimate goal of these bodies, but they must conduct their business in a socially responsible and righteous manner. CSR activities of a company help in diverting the attention of the common man from various other practices that a company does for earning profits.

[1] Coronavirus disease (COVID-19) is an infectious disease caused by the SARS-CoV-2 virus.

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RECONSTRUCTION AND AMALGAMATION OF COMPANIES IN INDIA

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ABSTRACT

The company wished to avoid being wound up and negotiated a scheme in which the being shareholdings in the company would be transferred to a new company which would take over the company's undertaking and means also as its debts. This was to be effected by a scheme for reconstruction which might end in the old company's shareholders holding four per cent of the shares within the new company.

INTRODUCTION

Companies to accelerate the growth prospects of their business enterprise or undertaking frequently suffer the process of the reconstruction as well as admixture which affects the share capital of the company ultimately leading to the diversification of the business conditioning. To initiate the process of reconstruction and admixture companies pursue several arrangements and negotiations with different stakeholders of the company in order to make the process as clutter free as possible. They can make arrangements and negotiations with the members of the company as stated u/ s 230 of the companies Act, 2013.

For the purpose of enjoying the husbandry of scale and to reduce the cut throat competition, two or further than two common stock companies may combine their undertakings and come one common stock company. It can be done either by one of the being common stock companies taking over the other combining company or companies, the ultimate being dissolved or by standing a new joint. stock company, which takes over all the combining common stock companies. It's being done either by Amalgamation or Immersion.

The meaning of these terms is as follows

Amalgamation When two or further companies same in all felicitations go into liquidation andthe new company is formed to take over their business is called admixture. For illustration, if a new company CLtd. is formed to take over A.Ltd. and B.Ltd. which are being companies, it is an illustration of amalgamation.

Immersion Under immersion, no new company is formed, whereas an being company purchases another being company, it's called immersion.

RECONSTRUCTION

The term reconstruction has not been defined anywhere in the act of 2013. Still, the institution of bar has interpreted the term through colorful ruling hence in *Hooper v. western countries co.*[1] in this case reconstruction was defined as objectification of a new company which intends to take over the means reconstruction was defined as objectification of a new company which intends to take over the means of the old company with the intention that new company shall carry out the same business run and manged by same person in the analogous manner.

Reconstruction connotes reconstituting the fiscal structure of the company with or without resorting to the dissolution of the business. Reconstruction is done to achieve following objective –

- Simplification of capital structure.
- Abating the fixed charge
- Conforming the arrears in forms of tip
- Adding the working capital of the company
- Elimination of formerly losses.

Generally reconstruction becomes a necessary expedient in the situation when fiscal position of a company degrades. Reconstruction can be both internal as well as external.

[1] (1892) W.N. 148

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UNFAIR TRADE PRACTICES IN INDIA: A CRITICAL ANALYSIS FROM TRADEMARK LAW RERSPECTIVE

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ABSTRACT
Traders need rules to play which will by default bring transparency and fairness in trading practices. Because aim of traders is to gain profits and not harm consumers. So, regulating the relationship between trader and rival competitor can bring harmony. At present competitor dare to indulge in comparative advertisement amounting to disparagement due to absence of deterrence effect. Till date in none of the cases damages have been awarded or corrective advertisement is suggested. Hence the researcher firmly believes that implementation of the suggestions above can resolve the marketing conflict timely at market level itself.
"The fact however remains that in the world of business and commerce it is not uncommon to find one manufacturer or trader acting in a manner that has the effect of running down the product of another by showing it in poor light. The rights and obligations flowing from such injurious campaigns for gains, if not for supremacy have often come under judicial scrutiny and have been settled by a long line of decisions of the Courts in this country"

INTRODUCTION
Advertising and marketing have become integral and important part of business today. These two fields are inseparably parts of trade which are essential for a business of any size. It is also the domain where the interests of competitors and consumers are often intersected. These two are the tools in hands of traders to sell their goods and services, while for consumers they are source of information which influence their buying decisions.
"In the words of Sigmund Freud, humans are born screaming for attention. It seems that competition is also an inevitable consequence of this basic human instinct. At every stage in life, success is often measured by how we equip ourselves to cope up with competition and one such area where we cannot deny its existence is undoubtedly advertising"[1].

CONCEPT AND DEFINITION OF UNFAIR TRADE PRACTICES
"The purpose of unfair competition law is to ensure fair and undistorted competition in the interest of all concerned. In practice, this means that unfair competition has also to be defined functionally, taking into account particularly the interests of those "concerned" by it, namely the parties involved in the operation of the marketplace. One party who is always "concerned" is the honest businessman". "Since unfair competition law started as a special law for the protection of the honest businessman, a businessman's standard of behaviour logically serves as a starting point. A practice that is condemned as improper by all businessmen can, therefore, hardly qualify as a "fair" act of competition. The practices which are regarded unfair should not be permissible. There has to be moral or ethical check for improvisation of market practices and reduction of friction within business community"
The concept of unfair trade practice is not new to market, it is rather as ancient as the trade itself. The era when trading activities started gaining pace the deceptive and unfair practices also started mushrooming. As advancement in science and technological took place, the trading practices also witnessed the transformation. These developments further promoted competition in market. With

[1]Nazish Khan, Comparative Advertising in India: Concept, Status and Self-regulatory Framework, JOURNAL OF ADVANCED RESEARCH IN JOURNALISM AND MASS COMMUNICATION, Vol 3 pp. 1-8 (2016)

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CYBERCRIMES AND THE VICTIMIZATION OF WOMEN AT SOCIAL PLATFORMS

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ABSTRACT
There's no doubt that social media has completely revolutionised the way people interact.But there's a dark side to the world's loving with social media. Criminals and abnormal people finding new ways to utilize social media to commit many types of act against the dignity of a woman. And Victim don't know about the solution about that situation[1].She don't know that how she deal with that criminals. That's why if you want to continue to enjoy social media, you should be aware of the common crimes committed on social media so that you can avoid becoming a victim.

Police" and "Public Order" are State subjects under the Seventh Schedule to the Constitution of India. The responsibility to maintain law and order, protection of life and property of citizens rests primarily with the respective State Government/ Union Territory. The State Governments/ Union Territories are competent to deal with cases of misuse of social media to commit cyber crimes.

Pornography/Child Sexual Abuse Material, rape/gang rape imageries, deformation, edited photos, abused comment or sexually explicit content. The Portal facilitates the States/UTs to view complaints of cyber crime online and take appropriate action. Since inception of the portal, more than 16000 complaints, including other cyber crimes, have been received through this Portal, till 15.06.2019 for action by the States/ UTs concerned[2]. Steps have also been taken to spread awareness, issue of alerts/advisories, training of law enforcement agencies, improving cyber forensics facilities, etc. These steps help to prevent such cases and speed up investigation.

So,In this paper we discussed about crimes against women at social media,that type of crime is a focused type of cyber crime .we just checked the validity of cyber law.we search to find that where is loophole in statury law? What type of law needed to deal with crime related to women at social media?

THANKING YOU

Introduction

Social media is an internet based of communication system. Social media application/software provides users to have conversations, idea sharing, chatting creativity with each other. This is a fine example of globalization. There of many form of social media including blogs, sub blogs, social networking sites. Online Gaming, Shopping Sites and more.

Billions of people around the word connected by social media. They share information emotion experience and make connectivity with each other.

On a professional level we can use social platform to broaden our knowledge in a specific area and make our connection with the client. Social media allows us to communicate with friend and family, learn new facts develop your interest and enjoy social activities a society.

Some popular social media sites are, facebook, whatsapp, hangout, Gmail, Shopping (Snapdeal), Youtube, Matrimonial Sites, Online Gaming etc.

Women and Social Media:

Today women are very active on social Media and they communicate naturally across them. Because they share similar communicate logic and social activity.

Male domination in technology has become thing of the past more and more women have found their voice of social media. Most women really on the internet of entertainment and tend to prefer to

[1] http://www.crime-research.org/wiki/Victim_mentality
[2] https://cybercrime.go

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A SOCIO LEGAL ANALYSIS OF NECROMANCY AND NECROPHILIA IN INDIA

Ms. Anjali Dixit*
Dr. Praveen Kumar Mall**

ABSTRACT

Necromancy and necrophilia, both are serious mental illness as already medically and scientifically proved. It is a nonconsensual disease. Attraction towards spirits or corpus is on the name of superstations, dangerous in the eye of civilized society. Not only they defame the thousand years old culture but also try to destroy the harmony of the society. There is no religion or culture in the world, which support any kind of inhuman practices. Due to lack of medical or scientific reasons, people attract towards the superstations beliefs.

Keywords: Black magic, Inhuman Practices, Necromancy, Necrophilia, Witch Hunting

INTRODUCTION

In India Choushatti Yogini temple, a ninth century temple at Hirapur, hardly Bhubaneswar, Orissa speaks about the worshiping yogini. As per source this temple is built by royal family of 'Somvansi' in 9th century. Now this yogini temple is the part of the Archaeological Survey of India (ASI). Worshiping Yogini is a part of the tantric cult, immerse between Hindu and Buddhism. Although, yogini temples also find most of places in Uttar Pradesh and Madhya Pradesh. Yogini Temples were built that time when necromancy and black magic is the part of the worshiping 'Matrka' or 'Mahamaya'. So, we can say that 'Choushatti Yogini temple' is the part of the 'Necromancy'.

'Necromancy' is related to the 'Necrophilia' a kind of witchcraft or superstations beliefs or a psychological disorder. In 'Necromancy' persons claim that they have art of communication with the dead persons or spirits.

In this article scrutinize, where the Indian legislative system confront necromancy and necrophilia themselves and with other necromantic practices(Witch craft, Witch hunting etc.). The mercuriality, with which the system treats supernatural powers and attempts to speak with spirits, mirrors the equivocation of society at great number about those topics. In this article, I try to study about such society's dilemma may be rooted in a conflict between orthodox religious teachings and widely held personal beliefs.

MEANING OF NECROMANCY

Necro is a latin term means dead. We can say 'Necromancy' drived from latin term 'necromantia', which is the art of communication with the dead persons. Term 'necromantia' word is taken from Greek word 'nekromanteia – which is the combination of the ancient Greek nekros (dead body or corpus)' and manteia, which means divination. Some people connected to it with the 'Necrophilia' but it is differing from it. As per the Cambridge Dictionary 'Necromancy' means, 'the act of communicating with the dead in order to discover what is going to happen in the future, or black magic'. As per another dictionary meaning we can say that word 'Necromancy' is denotes magic in general, which practiced by a witch or sorcerer; socery; witchcraft or conjuration. In Necrophilia affected person have an attraction towards a corpus, there is no communication take place.

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EMPOWRING WOMEN AND GIRLS FOR SHARED PROSPERITY: A CRITICAL ANALYSIS OF LEGISLATIVE FRAMEWORK OF INDIA

ANJALI DIXIT

"The empowered woman is powerful beyond measure and beautiful beyond description". Steve Maraboli

Abstract

In today's scenario of India empowerment of women has become one of the most important concerns of 21 st century. The concept of equality required equity. When we look deep down on the history 'women was the first human being that tasted bondage. Women were a slave before slavery exists.' From centuries, societies in the world over have been trying to fly on only one wing, denying women to their rightful place. When we go on look theory part related to women there was so much done for the women, but if this was the fact then why women's still struggling to find her social status and respectable place in the society. Whether the term women empowerment is practical or still is in illusion? This paper neither favoring feminism or nor critiquing the laws and amendment done regarding women. The paper attempts to analysis the variables that include geographical, social, educational and age and further analyze the policies of women empowerment that exist at the national, state and local levels in various sector including health, education, economic, gender based violence and political participations and try to find out the key gaps between the policy advancements and actual practice at the grass root level. The paper shall also analyze the role of judiciary to empower the women specifically with current spate of women centric reform in India and the best practice adopted at the International scenario so as to recommend and come out with suggestion in means of concluding remarks.

Key Words: *Women Empowerment; Gender Equality.*

Introduction

Indian society which had undergone a drastic change since the Vedic ages and when we compare Indian culture to other cultures, we realize that Indian culture worship women as Laxmi Maa- Goodness of women , Saraswati maa- wisdom, Dura Maa- power and strength etc. Indian values, nationalism and culture heritage were glorified through the symbolic of 'Mother India'. Now a days this will limit to Vedas and purans only crime against women are increasing day by day. The empowerment of women in practical reality is debatable issue in all over India and India is not exception to that. Over a past few years the status of women undergoing lot a positive and negative changes. Drawing the strength from the constitutional commitments, the Government of India has been engaged in the continuous endeavor of concretely translating all the rights, commitments and safe guards incorporated in the Indian Constitution for women from de jure to de facto status.

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RES MILITARIS
Social Science Journal

UNDERSTANDING THE LEGALITY ANDCONCEPTS OF INSANITY UNDER LEGAL JURISPRUDENCE

INDERJEET KAUR.[1]

ABSTRACT

In criminal jurisprudence, the liability of wrongdoer can be determined on the basis of the capability and state of mind. It is submitted that no person shall be convicted until he is proven guilty beyond reasonable doubt. In another word „an accused is presumed to be innocent until he is proved guilty. Here, researcher endeavors to state that a healthy mind is involved in crime if he can understand the consequences of his act. In case questioned person is mature enough and has ability to differentiate between rights or wrong he must be booked in the eyes of the law. In criminal jurisprudence, it becomes very difficult to trace the intention from the face of the accused; as it requires satisfying the ingredient of crime i.e., „Actus non facitreum nisi mens sit rea‟18, injury act of doing, etc. However, question arises when a person with an unhealthy mind commits crime, which indicates presence of „actus reus‟ but framing „means rea‟ will be difficult due to his disordered mind.

Psychology is a subject of scientific study of human behavior in any context. 1 It is a science of experience and behavior, which tells us how the mind processes the experiences in daily life, and how mind works and responds. This subject can predict the behavior of a person to some extent, and it helps to control the behavior in a certain manner by putting the individuals under appropriate conditions. It seeks to discover the laws of mind. Behavior is the expression of inner experiences originating from interaction of an individual with the environment. Psychology also aims at a self-consistent body of knowledge relating to mental processes. Thus,

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Judicial Analysis of marital rape laws in India

Priya Jain[1], V.V.B. Singh[2], Ravi Kant Gupta[3], Sadhana Trivedi[4], Diksha Taneja[5]

Abstract

Marital rape is a complex issue; it is definitely one of the most severe forms of crime. Often times, married women are victims of rape by their husbands. It poses one of the greatest dangers to India's gender justice system. It is one of those social illnesses that has been in India from ancient times and still has a negative impact on society. Indian society has never viewed marital rape adversely. In Indian culture, it is seldom opposed by anybody for a variety of reasons. In this way, the stance of the Indian legislative is similar. The Indian Constitution has given the Indian legislature the difficult responsibility of passing laws for the protection, security, and progress of the nation. However, the legislature has little interest in making marital rape a thing of the past. The Indian courts express some hope in this regard, but it is bound by the fact that law is made by the legislature, not the judiciary. There are no effective laws in India to prevent marital rape. Whatever regulations exist in India, they are insufficient to stop a horrible crime like marital rape. There must be strict laws put in place in India to deter marital rape.

Keywords: marital, rape, judiciary, appeal, SC, HC.

Introduction

India has dealt with a number of social issues ever since the beginning of time. "Sati Pratha, child marriage, forced marriage, the Devdasi System and Purdah System" are examples of these social issues. While many of these social evils are no longer prevalent in India, others are still very much so and continue to be a source of issues for the nation. Marital rape is one of these societal ills; it has been a problem in India both historically and now. It is one of those difficult societal ills that, despite the passage of time, has not vanished from India's landscape and is still a pervasive occurrence there. The threat of marital rape is treated with a fair amount of indifference by Indian culture and the government. However, as seen by its several landmark rulings, the Indian court is not so apathetic to

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Intellectual property law: providing protection for intangible business assets

Rahul Singh[1]

ABSTRACT

India is crucible for entrepreneurship and innovation. It's the entrepreneurial ventures that drive real innovation and growth, thus encouraging creativity to introduce new products, solutions, and business models. The country is poised to leapfrog into an era of new ventures across industries on the back of growing aspirations and supportive policy makers. Intangible assets such as software, patents and databases are likely to be critical to the lifeblood of a company. If a company has gone to the trouble of seeking and obtaining a patent, then it will know the process and how important patents are to protect that company's innovation. Patents are granted territory by territory and give a monopoly to working/selling that patented product or process. An intellectual property rights strategy is an effective instrument that can facilitate a successful business. Intellectual Property Rights (IPR) themselves are essential for determining the success of a business. In this scenario, the significance of IPR for a startup cannot be over-emphasized. More often than not, startups are hotspots of innovation and emerging technologies. Streamlining the system of protection of their innovations will be an essential value addition to their business strategy. Intellectual property rights may be in the form of patents, trademarks, design, or copyright. In whatever form, IPR can be capitalized upon to improve the finances as well as the credibility of a company in the economy. IPR is intangible property, which means that care must be taken to protect these invaluable assets at the business's inception. Recognizing this, the Government launched the Scheme for Facilitating Startups Intellectual Property Protection (SIPP) in India.

Keywords - Intellectual property rights patents, trademarks, design, or copyright

Intellectual Property Rights

Intellectual property is a broad categorical description for the set of intangible assets owned and legally protected by a company or individual from outside use or implementation without consent. An intangible asset is a non-physical asset that a company or person owns. The

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CRITICAL ANALYSIS OF JUDICIAL REVIEW AND JUDICIAL ACTIVISM IN INDIA

Diksha Taneja[1], Priya Jain[2], Sadhna Trivedi[3]

ABSTRACT

For all democracies, the judiciary is the third and last pillar. Judiciary's role is to ensure that those who have been wronged are given a fair trial and, most crucially, to provide that remedy. Since people have developed novel approaches to committing crimes and exploiting legal loopholes, it is more important than ever that the judicial system provide swift justice to the victims of these offenses. However, there are situations in which the laws just aren't enough to provide victims with justice. Here's where things get interesting, and when judicial review and activism come to the rescue. This is a ground-breaking method utilized by the judicial system to bring justice to the wronged where no applicable laws exist or when those in place fall short of ensuring full redress. However, in its pursuit of justice, the judiciary often oversteps its bounds and intrudes into the domains of the legislative and the executive, a practice that violates the principle of separation of powers. This study makes an effort to analyze the methods used by Indian courts in this area.

Keywords: SC, HC, activism, independence, review, overreach.

INTRODUCTION

According to the saying "justice delayed is justice denied," it is essential for court to give justice when the law(s) are either inadequate, do not exist, or seem to be unfair in order to uphold the rule of law. This is when judicial review and judicial activism became relevant. Judicial review is one of the building blocks of a successful democracy. As the idea of judicial review developed to account for the changing demands of Indian society, the guiding principle of Indian law, which had been process established by law, gradually evolved into due process of law. This concept

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A LEGAL AND LEGISLATIVE FRAMEWORK FOR THE PROTECTION OF SURROGACY IN INDIA

Priya Jain [1], Pawan Kumar Bajpai [2], V.V.B. Singh[3], Rahul Singh[4], Kaneez Fatima[5]

ABSTRACT

A great importance is attached with the law that governs surrogacy because India is often referred to as the world's "surrogacy capital." Owing to the cheap cost of substitution arrangements as compared to other nations and less regulations to deal with surrogacy India becomes the favourite destination for begetting the child for those including the bachelor, separated, elderly, homosexuals and lesbians who may face discrimination in their own country to have the child via surrogacy. In addition to this, there are other reasons also such as in India doctors are well qualified and experienced, private health services are world class and more importantly surrogate women are easy accessible. This rise in practice of surrogacy arrangement further gave rise to many issues and recognition of many rights and obligation. Surrogacy is a procedure or arrangement whereby a person who becomes a neonatal parent after birth decides to take pregnancy with another person. It's a contract in which a lady is "with" another pair of pregnant ladies for an extended period of time. A lady who transfers and delivers a kid for another pair is also used to use "substitute mother" or "surrogate." It is considered in the Black Law Dictionary as a gift and wonder of science.

KEY WORDS: Law Commission, Surrogacy Bill Etc

INTRODUCTION

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Contemporary Sedition Laws: Reviewing Recent Criminal Legislation and its Impact on “Freedom of Speech and Expression"

Kaneez Fatima[1],*Vir Vikram Bahadur Singh*[2]

Abstract

This study examines the contemporary status of sedition laws within the framework of recent criminal legislation. Sedition, historically used to suppress dissent and critique against the state, has been a contentious legal issue globally due to its potential for infringing upon freedom of speech and expression. This paper provides an overview of the evolution of sedition laws, analyzing their application in various jurisdictions and their compatibility with modern legal standards. Additionally, it assesses recent developments in criminal legislation pertaining to sedition, including reforms, amendments, and challenges to existing laws. Through a comprehensive review of case law, scholarly literature, and legislative changes, this study aims to offer insights into the current landscape of sedition laws and their implications for fundamental rights and civil liberties.

Sedition laws have long been a cornerstone of legal frameworks, ostensibly designed to protect the integrity and stability of the state. However, in recent times, these laws have come under increasing scrutiny for their potential to stifle dissent and curtail freedom of expression. This paper undertakes a comprehensive examination of the current status of sedition laws within the context of contemporary criminal legislation. Drawing on jurisprudence, legislative reforms, and scholarly discourse, it navigates the intricate terrain of sedition laws to discern their evolving role in modern societies.

Keynotes- Sedition, S.G-Solicitor General, A.G- Attorney general, Legislative, Constitutions.

Introduction

India is currently faced with the challenge of reconciling its colonial heritage with contemporary values along with the complexities of modern democracy. One such challenge is the antiquated sedition law, a relic of British rule that restricted freedom of expression. This paper examines the historical context of the sedition law, its

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CONSUMER PROTECTION LAWS IN THE DIGITAL AGE: EVALUATING THEIR EFFECTIVENESS AND ADEQUACY

Sadhana Trivedi[1], Ashish Tripathi[2], Indrajeet Kaur[3]

Abstract:

The present study examines how consumer protection laws have changed in the digital era and evaluates how well they have protected consumers' rights and interests. This article seeks to highlight the shortcomings and difficulties in the current regulatory frameworks through a thorough examination of the relevant laws, case studies, and empirical data. It sheds light on the necessity of flexible and responsive regulatory frameworks by analysing how digital technologies, e-commerce sites, and online marketplaces affect consumer transactions. The results add to the continuing conversations among stakeholders, regulators, and policymakers on how to protect consumers' interests in a market that is changing quickly. To safeguard the interests of online shoppers who prefer to make purchases online, this study examines the existing legislative environment in India. This study contains a thorough analysis of recently enacted laws, i.e. The Consumer Protection Act,2019 and Consumer Protection (E-commerce) Rules, 2020.

Keywords: consumer protection, consumer rights, e-commerce, consumer interests, regulatory framework

Introduction:

The term "consumer welfare" describes the advantages that each individual receives from using products and services. Theoretically, an individual's subjective evaluation of their level of contentment in relation to prices and income defines their own welfare. Thus, precise measuring of customer welfare necessitates personal preference data.

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INFRINGEMENT OF INTELLECTUAL BELONGINGS RIGHTS IN E-SHAPE: PREVENTING MECHANISM

SADHNA TRIVEDI[1],PRACHI VERMA[2]

ABSTRACT

In contemporary societies, the sharing of knowledge in the public area is challenged by using the internet and the protection of information through intellectual belongings Rights (IPR). IPR is intertwined with the difficulty of clean on line get right of entry to. moreover, on line get entry to valuable knowledge has become a precondition for financial fulfillment. internet might be the primary really 'mass media' of the arena. Slowly we are witnessing the convergence of other varieties of communications technologies with the net. As mentioned earlier, the socio political and prison troubles which stand up because of introduction of such borderless mass method of verbal exchange are incredible and intellectual property issues are best part of them. Courts and worldwide groups however, have proven the need to deal with those troubles. together with addressing the disputes in courts new varieties of dispute resolution mechanisms have been installation to remedy the issues.

KEY WORDS: Electronic Form, Ipr etc

INTRODUCTION

The interface of the intellectual belongings and net has been analyzed with appreciate to diverse styles of intellectual assets such as copyright patent and emblems as properly. within the present chapter to start with we can remember that what quantities to infringement of intellectual property specially in e shape, also we will see that if the combating mechanism for such infringement is sufficient in Indian scenario in comparison to different countries; we are able to trace the available

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IN THE VIEW OF GLOBAL POLITICS ELADUCATING THE ROLE OF CRIMES AND JUSTICE

SADHNA TRIVEDI[1],PAWAN KUMAR BAJPAI[2]

ABSTRACT

Earlier than addressing the problem of criminal activity and justice in worldwide relations, it is important to first make a short evaluate of how the concept of worldwide justice is handled in one-of-a-kind theoretical traditions. The concept of justice, as evolved over a time period, has been a subject remember of intense debate among pupils and political thinkers. Ronald Dworkin claims that all tactics to justice are based totally on not unusual assumption, but have unique interpretations. He offers an summary egalitarian thesis i.e. "the pastimes of the contributors of the community be counted, and be counted equally." All modern-day theories of justice are searching for to cope with those two questions: "What people's hobbies are" and "what follows from supposing that those hobbies count number similarly."

variations stand up, but, because of distinct answers to these questions. on the other hand, it has been referred to that contending theories of justice are based totally on values which might be intrinsically extraordinary; exceptional processes offer their own "ultimate political beliefs" like "equality in Marxism, liberty in libertarianism, utility in utilitarianism, contractual equity in liberal equality, common precise in communitarianism, and androgyny in feminism." however, the application of the concept of justice in worldwide relations has remained complicated, the number one reason being the dominance of realism as a faculty of concept in mainstream global family members (IR) scholarship. Realism advocates selfish pursuit of pastimes through states. Realism has ruled IR to such an volume that IR as a department of social technological know-how has been viewed as without values, ethics and

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DISCHRAGE OF CONTRACT BY USING OPERATION OF LAW VIA DIFFERENT REGULATION

SADHANA TRIVEDI[1],PRACHI VERMA[2]

ABSTRACT

The law of agreement cannot be created by deductions from a normal theory, however the presence of practical desires on the legal shape bequeathed by means of records. The perspectives of lawyers, jurists, judges and academicians alternate in keeping with the changing desires of the society and in every criminal machine one discover legacies from the past that conflict with modern views. it isn't simplest essential, alternatively very beneficial to observe the theories that underlie the concept of damages underneath law of contract, but it cannot be anticipated to discover a constant technique in anybody systems of regulation.

KEYWORDS: Discharge, Contractual Obligations Etc

INTRODUCTION

The settlement may be discharged by means of the occurrence of demise, merger, insolvency, unauthorized alteration, and when rights and liabilities devolve at the identical birthday party (eg. as in case of a bill of change inside the arms of the acceptor, the opposite events are discharged. A agreement can be discharged if, after it's far made, overall performance becomes objectively not possible, as inside the following:

(1) demise or disability of one of the parties,

(2) particular challenge remember of the settlement is destroyed, or

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RULE OF LAW AND ADMINISTRATION OF JUSTICE WITHIN THE PRINCIPLE OF DEMOCRACY UNDER THE REFERENCE OF INDIAN JUDICIARY

INDERJEET KAUR[1]

ABSTRACT

Every state has a central structure that consists of three main parts that are the legislature, executive, and judiciary. These institutions are specialized in performing specific functions provided under the constitution like rule-making, rule application, and adjudication with a great deal of precision and caution. In India, no institutions are allowed to perform the duty of others, as our constitution provides a theory of separation of powers. The Supreme Court of India enjoys very wide power under the constitution and performs various functions. The main function is to review the legislative and executive actions of the state that should not violate the fundamental principles enshrined under the constitution.

This right of constitutional review provides power to the Supreme Court to check upon the other organs of the government by ensuring the constitutionality of actions of the executive and the legislature. Along with the above functions Supreme Court performs some other functions also, it provides justice to the citizen against the process of the government and resolves disputes between the union and the states. If one state has a legal dispute with another state, then another state can approach the Supreme Court to decide the dispute. The Supreme Court can adjudicate upon civil and criminal matters also. Any person found guilty of any offenses can appeal to the Supreme Court of India. Further, it can review and cure its judgment if it is manifestly wrong. The Supreme Court of India can advise the President on points of law and fact if it is sought by the President. Apart from the judicial function the Supreme Court also performs administrative functions.

KEY WORDS: justice, administration, political etc

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UNDERSTANDING THE ROLE OF HUMAN RIGHTS IN BANKING LAW

SADHNA TRIVEDI[1],GARGI SENGAR[2]

ABSTRACT

Banking is essential to business. As a source of capital and operating funds, guarantees and assurances, banks share in business risks and rewards and often make crucial decisions about the direction and management of business enterprises. They influence business decisions and business behaviour. Banks have a dual role: they are businesses themselves and they empower the businesses that use their credit. Because of their critical position in the commercial world, banks have a special, and particularly important, role in business and human rights. However, there is sharp disagreement on the nature and contours of that role. In fact, the responsibilities of banks under the UN Guiding Principles (UNGPs) is currently being debated. Meanwhile, banks are, and have long been, subject to intense criticism for funding corporate actions and projects that are claimed to violate human rights. In those cases, the protests are against both the borrowing company and its banks, with the banks considered responsible for human rights abuses committed by the companies they fund.

KEY WORDS: Banking Law, Human Rights, Ungp Etc

INTRODUCTION

Businesses generally, including banks, face evolving expectations regarding their approach to human rights. The UN Human Rights Council helped create this shift when it endorsed the UN Guiding Principles on Business and Human Rights in 2011. The debate over whether businesses, including banks, have human rights responsibilities has shifted to a conversation aimed at better understanding the

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Child Rights in India : Evaluation of the Impact of Right to Education

Kaneez Fatima[1],Ravi Kant Gupta[2]

Abstract

Children, being the most important human resource of a nation, need focused attention in terms of their education, health and safety. A solid foundation of a civilized society cannot be built as long as ignorance and weak will hold sway. Although we can strengthen the foundation of our society by giving proper education to children, the growing disparities in social and economic factors within our society highlight the need to provide free and compulsory education to children, which India has justified by bringing the Right to Education Act 2009.formally recognized. However, despite these educational programs, reaching a large underprivileged child population and integrating them into the mainstream remains a formidable challenge. In this paper, the researchers highlight the challenges these underprivileged children face in creating effective educational pathways for education, considering factors such as poverty and crime.Thus, this paper not only explores the different perspectives on education and the important role of child education, but also focuses on the underprivileged children. The issue of child education, especially among disadvantaged groups such as street children, slum children and transgender children, demands greater attention. It highlights the challenges faced by children and analyzes both national and international initiatives dedicated to promoting child education supported by contemporary examples.

This paper also highlights the serious consequences arising from the denial of access to education to children. It offers plausible legislative and social solutions to address these consequences that policymakers should consider. This paper aims to encompass a range of solutions that can reduce the adverse consequences of educational deprivation among children.

Keywords- Slum Children, Poverty, UNESCO, Child Right ,RTE

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CHILD RIGHTS PROVIDED IN INDIA WITH SPECIAL REFERENCE TO EDUCATION

Diksha Taneja[1], Priya Jain[2], Sharwani Pandey[3], Rahul Singh[4]

ABSTRACT

The basic root of education is a bitter one, but yes, the resultant fruit is very sweet.

This article has highlighted the major issue that how the lack of education, as well as proper awareness, has caused so much disturbance in the life of a child that has eventually blocked their growth mentally, and they have been later even subjected to various violations.

After complete research about illiteracy, it can be clearly stated that this term has been traced for ages and the root cause of major discrimination faced by our countrymen was lack of education, and still, that issue subsists in our society; though comparatively, the ratio has described it compared with the growth of our country we still lack to provide compulsory education to every child.

Further, the article talks about the need for the RTE act which claimed free and compulsory education to every child who is under the age of 14 years it simply stated that primary education is of utmost importance for a child's overall growth and even for personality enhancement, and the article also puts light on, insertion of Art 21A and also Article 45 and hereby lastly the challenges this act faced while implementation.

The international convention that supports the importance of child education has also been discussed here and finally, the author has suggested some of the ways that can be implied for better and more effective use of the RTE Act.

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THE FEDERAL LEGAL REGIME: TO STUDY AND UNDERSTAND THE RELEVANCE OF CONFESSIONS AND ADMISSION UNDER INDIAN LAW

SADHNA TRIVEDI[1]PAWAN KUMAR BAJPAI[2]

ABSTRACT

Confession have long been accepted as authentic evidence of guilt, they also posed certain risks, those both of unreliability and of violation of individual autonomy. On the one hand defendants may not be making a true confession and on the other even if the confession was likely to be true it may have been obtained in ways that were the result of unacceptable pressure on the suspect thus arguably sapping his free will. At the most extreme level this could be by torture. Confessions as admissions of guilt have played an important part in the development of western culture since the late Middle Age and there is an intimate link between law and religion in this area. In 1215 the Roman Catholic Church, in the Fourth Lateran Council, made annual confession obligatory for all the faithful. The American academic Peter Brooks has made an extensive study of the cultural role of confessions. He writes: "The confessional model is so powerful in western culture, I believe, that even those whose religion or non-religion has no place for the Roman Catholic practice of confession are nonetheless deeply influenced by the model. Indeed, it permeates our cultures, including our educational practices and our law. The image of the penitent with the priest, in the intimate yet impersonal, private and protected spaces of the confessional, represents a potent social ritual that both its friends and its enemies have recognised as a shaping cultural experience.

KEY WORDS : Relevancy, Facts Etc.

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FORMULATION AND CONSTITUTION OF CONSTITUTIONAL BENCHES OF SUPREME COURT OF INDIA.

INDERJEETKAUR[1],

ABSTRACT

Every state has a central structure that consists of three main parts that are the legislature, executive, and judiciary. These institutions are specialized in performing specific functions provided under the constitution like rule-making, rule application, and adjudication with a great deal of precision and caution. In India, no institutionsare allowed to perform the duty of others, as our constitution provides a theory of separation of powers. The Supreme Court of India enjoys very wide power under the constitution and performs various functions. The main function is to review the legislative and executive actions of the state that should not violate the fundamental principles enshrined under the constitution. This right of constitutional review provides power to the Supreme Court to check upon the other organs of the government by ensuring the constitutionality of actions of the executive and the legislature. Along with the above functions Supreme Court performs some other functions also; it provides justice to the citizen against the process of the government and resolves disputes between the union and the states. If one state has a legal dispute with another state, then another state can approach the Supreme Court to decide the dispute. The Supreme Court can adjudicate upon civil and criminal matters also. Any person found guilty of a offenses can appeal to the Supreme Court of India. Further; it can review and cure its judgment if it is manifestly wrong. The Supreme Court of India can advise the President on point so flaw and fact if itissoughtbythePresident. Apart from the judicial function the Supreme Court also performs administrative functions.

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DEMANDING SITUATIONS FOR THE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS IN ELECTRONIC FORM

SADHANA TRIVEDI[1],GARGI SENGAR[2]

ABSTRACT

The virtual age and the worldwide economy are now strongly related. due to the fact Nineties, the facts technology have accounted for a big percentage of funding and made a sizeable contribution to financial boom, supported through an intellectual belongings device that has furnished powerful safety for digital technology in the new economic system. organizations, people and governments have all profited from the advantages added with the aid of the ever-increasing and broadening use of the internet. The explosion of the internet, and the growth in .com enterprises, has profoundly shaken the financial global and has generated new industrial fashions; they have also affected the felony international by way of posing new issues, inter alia, in terms of the protection of intellectual assets on the net.

One of the key traits of the 21st century global economy is that expertise and intangibles have become more and more critical both as manufacturing factors and as consumption goods. it's far, therefore, hardly ever pretty that intellectual belongings rights (IPRs) have turn out to be a controversial issue. groups undergo greater investments in research and improvement (R&D) and design that allows you to generate and bring to the marketplace new services and products. that is at the root of the traditional anxiety among innovators and imitators, a tension that for lengthy happened often in the countrywide scene and that now has taken a worldwide size. The boom in global change and overseas direct funding, related to the rise of latest actual and potential markets, has in truth improved the propensity of groups to search for earnings associated with their innovations and intangibles also at the worldwide

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POLICE TORTURE AND HUMAN RIGHTS IN INDIA

Priya Jain[1] , Radha Mishra[2] , Ravi Kant Gupta[3] , S.P. Singh[4] , Inderjeet Kaur[5]

ABSTRACT

Admire for human dignity even as defensive the existence and liberty of an man or woman is the cardinal precept of the charter of India' and global Covenants on Human Rights To be in conformity with the primary laws, the important and procedural laws in India also lay pressure on observance of human rights in the management of criminal justice. Police being the number one corporation of criminal justice gadget is sure to follow the mandate of the law and protect the human rights of accused. But there may be a deep concern at the developing incidents of custodial crimes occurring in extraordinary elements of our united states of America. complaints of abuse of energy, and torture of suspects in custody by way of the police and other law enforcing groups having strength to detain someone for interrogation in connection with research of an offence are, at the upward push Of overdue, such court cases have assumed alarming dimensions, projecting the incidents of torture, assault, injury, extortion, sexual exploitation and demise in custody. in comparison with other crimes, custodial crimes are specially heinous and revolting as they replicate betrayed of custodial consider by way of a public servant towards the defenceless citizen. Custodial crimes violate law, human dignity and human rights

KEY PHRASE: custody, violence.

INTRODUCTION

The custodial violence with the aid of the regulation imposing businesses, in particular police, has pricked the judgment of right and wrong of every segment of society and has evoked public outcry against them because it violates law, human

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Geographical indications in India: Issues and challenges—An overview

Rahul Singh[1] , Sharwani Pandey[2]

Abstract

The family of Intellectual Property (IP) is diverse and therefore the concerns that arise over its protection are also varied. In the context of international trade the Trade Related Aspects of Intellectual Property Rights (TRIPs) of the World Trade Organization (WTO) determines issues concerning IP. The TRIPs agreement came into force on 1st January 1995 is perhaps the most comprehensive multilateral agreement on IP.

From Darjeeling tea to Basmati rice, India has seen a wide range of products originating in the country have made a name for themselves in international markets. These products have found a nice because of the quality associated from their point of origin. Various conditions give rise to quality of the product such as the soil conditions, environmental human factors etc. This point of origin and quality of the product associated therein is a field of study in the IP family dealt under the concept of Geographical Indications (GIs).

Geographical Indications play a very similar role to that played by trademarks i.e. both types of IPRs are used for the purpose of identification of products, Geographical indications associate names and places or production areas with products. They are distinctive signs that permit the identification of products on the market. GIs make it possible to add value to the natural riches of a country and to the skills of the population, and they give local products a distinguishable identity. If they are used in the proper way and are well protected, they can become an effective marketing tool of great economic value.

Keywords: - Intellectual Property Rights, World Trade Organization (WTO), Geographical Indications,

1. Introduction: -

Every place has something special and, in this context, India has great heritage where the uniqueness of products of certain geographical region has been recognized from ancient times – Banarasi Saree, Banarasi pan, Darjeeling Tea, Basmati Rice, Nagpur Orange, Kolhapuri

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Managing intellectual property rights in innovation: the key to reaching the market

Rahul Singh[1] , Sharwani Pandey[2]

Abstract

In today's knowledge-based economy, investors and stakeholders place significant value on IP assets when evaluating startup opportunities. A robust IP portfolio not only demonstrates the uniqueness and market potential of a startup's offerings but also provides assurance to investors regarding the startup's ability to protect its innovations, establish market presence, and generate sustainable revenue streams[3].

This paper aims to provide startups with comprehensive insights, strategies, and best practices for effectively protecting their IP assets to enhance their chances of securing funding. By understanding the nuances of IP protection, leveraging IP for competitive advantage, navigating IP challenges in fundraising and building a winning IP protection strategy, startups can position themselves strategically in the investment landscape and unlock opportunities for growth, innovation, and market leadership.

Keyword- Intangible assets, including patents, trademarks, copyrights

Introduction

Startups are engines of innovation, often built on unique ideas, technologies, and business models. Intellectual property (IP) plays a crucial role in protecting these assets and attracting funding. This paper aims to provide startups with insights and strategies for effectively protecting their IP to enhance their chances of securing funding. Startups face unique challenges when seeking funding, especially regarding intellectual property (IP) protection. This paper

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Public governance and the demand for corporate governance: The role of political institutions

Rahul Singh[1]

ABSTRACT

The present study aims to review systematically the state of the art of corporate governance in India. The study uses a sample of 161 published research papers extracted from 101 journals and 17 publishers' databases. The results indicated that 151 studies investigated the board of directors' issues, 90 studies analyzed ownership structure, 64 studies discussed audit committee attributes, and 11 articles studied audit quality. The results provided that among corporate governance issues, board and audit committee independence, foreign and institutional ownership have the highest and majority focus of research in India. In terms of the relationship of corporate governance with other areas, the results exhibited that financial performance has a major concern in prior research. The results also indicated that there is a lack of studies that have samples after 2015. Further, the results observed that there are numerous conceptual repetitive studies and the majority of the studies followed either descriptive statistics or basic regression analysis. The current study provides an insight for academicians, policymakers (e.g., Securities and Exchange Board of India and Ministry of Corporate Affairs—Government of India) research organizations and funding agencies of what has been done and what is left to be done. The study makes a novel contribution to the strand literature of corporate governance in India. It highlights the substantial knowledge gaps in this field and provides a potential agenda for academicians, research organizations, and funding agencies for future research.

Keywords: Corporate governanceIndiaCorporate governanceboard characteristicsaudit committee attributes

A conceptual history of governance

A general concept of governance as a pattern of rule or as the activity of ruling has a long lineage in the English language. Nonetheless, much of the current interest in governance derives from its specific use in relation to changes in the state since the late 20th century. These changes date from neoliberal reforms of the public sector in the 1980s. Those advocating

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ROLE OF ARTIFICIAL INTELLIGENCE IN INDIA: A LEGAL STUDY

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Abstract -

The technological paradigm has given rise to the concept of Artificial Intelligence (AI). This paper discusses the topic of how Artificial Intelligence is playing its role in the field of legal studies in India in the 21st century, and how it is helping the law professionals in the legal field. It remains a hot topic of discussion and plays an important role for lawyers, law firms and researchers in the legal field, apart from various fields. This paper explores the benefits and uses of Artificial Intelligence in law as well as the challenges in this area. The paper also discusses whether AI technology will change the face of India's judicial system in the future and if it does, what impact it will have on lawyers and their law firms. I.e. AI will replace lawyers or, along with them, will new records in this field. In this paper we have discuss basic idea related to AI mechanism.

Keywords- Artificial Intelligence, financial-services, chat-bots, ANN (Artificial neural network), NLP (Natural language processing).

Introduction -

Artificial Intelligence (AI) refers to the development of intelligent machines or computer systems that can perform tasks that typically require human intelligence. It involves the simulation of human intelligence in machines that are programmed to think and learn like humans, enabling them to perceive their environment, reason, make decisions, and take appropriate actions. The field of AI encompasses various sub-fields, including machine learning, natural language processing, computer vision, expert systems, robotics, and more. These sub-fields contribute to different aspects of AI development and enable machines to perform complex tasks and solve problems in specific domains. Machine learning is a fundamental aspect of AI, where algorithms

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A Critical Analysis of the Contemporary Regulatory Measures Relating to Data Protection

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ABSTRACT

Today personal data has grown into a valuable of global economy, which is becoming progressively more data driven. Comprehensive data protection policies are more crucial than ever as people are committing increasingly more of their personal information to digital services and platforms. An extensive structure for the protection of personal data in India is the crucial intent behind the 2023 enactment of the Indian Digital Personal Data Protection Act (DPDPA). This paper aims to explain the legislative challenges, compliance requirements, and ethical issues surrounding the Data Protection Act (DPA) and the emerging field of Data Protection in India.

The author through this research paper aims to analyze these complex issues and provide insightful information about effective tactics that government and companies may use to successfully negotiate and evade the regulatory environment. Furthermore, to analyze that the establishment of the Personal Data Protection Authority (PDPA) has given rise to a fundamental institutional framework responsible for implementing data protection laws.

Maintaining data privacy requirements and building confidence depend heavily on the PDPA's essential role in monitoring privacy and making sure they are in line with the DPA. In order to achieve regulatory compliance and deployment, this article outlines emerging best practices based on a thorough synthesis of relevant case studies and literature. In order to reduce risks and protect individual rights, it emphasizes the necessity of openness, equity, and technological responsibility when it comes to preserving user data. In summary, this study undertakes how data protection laws are still developing globally, whereas the violations of such data privacy are on the rise, thus creating an inversely proportional relationship. It emphasizes how vital it is to have a unified legal framework that upholds data privacy requirements while also encouraging innovation and creating an environment that is favorable to the responsible development and the use of latest modern technologies.

Keywords: Data, Privacy, Data Privacy, Digital Personal Data Protection Act (DPDP), Data Protection Board (DPB).

1. INTRODUCTION

In the 21st-century world where technology has become the defining paradigm, India's ongoing Data Protection regulation highlights the country's commitment to establishing a robust data privacy framework. Developing effective privacy governance procedures is essential for creating a transparent,

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EFFECT OF DATA PRIVACY LAWS ON AI

Diksha Taneja[1], Priya Jain[2], VVB Singh[3], Sharwani Pandey[4], Rahul Singh[5]

ABSTRACT

The integration of artificial intelligence (AI) into all facets of contemporary existence has sparked apprehensions over its influence on the confidentiality of data. Although AI has the ability to greatly transform companies and make procedures more efficient, it also presents concerns to personal privacy owing to the enormous processing of data. This study examines the point where AI and data privacy collide, emphasising the need of protecting people' privacy rights in the age of AI. The implementation of DPDPA in India in 2023 is a significant milestone in resolving these concerns and overseeing data processing operations. The DPDPA empowers people to have more authority over their personal data, while also ensuring that organisations are responsible for adhering to data privacy regulations. This article explores the significance of artificial intelligence (AI) and data privacy in the contemporary day, with a focus on the widespread use of AI technology, the changing legal environment, and the ethical concerns related to safeguarding personal information. This text explores the difficulties presented by artificial intelligence (AI) in terms of gathering data, the presence of biased algorithms, and breaches of privacy. It also discusses the legislative framework that governed AI and data privacy in India before the DPDPA was enacted. In addition, the study examines the main provisions of the DPDPA and their consequences for data principals, data fiduciaries, and consent managers. The statement emphasises the significance of collaborating with stakeholders, investing in AI ethics and governance frameworks, and using privacy-enhancing technology. These measures are crucial for complying with data protection rules and promoting innovation in AI-driven applications. Ultimately, this study emphasises the crucial need to maintain a harmonious equilibrium between innovation and safeguarding privacy in the era of artificial intelligence. To manage the difficulties of AI-driven data processing and maintain people' data privacy rights,

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ROLE OF JUDICIARY TO PROTECT CHILD LABOUR

Kaneez Fatima[1] ,Vir Vikram Bahadur Singh [2],.Sadhana trivedi[3], Indrajeet kaur[4], Priya Jain[5]

ABSTRACT

Wordsworth stated that "The Child is the Father of the Man." Beginning with love, children eventually judge and, on occasion, forgave their parents.Mahatma Gandhi said that, "We will need in the first place the youngsters on the off chance that we are to show genuine harmony in this world and in the event that we are to carry on a genuine battle against war.The future of children, however, appears bleak due to a rise in child labour in India. Additionally, this social blight has lethal repercussions for the country as a whole. In this essay, we aim to describe the scenario in which child labour increases and the different issues that have arisen as a result of this specific issue, such as violence, child trafficking, etc.

In this paper, we hope to present the situation in which child labour is expanded, as well as various causes that have arisen as a result of this specific issue, for example, savagery, child dealing, and so on. Different realities and information from valid sources have been arranged and introduced into separate areas. The necessary endeavors to conquer these issues are proposed. At last, we presume that the proposed arrangement might be found commendable in defeating the moves that have arisen because of the child's work.

KEY WORDS - Supreme court,High-court,Judgement, Constitution, ILO, Dhaba,s, Poverty, child labour.

INTRODUCTION

Persistently, a large number of Indian children are subjected to forced labor and restricted occupations, depriving them of the experience of growing up, training, and overall mental

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GENDER JUSTICE AND WOMEN UNDER PERSONAL LAW

INDERJEET KAUR[1]

ABSTRACT
"All human beings are born free and equal in dignity and rights." 1 Gender inequality is the major issue in today's world. It is in the form of social discrimination, economic discrimination, lack of healthcare and access to education. It is an obstacle in the development and progress of women. It is time now that women should take stand for their own development. We see discriminations in all the aspects of women's life as educational institution, workplace as well as in the home. Traditionally women are expected to take care of the husband as well as the family. Only men are allowed to go outand earn the livelihood. Men are in the position of control and authority over the women from the pastyears.
KEYWORDS- Gender inequality, discrimination, obstacle, livelihood, authority.

GENDER JUSTICE: MEANING
Gender justice means gender equality which means that there must be equal rights and opportunities to all genders. There must be equality between men and women. So that everyone can enjoy their human rights to its entirety. Women must have the right to education, employment and can participate in the process of decision making. It is necessary for empowering the women and to make sure that they can participate in the events of the society. Gender inequality can be of various kinds like unequalpay, non-participation in society etc.
PERSONAL OR FAMILY LAWS-
Rights of women in India have to be studied in the light of personal laws. The question that comes to our mind is what is a personal law? The term personal laws or family laws refers to the rights and obligations of persons belonging to different religions, in their personal or family matters such as marriage, 1 Article 1 of Universal Declaration of Human Rights divorce, maintenance. Right to property, adoption, etc. different religious groups in India follow their religious laws in these matters.Therefore, we have Hindu, Muslim and Christian, Parsi and Jewish laws. In this section, we briefly discuss the personal laws of Hindus and Muslims only. For reasons of space, the Christian, Parsi and Jewish laws are not being discussed here Hindu Laws- At the outset it must be noted that under the Indian constitution (Article 25 2 concerning freedom of religion) and the Hindu Marriage Act, 1955, and other Hindu Acts concerning succession, adoption, maintenance and minors and guardianship, persons who are Buddhist, Jaina, or Sikh are construed for legal purposes as "Hindus". Thus, it means that the term " Hindu" includes persons following a Hindu religion in any of its forms such as Virashaiva, a linguist or a follower of the Brahmo. Prarthana or Arya Samaj and also those who are Buddhists, Jains or Sikhs. During 1955-1956 the Hindu laws were codified by the Parliament. Earlier these laws had customary status now they have not only been codified but also some reforms have been

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Intellectual Property Law and Biotechnology: Protecting Innovation in the Age of Advancing Science

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Abstract:

Intellectual property (IP) law plays a pivotal role in safeguarding innovations in the field of biotechnology, where advancements are rapid and transformative. This research paper explores the intersection of IP law and biotechnology, examining the key principles, challenges, and strategies involved in protecting biotechnological innovations. It delves into the various forms of IP protection, including patents, trademarks, copyrights, and trade secrets, and analyzes their applicability and effectiveness in the biotechnology sector. Additionally, the paper discusses emerging trends and legal considerations that impact IP protection in biotechnology, such as gene editing technologies, biopiracy concerns, and international regulatory frameworks.

Introduction

The multidisciplinary discipline of biotechnology, which unites engineering, technology, and biology, is now essential to the advancement of modern science and industry. Its range includes the engineering of biological systems, organisms, or their derivatives with the purpose of creating goods and procedures that enhance industrial efficiency, human health, agriculture, and environmental sustainability.The multidisciplinary discipline of biotechnology, which unites engineering, technology, and biology, is now essential to the advancement of modern science and industry. Its range includes the engineering of biological systems, organisms, or their derivatives with the purpose of creating goods and procedures that enhance industrial efficiency, human health, agriculture, and environmental sustainability.

In healthcare, biotechnology has revolutionized disease diagnosis, treatment, and prevention through advancements in genetic engineering, biopharmaceuticals, regenerative medicine, and

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LEGAL FRAMEWORK FOR CURBING CUSTODIAL CRIME

Priya Jain[1] ,**Radha Mishra**[2] , **Sadhana Trivedi**[3] , **Diksha Taneja**[4] ,**Ankur Shrivastava**[5]

ABSTRACT

Custodial Crimes is a matter of notable difficulty in every civilized society. It is perhaps one of the worst crimes within the civilized society governed by the rule of thumb of regulation. This worst shape of human rights violation has emerge as a very severe and alarming problem in third international countries like India. Brutal atrocities perpetuated with the aid of the police, prison authorities, military and other regulation imposing agencies on the suspects/accused men and women and prisoners are menacingly on the growth each day. Hardly a week passes without an incident of custodial torture or custodial loss of life being said within the press. there is a fashionable perception that a power superior to all earthly powers determines the lifestyles and demise however, the cops, the custodians and guardians of regulation, are regularly said gambling with human lifestyles within the heat of their authority in spite of the reality that India is a rustic making certain lifestyles and personal liberty to the humans under Article 21 of the charter. It's miles a paradox of the present society that custodial violence, although abolished legally, is still practiced to a more or lesser volume illegally in the course of the world. Hence, the speedy boom inside the incidents has prompted wonderful pain amongst the residents of our united states.

KEY PHRASES: crime, custodial violence

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PROVISION OF SERVICE RELATED RULES MADE UNDER ARTICLE 309

SADHNA TRIVEDI[1],AMAR GUPTA[2]

ABSTRACT

Article 309 of the constitution of India gives that acts of the appropriate Legislature may additionally modify the recruitment and situations of service of humans appointed to public offerings and posts in connection with the affairs of the Union or any state. It additionally offers that pending provision on this behalf being made by using or beneath an Act, the President or such individuals as he may also direct shall be competent to make, within the case of services and posts in reference to the affairs of the Union, regulations regulating the recruitment and other provider situations of humans appointed to such services and posts. For an impartial and uniform method of recruitment to offerings, it's far important that there should be prescribed recruitment rules for each post/grade and all recruitment made in accordance with those rules. In deciding on the methods of recruitment the principle consideration clearly is whether or not a direct recruit or someone with experience of labor in the next lower grade could be greater suitable for appointment to the submit/grade. now not every so often departmental enjoy in an workplace isn't handiest important however may also be most well known to mere instructional qualifications for keeping efficiency. it is also herbal for, individuals serving inside the lower grades to look forward to advertising to highest posts wherein their enjoy may be used with gain to the country. For those reasons, merchandising is one of the acknowledged critical strategies of recruitment to various services and posts below the central government.

KEY WORDS : **Services, Authorities Position, Public Servant And Many Others Etc**

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INTELLECTUAL PROPERTY RIGHTS AND ACCESS TO ESSENTIAL MEDICINES: A GLOBAL PERSPECTIVE

Rahul Singh[1], Sharwani Pandey[2], Vir Vikram Bahadur Singh[3], Sadhna Trivedi[4]

ABSTRACT

Intellectual property (IP) has distinct bureaucracy; within the case of get entry to to drugs, we're speaking about patents. Patents are a public coverage tool aimed at stimulating innovation. via offering a monopoly through a patent which offers inventors an monetary advantage governments are seeking for to provide an incentive for R&D. on the equal time, the public advantages from technological advancement.

For the reason that creation of trade-related aspects of intellectual belongings Rights (journeys) in 1995, there has been large problem that poor get admission to to critical drug treatments in growing nations would be exacerbated due to the fact strengthening intellectual assets rights (IPR) leads to monopoly of pharmaceutical markets and behind schedule entry of lower-fee popular drugs. however, no matter tremendous research and disputes concerning this difficulty, there are few empirical studies on the subject. on this look at, we investigated the effect of IPR on access to medicines and catastrophic expenditure for medicines, the use of records from global fitness Surveys 2002-2003. The index of patent rights advanced by Ginarte and Park (1997) became used to measure the IPR protection level of each country. Estimates were adjusted for man or woman and united states of america characteristics. inside the consequences of multilevel logistic regression analyses, higher degree of IPR extensively accelerated the likelihood of nonaccess to prescribed drug treatments even after controlling for

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EMERGING TECHNOLOGIES AND LEGAL CHALLENGES WITH RESPECT TO AI

Sharwani pandey[1] , Rahul Singh[2], Diksha Taneja[3], Vir Vikram Bahadur Singh[4]

Abstract

Artificial intelligence (AI) is revolutionizing many sectors of the global economy and society, opening up exciting new opportunities for growth and development. However, in order to ensure the appropriate development and use of these technologies, it is necessary to address the complex legal concerns brought about by the fast evolution of AI. The most recent developments in artificial intelligence (AI) and the challenges they pose to the law are the subject of this research paper. Important topics covered include confidentiality of personal information, algorithmic bias, IP, responsibility, conformity with regulations, openness, and global cooperation. Aiming to contribute meaningfully to the creation of AI-era legal frameworks that balance innovation with ethical concerns, this study sets out to do just that. To do this, it first pinpoints the problems and then suggests ways to fix them.

Keywords: AI, IPR, Data, Privacy, Regulations.

Introduction

Revolutionary technological advancements of Artificial Intelligence (AI) are reshaping societies, economies, and businesses on a global scale. AI systems are increasingly permeating various aspects of our daily lives, presenting us with unprecedented opportunities for convenience, productivity, and efficiency. Autonomous vehicles and intelligent personal assistants are examples of these systems. Although AI has undeniably made significant advancements, it also presents an array of legal complications that necessitate meticulous examination and resolution. In numerous industries, the revolutionary effects of artificial intelligence are difficult to overstate. Enhanced patient outcomes are a direct consequence of the expeditious and precise disease detection enabled by AI-powered diagnostics within the

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