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SSR 2023 for Cycle IV
2017-18 to 2021-2022

Criterion 3 – Teaching- Learning and Evaluation

Key Indicator – 3.3 - Research Publication and Awards

3.3.2 Number of papers published per teacher in the Journals notified
on UGC website during the last five years

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2	Publications of 2017-18	8-54
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YASHWANTRAO CHAVAN LAW COLLEGE, PUNE

Paper published by teachers

2017-18:

Name of the Teacher	Paper Details
Dr. Gholap Shubhada	<ol style="list-style-type: none"> 1. The Path of Visionary Leadership to Women Empowerment in International Journal of Multifaceted & Multilingual Studies with ISSN 2394-207X 2. A Symbiotic Relation between Human Rights and Consumer Protection in Bharati Law Review with ISSN 2278-6996
Mrs. Shirlekar Madhuri	<p>Sharad Pawar -a Visionary Leader Who Empowered Women in International Journal of Multifaceted & Multilingual Studies- UGC Approved Research Journal [Sr.47674] Volume IV Issue XII with ISSN 2394-207X</p>
Mr. Wakade Ravindra	<ol style="list-style-type: none"> 1. Candle in Wind: Advocating additional Protection for Woman Whistleblower in Ideal Ajanta Prakashan Aurangabad, Vol.VI, Issue 1 with ISSN 2319-359X 2. Inherent Power of court with reference to procedure in Ajanta Ajanta Prakashan, Vol.VI, Issue IV with ISSN 2277-5730 3. The Challenges vis-a-vis Public Health and International Patent Regime in Galaxy link, Ajanta Prakashan, Vol. VI, Issue 1 with ISSN 2319-8508 4. Fortifying Indian Whistleblower law through Qui Tam principal: A study in Fiat Justicia Vol. VI with ISSN 2320-2696
Mrs. Vaishali Jadhav	<ol style="list-style-type: none"> 1. Augmentation of Maternity Benefit to Commissioning Mothers in Surrogacy Cases in Education Times A Multidisciplinary International Peer Reviewed Journal Vol. IX No. 7, (Special Issue) with ISSN 2319-8265 2. Development of International Domestic Violence Laws as Human Rights Issue Promoting Gender Justice in EDU WORLD- A Multidisciplinary International Peer Reviewed/Refereed Journal with ISSN 2319-7129 3. Legal Protection in India Against The Myth- 'Home A Safest Place for Women Against Domestic Violence' in Worldwide International Inter Disciplinary Research Journal A Peer Reviewed Referred Journal (Quarterly Research Journal) with ISSN 2454 – 7905
Mr. Rahul Bibave	<p>Differences in Defining Age of a Child : Necessity or Chaos in Fiat Justitia, let justice be done with ISSN 2320-2696</p>
Mr. Prakash Jadhav	<ol style="list-style-type: none"> 1. Impact of E-resources on Reading Habit of the Library Users in Digital Era in International Journal of

	<p>Multifaceted & Multilingual Studies, Vol.V with ISSN 2394-207X</p> <p>2. Research in Library and Information Science: Historical Development and Current Trends in Knowledge Librarian: An International Peer Reviewed Bilingual E-journal of Library and Information Science Special Issue with e-ISSN 2394-2479</p>
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2018-19:

Name of the Teacher	Paper Details
Dr. Gholap Shubhada	<p>1. THE SOCIAL, PHILANTHROPICAL AND LEGAL PERSPECTIVE OF CSR IN INDIA: A STUDY in International Research Journal of Commerce , Arts and Science with ISSN 2319 – 9202</p> <p>2. Electronic Contracts In India: An Overview in IMPACT: International Journal of Research in Humanities, Arts and Literature (IMPACT: IJRHAL with ISSN 2321-8878</p> <p>3. Juvenile Justice in Light of its Recent Amendment: A Critical Appreciation in Bharati Law Review with ISSN 2278-6996</p> <p>4. Ensuring Social Justice through EWS Reservation in Bharati Law Review with ISSN 2278-6996</p>
Mrs. Shirlekar Madhuri	
Mr. Wakade Ravindra	Approach towards concept of social backwardness in changing times in Rajarshi research Journal with ISSN 2320-5881
Mr. Rahul Bibave	<p>1. Indecent Representation of Women in Electronic Media – A Criminological Study in Ajanta with ISSN 2277-5730</p> <p>2. Laws for Women in India – Lets Know Them in “Rajarshee” a half yearly journal with ISSN 2320-5881</p> <p>3. Desire of Male Child – A Reason of Female Foeticide in International Research Journal on Socio-Legal Studies with ISSN 2455-0019</p>
Mr. Ravindra Patil	The Use of Translation in Indian Legal System in Fiat Justicia with ISSN 2320-2073
Mr. Prakash Jadhav	Rajarshi: An International Referred Registered Research Journal Vol.IX (Issue:I) in Shri Shahu Mandir Mahavidyalaya, Pune with ISSN 2320-5881

2019-20:

Name of the Teacher	Paper Details
Mr. Wakade Ravindra	In Re Indian Whistle-blower law in Spiritus I.ege Vol. 1, Issue 1 with ISSN 2582-1784

Mr. Nitin Chalwadi	Misconception of Homelessness and Beggary in Law in Spiritus Lege of December 2020 issue with ISSN 2582-1784
Mr. Ravindra Patil	Law and Irresponsibility as Sources of Misery in <i>Bleak House</i> in New Academia with ISSN 2347-2073
Mr. Sanjay Sirsat	Trial by Media: An Anathema to Fair Trail in Spiritus Lege with ISSN 2582-1784

2020-21:

Name of the Teacher	Paper Details
Mr. Wakade Ravindra	1. Comparative analysis of Whistleblower Laws with special reference to America in Bharati law Review (online) with e-ISSN 2457-0567 2. Critical analysis of EU Whistleblower directives – A study in Spiritus Lege Issue III with ISSN 2582-1784
Dr. Vaishali Jadhav	1. Emerging Samaritan Law in India: Liability Protection for Moral Behaviour in Road Accident Cases in E-Journal Research Analysis and Evaluation, Jaipur International Double-Blind Peer Reviewed, Refereed and Indexed Research Journal with ISSN 2320-5482 2. Federalism: The Comparative and the Shifting Dimensions of India and U.S.A. in Review of Research International Online Multidisciplinary Journal Vol. 11 Issue 1 with ISSN 2249-894X
Dr. Ravindra Patil	The Language of the Law and Its Formal Nature in Spiritus Lege 2582-1784
Mr. Prakash Jadhav	Literature Published on Library Automation in Web of Science during 2002 to 2019: a bibliometric study in Anvesak ,Vol. No.50, No.2 (VI), July –Dec. 2020 with ISSN 0378-4568

2021-22:

Name of the Teacher	Paper Details
Dr. Wakade Ravindra	Private Healthcare sector corruption – Right to health compromised in Research analysis and Evaluation Online Publication with e-ISSN 2320-5482
Dr. Vaishali Jadhav	1. An Appraisal of Social Security Provisions Under the Maternity Benefit Act in E-Journal International Research Mirror - An International Peer Reviewed, Refereed, Indexed, Interdisciplinary, Multilingual, Monthly Research Journal Oct 2021 Vol. 1 Issue 10 with e-ISSN 2320-544x

	2. A Study of Federal Model of Indian Constitution in Indian Streams Research Journal Vol. 11 Issue 1 Oct. 2021 with ISSN 2230-7850
Mr. Rahul Bibave	<ol style="list-style-type: none"> 1. Present Day Utility of Definitions Under the General Clauses Act, 1897 in Spiritus Lege – International Refereed Journal with ISSN 2582-1784 2. Time to Change Competency of Minor under the Law of Contract in India – A Critical Study in International Research Journal of Socio-Legal Studies with ISSN 2455-0019 3. Combating Online Sexual Violence Against Women under the Gender Equality Goals and Indian Laws – A Critical Analysis in Research Promoter – A Peer Reviewed Journal of Business, Humanities, and Social Science with ISSN 2231-0193 4. Indecent Representation of Women on OTT Services in India – A Criminological Study in Mahratta with ISSN 0076-2571
Dr. Ravindra Patil	<ol style="list-style-type: none"> 1. The French Lieutenant's Woman in LangLit with ISSN 2349-5189 2. The Concept of Discourse in relation with Law and Language and Michael Foucault in Motifs with ISSN 2454-1745
Mrs. Ingulkar Sarika	<ol style="list-style-type: none"> 1. Covid-19 Pandemic- An opportunity to Re-born the Alternative Dispute Resolution Mechanism in International Journal- Quest Journal of Research in Humanities and Social Science with ISSN 2321-9467 2. Virtual Court in India- A Vision Towards the Modernization of Indian Judiciary with Special Reference to the Covid-19 Pandemic in International Research Journal of Socio-Legal Studies (A Peer-reviewed quarterly journal) with ISSN 2455-0019
Mr. Prakash Jadhav	<ol style="list-style-type: none"> 1. Use and Awareness of Open Access Legal Information Resources by the Law College Students in Western Maharashtra: An Empirical Study in India in Library Philosophy and Practice (e-journal) with ISSN 1522-0222 2. Google Originality Test: An Instrument for Research Integrity in Higher Educational Institutes in Library Philosophy and Practice (e-journal) with ISSN 1522-0222 3. Best Practices of Academic Colleges with Special reference to Yashwantrao Chavan Law College, Pune in Akshara Multidisciplinary Research Journal Vol. VI (B), Issue 4 with ISSN 2582-5429 4. International Journal of Cyber Criminology: a bibliometric study in Journal of the Asiatic Society of Mumbai, Vol. 96, No.04 (II) April 2022 with ISSN 0972-0766

Mr. Prithviraj Chavan	<ol style="list-style-type: none">1. The Reservation Policy in India and Maratha Reservation in Vidyawarta International Multilingual Research Journal, Issue 40, Vol-11 with ISSN 2319-93182. An Analysis of Violence Against Women in India in B.Aadhar Peer-Reviewed & Referred Index Multidisciplinary International Research Journal with ISSN 2278-9308
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The Path of Visionary Leadership to Women Empowerment.

Prin. Dr. Shubhada Gholap
Principal,
Y.C. Law College, Pune

Abstract:

The issue of women empowerment has been developed in the State of Maharashtra by various personalities like Chhatrapati Shivaji Maharaj and Shahu Maharaj, Jyotiba Phule, Maharski Karve, Karmveer Bhaurao Patil. This tradition of the development of women empowerment has been further strengthened by the great political leader Sharad Pawar. It was a challenging assignment for him. His goal was to build a leadership-supporting women environment in all social fields. Sharad Pawar had realized the importance of women's empowerment in the development of the country and taken important steps in the direction by introducing the Women's Bill in 1994. The fundamental rights and power given to women by the Indian Constitution is the foundation for their development. In addition, there is a provision in the Constitution towards making special laws for women and for the weaker sections of the society. This research paper throws light on the steps taken by Sharad Pawar in the developing status of women in modern India and analyse the provisions introduced in the Policy on Women, 1994, administrative actions taken by him and other work focused only on the welfare of the women

Introduction: Mr. Sharad Pawar is a great visionary leader of our country. He is a president of the Nationalist Congress party. He is seniormost politician and he has more than 50 years of parliamentary experience. He is a multi faceted personality. He is a good administrator. He has contributed almost in all walks of human life including politics, agriculture, education, sports, law and the like. He won the Outstanding Parliamentary award in 2003 from President Pratibha Devising Patil and has been also honored with the Padamvibhushan award. The Lawrence Technological University, U.S.A. bestowed him with an Honorary Doctoral Degree in Humanities. He has actively participated in the social educational, and cultural activities. He serves as a president of more than 300 institutions in India. In the field of sports, he was the president of International Cricket Council (ICC) and chairman of Board of Control for Cricket in India (BCCI).

He served as the Central Governments Agricultral Minister and held the post of Defense minister also. He is now a member of the Rajyasabha. He holds a position of prominence in national politics as well as the regional politics of the State of Maharashtra. The dynamic leader from the state of Maharashtra has always been working for the development of women and their upliftment.

As a chief Minister of Maharashtra Sharad Pawar presented the Women Policy on 22 June 1994, the act was passed women in Maharashtra were opened the doors of equality. They were given opportunities to work in political spheres and thus he opened roads of development and progress for women. Changes that were brought up by Sharad Pawar for the welfare and multidimensional developments of women are indeed epoch making. It was a policy for revolutionary changes in the



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A SYMBIOTIC RELATION BETWEEN HUMAN RIGHTS AND CONSUMER PROTECTION

Dr. Shubhada Gholap*

Abstract

The word consumer is generic and broad, encompassing different categories of persons. The hirer, the buyer, the patient seeking medical services, the client seeking legal or other professional services, as well as the hotel guest, the commuter, the bank customer, and all end users of goods and services qualify as consumers. All people are entitled to some basic and natural rights which help them in having a purposeful existence in the society. These basic rights have been defined as human rights and have become the backbone of social life. The United Nations Guidelines for Consumer Protection, adopted in 1985 and revised in 1999, propose a list of objectives described as "legitimate needs": right to be heard; right to information; right to safety; right to choose; right to consumer education; right to consumer redress; freedom to form consumer groups; promotion of sustainable consumption patterns; and promotion of economic interests of consumers.

Key words: human rights, consumer protection, consumer culture, constitution, Consumer Protection Act, 1986, redressal mechanism

Introduction

Every state's emblematic propaganda is worshiped by the consumer-citizen as a super-logo, a brand Juggernaut.

Bryant McGill¹

In the light of the complexities of products and services brought about by advancement in technology, globalization and increasing roles of multinational corporations in trade, there is need to elevate of consumer rights to human rights, nationally and internationally. The reason behind is that human rights have become a useful instrument for the protection of the weak and

* Principal, Yashwantrao Chavan Law College, Pune.
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3

Candle in Wind: Advocating additional Protection for Woman Whistleblower

Prof. Ravindra Wakade

Asst. Professor, Yashwantrao Chavan Law College, Pune Maharashtra.

Abstract

Every nation experiences the corruption, wrongdoings in all sectors of industry and organisations. It is incumbent for investigating agency to receive insights within organisation for controlling the same preferably in advance. The whistleblower provides such information sacrificing own career for the sake of public interest.

The women whistleblower suffers more due to patriarchal values held by the society in addition to detriment resulting from the disclosure. Purpose of the research article is to highlight a special need of women whistleblower pertaining to reprisals practiced by the organisations after disclosures. The research is descriptive and doctrinal focusing on the gender justice. The research has delimited to American, British and Indian law.

The researcher argues that for gender equality special protections should be conferred to the women whistleblower. The Indian law relating to whistleblower though recently passed should consider the vulnerable position of women by making suitable amendments.

Keywords – Women whistleblower, legal protections, motivations, Disclosures. Organizational retaliations

Introduction

The whistleblowing is considered to be a potent weapon in the arsenal which could be used in fighting corruption, wrongdoings and illegality within an organisation compromising with public interest. The whistleblowing has four major ingredients namely the Public interest, Disclosure, detriment suffered and legal protections conferred.

The public interest being the key factor separates individual disputes from real whistleblowing. Secondly there should be the disclosure relating to wrongdoing made by the employee to an authority/employer within the organization. Thirdly the detriment which is experienced by the whistleblower in form of reprisals or dismissal and lastly the legal protection conferred to such employee depending on importance given by of that country.

The law confers protections from reprisals when the whistleblower is espousing the Public interest. The detriment experienced by the concerned whistleblower affects him socially, financially and psychologically with known and unknown intensity. The woman whistleblower being amongst the vulnerable class in the

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1

Inherent Power of Court with Reference to Procedure

Prof. Ravindra Wakade

Asst. Professor, Yashwantrao Chavan Law College, Pune, Maharashtra.

Abstract

The court is supplemented with powers to dispense justice. In addition to those, inherent powers are given to cure the exigencies in case which are not covered by substantive rights and procedure. After observing the decisions of high courts on the particular issues where such powers are used, it is observed that there is no uniformity in decisions. This aspect is hitherto absent in deliberations and research articles which relate to this aspect. Present researcher has pointed out that the eligibility for use of such powers starts with definition court and authority. Subsequently the exercise of such power is equally riddled with non-uniformity. It is also pertinent to note that many of the decisions do not reach Supreme Court, hence it is incumbent to establish a mechanism which will address to this shortcoming. The researcher proposes extension of power of Supreme Court to take up periodically such conflicting decisions and settle law for the same.

Key words- Inherent Powers of court, S. 151 of Civil Procedure Code, 1908, Justice, Abuse of process

Introduction

Inherent powers are part of task assigned to court namely to dispense justice. In India as there is no difference between court of law and equity, these powers flow from their very constitution. This power is spelt under s. 151 of Code of Civil Procedure. The provision is meant to be used for the purpose of extending justice and alternatively to prevent abuse of process of court. The positive object cures the deficiency and negative object create efficiency.

Nature

The civil court is vested with various powers under the code of civil procedure¹ which give effect to the substantive rights under the law. Sometimes the cases offer unprecedented situations wherein the relevant law including procedural law does not provide express solutions. This code has provided a special provision that is an inherent power to the court to cope with such exigency². It is meant for dual purpose namely to dispense justice and to prevent abuse of process of court. Dispensing justice being *ex debito justitiae*, the inherent powers are complementary to said principle³. These powers are procedural and can not affect the substantive rights. S. 151 formally declare that the court enjoys inherent powers through code of civil procedure which it otherwise has⁴. In India the courts both dispense law and equity simultaneously such powers are being part of basic functions.

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The Challenges Vis-A-Vis Public Health and International Patent Regime

Prof. Ravindra Wakade

Asst. Professor, Yashwantrao Chavan Law College, Pune, Maharashtra.

Abstract

The Pharma industries face tough challenges due to legislative restrictions. There is tussle between commercial rights and moral rights especially for drug access. The development of drug is costly and requires strong IP regime. But the human life is also at stake due to costliness of the drugs and treatment. It is essential to develop drug policy which will harmonise these conflicting interests. Indian patent law though adopted stringent protection after 2005. It also had adopted several limitations in favour of its citizens. These limitations usually come into action only in emergencies. Hence it can be safely said that the present patent law had harmonised the interests of both ensuring better drug access.

Keywords: Drug patents, IPR, TRIPS, Human rights, drug access, Public health

Introduction

Internationally there is tussle between the developed and underdeveloped nations, to create an equitable international policy ensuring smooth technology transfer for drug molecule. The challenges faced by the underdeveloped countries are augmented in Post TRIPS era which had led to stringent IPR regime. The US, UK and EU Pharma industries, dispute the requirement of disclosure of drug formula, as it would stifle innovation and commercial interests. Underdeveloped countries demand the same for stopping bio-piracy and the misappropriation of genetic resources and traditional knowledge.

This Article deals with problems faced by the Pharma industry in development of drug molecule. Later it speaks of dilemma between human rights and commercial liberty. Later it discusses Indian patent law and its inadequacies. Lastly in conclusion the present researcher had concluded that the commercial rights should be protected and delimited simultaneously for humanitarian interests. Public interest in the research, innovation, investments in Pharma industry should also be considered along with access to drugs for under-privileged. Indian Law has definitely achieved the aforesaid objective.

Public health and difficulties faced by Pharma Industry

The issue of public Health came in sharp focus as developing countries suffered due to lack of basic or primary health arrangements. It was due to non-availability and high cost of the treatment. The issue has become critical especially for the diseases like AIDS, Cancer and various pandemics. The human right activists are criticizing the IPR regime for the paucity of primary health arrangements. In developing countries,

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STRENGTHENING INDIAN WHISTLEBLOWER LAW THROUGH QUI TAM PRINCIPLE : A STUDY

~ Mr. R. A. Wakade *

The whistleblower legislation is the key process in fighting the corruption in any organisation. The Indian legislation has lacked potency to achieve this end due to limited scope and other defects. The failure has been projected in various cases, when culprits are getting acquitted due to improper evidence. Ultimately the government has to bail out the institutions to protect the employment and economy. This aspect can be resolved through adopting Qui tam principle which has been proved successful in American counterpart. It is an individual and state partnership in claim, where the individual actively contributes towards success of the claim by either providing information or pursuing the claim on behalf of state. The proceeds can be shared by both which ensures the success and deterrence to wrongdoing practiced within the organisations which was hitherto successfully camouflaged. Sharing of suit proceeds by state and whistleblower in proportion to assistance extended, offers a win-win situation for both. Yet the law has to actively design the procedure which will ensure justice and also should be conducive for whistleblower to pursue the action individually and independently. Needless to say that, every system has its own limitations and defects. The cardinal issue in this context is abandonment of sovereign function at the instance of financial benefit of an individual. But owing to magnanimity of the evil required to be eradicated, this is a small price to pay for the state.

The research is doctrinal research based on the study of Indian, British and American law and precedents. Present researcher has come to the conclusion that many anomalies which reduce effectiveness of the Indian Law can be suitably overcome with adoption of the Qui tam principles. Additionally few of the defects in the principle of Qui tam can be effectively reduced by putting up limitations and standards.

Introduction

Indian legislation for whistleblower¹ was last feeble attempt by earlier regime to save face after spectacular number of the corruption scandals

* Assistant Professor, Yashwantrao Chavan Law College, Pune

¹ The Whistle Blowers Protection Act, 2011, No. 17 of 2014, dated 9/5/2014, available at <http://www.indiacode.nic.in/acts/2014/17%20of%202014.pdf>, as visited on 22/12/2017

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Augmentation of Maternity Benefit to Commissioning Mothers in Surrogacy Cases

Dr. Vaishali Jadhav*

ABSTRACT

Legislation plays an important role in recognizing the equal status and legal rights of the women. Women empowerment, has accelerated the overall improvement of the social, economic and political status of women. Reproductive technology which is also known as the Assisted Reproductive Technology (ART) has influenced the human lives a lot. Surrogacy, a reproductive technology became popular in fulfilling the desire of childless parents in having a child. However, it entailed many issues ethical, social and legal issues along with it. Use of surrogacy arrangements to have a child created a controversy in case of women employment, related to maternity benefit claims made by commissioning mothers and surrogate mothers. The Maternity Benefit Act aims to protect the vulnerable condition of working women in pregnancy related matters by incorporating the protective provisions in the form of maternity benefits. Maternity Benefit provisions are the social security measures essential to promote social justice.

Keywords: Reproduction, social security legislations, social justice, maternity leave, maternity benefits, assisted reproductive technology, surrogacy, commissioning mother

INTRODUCTION

Equality and justice, the universal principles of natural justice aim to promote the upliftment of the vulnerable sections of the society. Today, women in different employments are equally and efficiently performing their role at workplace. However, at workplace, issues related to the safety, dignity and equal treatment have always been a matter of concern. Another issue concerning the women at work is work-life balance, equal pay, childcare and career. The social construction of reproductive role of women impacts the rights of women particularly, the right to work.

Desire to have child, is considered as natural and most important facet of a family and social life. Infertility or involuntary childlessness is considered as a huge impediment in the overall well-being and the exercise of the right to life. The pro-natalist culture of India activated the widespread establishment of IVF clinics all over India. Assisted reproduction, collaborative reproduction soon became the expanding area of modern science to fulfill the desire of having child. Reproductive technology which is also known as the Assisted Reproductive Technology (ART) has influenced the human lives in different ways. Reproductive technology provided choice and assistance to many in attaining parenthood. Surrogacy soon became a popular method to fulfil the desire of childlessness. However, it entailed many issues ethical, social and legal issues along with it. In India, the status of women remained mediocre due to the socio-economic, cultural barriers and heavily undermined by gender biased norms and practices. Use of surrogacy arrangements to have a child created a controversy in case of women employment, related to maternity benefit claims made by commissioning mothers and surrogate mothers. Reproductive technology questioned the legal rights of the intending/commissioning mothers, in respect of maternity leave.

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Development of International Domestic Violence Laws As Human Rights Issue Promoting Gender Justice

Dr. Vaishali Jadhav*

INTRODUCTION

Worldwide, one in three women has been beaten, coerced into unwanted sexual relations, or abused - often by a family member or acquaintance.

-World Health Organization¹

Across the world, in almost all the societies women face physical, mental and sexual violence. Women are beaten, mentally harassed, trafficked, tortured, raped and murdered. Crimes of violence against women amounts to human rights abuse. Violence not only inflicts inordinate ill-treatment and suffering on women but subjugate them, and tear the fabric of entire society affecting the humanity and social order at large.

Secretary General, United Nations in his message on the occasion of 'International Day for the Elimination of Violence against Women' made a statement "Half of women killed worldwide were killed by their partners or family, and violence perpetrated against women is as common a cause of death and incapacity for those of reproductive age, as cancer, and a greater cause of ill health than road accidents and malaria combined."² The statement signifies the worldwide prevalence of the issue of domestic violence against women as a global concern.

In this article, researcher traces the historical development of the international human rights instruments and the actions taken by the implementing UN entities recognizing women's rights. Article explores the concept of domestic violence and evolution of domestic violence as human rights issue intending to attain gender justice.

VIOLENCE AGAINST WOMEN

Women are often victims of discrimination. They are over and over again exposed to violence of innumerable forms thus suffering mental and physical agony and injustice. Although in common parlance the terms gender and sex are interchangeably used; however, these are the different concepts. Sociologists through their social studies have created much awareness regarding the same. Sex is mainly determined by biological traits and the concept of gender is socially constructed which is indicative of the roles, rights and obligations based on sex which are different and unequal as well. Violence against women is closely linked with their social status. With the societal change these gender roles, rights, obligations are also changing across the world and affecting distinctly the dignity and wellbeing of the women. Thus, gender justice became a universal concern. Domestic violence, female infanticide, trafficking, child marriage, forced marriages, female genital mutilation, dowry harassment and dowry-deaths, honor-killing, indecent representation, sexual abuse are the traditional and persistent forms of violence amounting to severe discrimination repudiating gender equality. Females at different ages in different forms encounter violence in the domestic vicinity.

*Associate Professor, Yashwantrao Chavan Law College, Pune.

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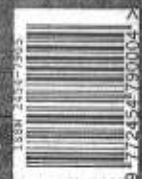
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LEGAL PROTECTION IN INDIA AGAINST THE MYTH 'HOME A SAFEST PLACE FOR WOMEN AGAINST DOMESTIC VIOLENCE'

Dr. Vaishali Jadhav*

INTRODUCTION:

“Worldwide, one in three women has experienced either physical or sexual violence at the hands of an intimate partner.”

- World Health Organization¹

Domestic violence against women is the largest reported crime amongst the other crime categories. Violence against women, a widespread social problem and a public wrong is an indicator to measure the feat of gender justice depicting the developmental status of a country. World Health Organization submitted a report in 2018 which indicated that one in three women has undergone either physical or sexual violence at the hands of an intimate partner.² Women in Indian society with patriarchal attitude have always been discriminated. The cultural influence since the ancient times refuted equal rights and freedom of women compared to their male counterparts. Women still continue to be subjected to gender biasness in the twenty first century. The problem of violence against women is anticipated highly at public place. Public place is always considered an insecure place being surrounded by strangers to be violence perpetrators. However, the reality is contrast. Statistics based systematic study reveals that women are most unsafe at the home.

Violence against women denied her the most basic and fundamental right - the right to life enshrined and ensured under Article 21 of the Indian constitution.³ The ideal concept of equality under Article 14 seems to be restricted only in literatures and the law. However, effective law is an important tool to bring reformation and attain the goal of gender justice and equality. In this article researcher explores the development of the law relating to domestic violence in India. Article analyses whether and how the legal framework of the domestic violence law provides legal protection to women, protect their human rights and promote gender equality in India. To have a holistic view the researcher trails the contemporary developments of law relating to domestic violence in India. Article explores the scheme of the domestic violence enactment and highlights the salient features. The article in its last part attempts to makes a critical analysis of the Protection of

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¹The World Health Organization (WHO) is a specialized agency of the United Nations responsible for international public health.

²WHO, Sexual and Reproductive Health and Research, *Violence Against Women Prevalence Estimates*, 2018.

³The Constitution of India, 1950.

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DIFFERENCES IN DEFINING AGE OF A CHILD : NECESSITY OR CHAOS

~ Mr. Rahul Bibave *

In the modern era of science and technological advancement and dynamism in contemporary social, political and economic conditions in India, number of concepts have undergone change and needed to be redefined. Among those, a concept of child has not been left unchanged. But as it is defined in various laws in India, there should be rethinking of those definitions. In that endeavour, the present research is a critical and analytical study of some major laws not only defining age of a child but also bestowing rights, benefits and protection to children. This research, after searching through some representative and major laws in the area of research viz. Constitution of India, Criminal Laws, Contract Laws, Personal Laws, and Labour Laws, will list some suggestions for law makers to prevent chaos and safeguard necessity of an age criterion while defining, or rather redefining, a child in both the areas of specifying rights and ensuring protection.

Preliminary:

The researcher while teaching laws has come across a fact that different laws define the term child with different age criterion. These differences made him to think that whether such differences have been maintained deliberately or they just created chaos in Indian Legal System. The research is limited to some legislation from some broad areas of law viz. international, constitutional, criminal, contract, personal and labour for this research.

The title of the research itself sufficiently suggests the research question of the research i.e. whether the differences in defining age of a child in different legislations in India with age criteria is necessary or creating chaos. This research will also try to give suggestions for the law makers to have a uniform policy for defining age of a child under various laws in India.

The researcher, in this research, has found the specific provisions of some legislations defining and using the term child with all its cognate senses and also the necessity of defining the child in a way it has been.

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Impact of E-resources on Reading Habit of the Library Users in Digital Era

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Abstract:

Libraries are service organizations. Their worth is measured in terms of quality of services rendered and not in terms of units produced. Now a day the role of libraries is changed from traditional to modern. Previously library has the collection of books, journals and other reading material available in the print form only. After the information explosion and technical evolution the reading material is available in various forms and formats. During mid 1990s the full text database started including images, graphics and now various e-resources are available in full text with PDF format with searchable bibliographic records. Library is no exception and the information communication technology tools like computers, mobile phones, tablets etc. have added a new dimension to the way to providing information. In this digital era library has both print as well as digital material to fulfill their user's need of information. Information and communication technology shows its positive impact on the reading habit of the library users. Present study is based on the impact of e-resources on reading habit of the library users in digital era.

Keywords: e-resources, digital library, reading habit

Introduction: Libraries are an important Knowledge Resource Centre (KRC) for its users. Information Communication Technology (ICT) has not left any human activity untouched with its influence. The publishers' are becoming web-centered. Library is no exception and the information communication technology tools like computers, mobile phones, tablets etc. have added a new dimension to the way of handling libraries and provide information. Technological revolution and information explosion has changed the functioning and services of Libraries. The first e-book was published in 1985 in Germany and since then there has been a rapid growth in the number of electronic publications American Chemical Society (ACS) was the first professional association to offer its publications in electronic form.

In E-library all of its holdings are in a machine-readable form. Now a day's libraries provide ICT facility to their users and not restricted to geographical space. E-resources are includes e-books, e-article, e-databases, e-proceedings, e-text achieves, e-journals etc.

Salient features of E-resources

Accessed rapidly around the world.

- Stored in a compact form
- Search very quickly
- Updated Information
- Greater variety and granularity

Need of the study: The library must provide easy and effective access to its users. Internet has become an effective medium for accessing electronic resources. Majority of resources are now available in electronic format. Majority of publishers have offering their e-resources to the international community. The e-resources come out with an organized form with the full text versions. The main aim of the library is to provide right information to the right user in right

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THE SOCIAL, PHILANTHROPICAL AND LEGAL PERSPECTIVE OF CSR IN INDIA: A STUDY

Dr. Shubhada Sanjay Gholap

Abstract-

On the background of Economic Policy 1991 various changes took place in our economy. New foreign companies were opened in India which contributes in the Indian economy. CSR is the process of corporate self regulation treated as the integral part of business model. Corporate social responsibility is also known as the corporate conscience, corporate citizenship, social performance, sustainable responsible business. Corporate social responsibility involves corporations, states, international organizations and civil society organizations. It has emerged as a global trend. CSR in India has traditionally been seen as a philanthropic activity. It contributes equally into social development. India is a country of myriad contradictions. On the one hand, it has grown to be one of the largest economies in the world, and an increasingly important player in the emerging global order, on the other hand, it is still home to the largest number of people living in absolute poverty and the largest number of undernourished children. What emerges is a picture of uneven distribution of the benefits of growth which many believe, is the root cause of social unrest. Companies too have been the target of those perturbed by this uneven development and as a result, their contributions to society are under severe scrutiny.

Introduction:

The provisions of Corporate Social Responsibility (hereafter referred as CSR) are as old as history of the corporate world in India. The company has to deal on a daily basis with its customer and other key stakeholders- such as customers, investors, suppliers, public and governmental officials, activists and communities is crucial to its success. Corporate responsibility is therefore playing important role in the business and society, literature, addressing topics of business ethics, corporate social performance, global corporate citizenship and stakeholder management.

This research paper deals with the concept of CSR, its historical development and benefits to society by conduct of CSR activity. The term CSR came into common use in the late 1960s and early 1970s after many multinational formed the term stakeholder and their organizational activities towards society. CSR methodology is a strategic tactic to gain public support for their presence in public support for their presence in world markets. Multinational Corporations can survive in global competition examining not only their own laborpractices, but also their entire supplied chain and CSR perspective. This research paper deals with the concept of social, philanthropical and legal provisions related to the CSR and its effect on Indian corporate under the Companies Act, 2013.

ELECTRONIC CONTRACTS IN INDIA: AN OVERVIEW

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ABSTRACT

The electronic contract is generally different from traditional contracts. E-contract is a contract executed and enacted by way of software systems. The internet conveniently integrates into a single screen traditional advertising, catalogues, shop displays/windows and physical shopping. A viewer from any part of the world may want to get into contract to purchase a product as advertised. In this transaction, the issue is raised for its execution and protection of the consumers. Fundamental Principles of contract law continue to prevail in contracts made on the internet. Nevertheless, not all principles will or can apply in the same manner that they apply to traditional paper-based and oral contracts. In India, the recognition of an electronic contract is mainly supported by the Information Technology Act, 2000. This paper is divided into basic research issues in e-contracts, including conceptual analysis of e-contract, standard forms of e-contracts, and the ways in which e-contract is concluded, the laws governing to it in India and the consumer's protection in e-contract.

KEYWORDS: Conceptual Analysis of E-Contract, Dealings Between Companies and Public Administration, Lawful Consideration

INTRODUCTION

The latest mode of making instant contracts is to enter into contracts through computer internet. Though the computer internet, which is the most revolutionary mode of the communication system, it is possible to send messages across the world from one part of the globe to another part of the globe. These messages through e-mail reach from the sender to the addressee instantly. Every thousand of millions of messages pass on across the world between the persons of the same country. The internet connects countless networks throughout the world, which include corporate networks, universities, international business house and other individuals. Now the internet software system has proved to be a big plus point for entering into several contracts within the country and outside the country. By exchange of communication of offer and acceptance between the parties, it is very much feasible to enter into contracts instantaneously these offers and acceptance between the parties may be exchanged by means of the electronic record. The legality and enforceability of the E-contracts is no way affected merely because the formation of the contract depends on the electronic record that being resorted.¹



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JUVENILE JUSTICE IN LIGHT OF ITS RECENT AMENDMENT: A CRITICAL APPRECIATION

Dr. Shubhada Gholap*

Abstract

In recent years, the juvenile justice system has appeared to take up an agenda of the age of the juvenile and increased punishment as Juvenile delinquency is a serious offence. It includes increasing involvement of the juveniles in heinous crimes. The likelihood of crime varies continuously with age, but the meaning of criminal acts does not depend on the age of the offender. Due to modern technological advancements and use of the internet, there is an increase in the rate of juvenile delinquency. There is this kind of trend in juvenile crimes world-over. It is detrimental for the social order in any country, with more and more involvement of the youth in violent crimes. India also shows similar trends of increasing rates of violent crimes committed by juveniles. Indian legal system and judiciary has responded to these trends and has brought some amendments in the laws pertaining to juvenile justice. Increasing cases of crimes committed by children in the age group of 16-18 in recent years make it evident that the current provisions and the system under the Juvenile Justice (Care and Protection of Children) Act 2000 are ill-equipped to tackle the young offenders in this age group. Numerous changes are required in the existing Juvenile Justice (Care and Protection of Children) Act 2000 and reenact a comprehensive legislation inter alia to provide for general principles of care and protection of children in conflict with law, rehabilitation and social reintegration measures for such children. This paper aims at looking into the concept of juvenile delinquency and legislative enactments for juvenile delinquency, especially, Juvenile Justice (Care and Protection of Children) Act 2015 and the role of judiciary in the field of the juvenile delinquency.

Key words: juvenile justice system, juvenile delinquency, JJ Act 2015

*Principal, Yashwantrao Chavan Law College, Pune.

Ensuring Social Justice through EWS Reservation

Dr. Shubhada Gholap
(Principal, Yashwantrao Chavan Law College, Pune)

Abstract: Economically Weaker Section (EWS) in India is a sub-category of people belonging to the General Category having an annual family income less than 8 lakhs and who do not belong to any reserved category such as SC, ST, and OBC. The concept of social-economic Justice is the basis of the rule of law in the welfare State. The Parliament on 12/01/2019 approved the Constitution (124th Amendment) Bill on providing 10% reservation in jobs and education for the economically weaker sections (EWS) of the general category. It sets into motion the process to achieve an effective measure that ensures justice for all sections of society including economic and social justice. The main object of this research paper is to highlight the eligibility criteria for reservation under the Economically Weaker Section Quota and also to study the authorities which can issue a Certificate.

Keywords: EWS, Reservation, Amendment, Categories

I. INTRODUCTION

The BJP- led NDA Government declared 10% reservation for the economically weaker sections of the upper class people who are not covered by any of the existing schemes of reservation. Effecting a change in the Constitution to add a new chapter to the laws on reservation nearly three decades after the Mandal Commission recommendation came into force, the Parliament on 12/01/2019 approved the Constitution (124th Amendment) Bill on providing 10% reservation in jobs and education for the economically weaker sections (EWS) of the general category. It sets into motion the process to achieve an effective

measure that ensures justice for all sections of society. It is a welcome move for ensuring social justice to general category.

II. CONCEPT OF SOCIAL JUSTICE

Justice is not a concrete idea or an object in nature. It is an abstract concept. It is an order in society. Since it involves public interest, it is the common right. Justice excludes all partiality or private interest. It is identical with the empire of laws not of men. Social justice is a concept of fair and just relations between the individual and society. Social justice assigns rights and duties in the institutions of society, which enables people to receive the basic



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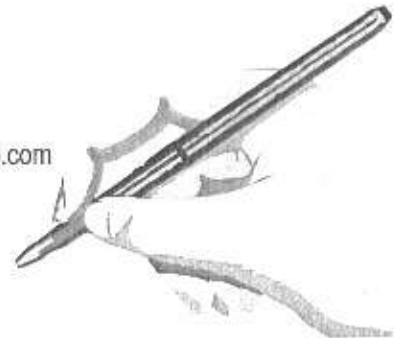
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APPROACH TOWARDS CONCEPT OF SOCIAL BACKWARDNESS IN CHANGING TIMES



- Mr. Ravindra Wakade

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Asst. Professor

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Abstract :

The government is facing problem regarding demands of certain groups for inclusion in the reservation quota. The dilemma pertains to harmonization of demands amongst the different categories practically and constitutionally. The concept of backwardness envisaged under constitution needs to be ascertained or formulated theoretically. Present research endeavours to assess the criteria laid down through precedents. The researcher has concluded that no single criterion is helpful to assess backwardness of group of person. Hence the demands of the group for reservation can be considered by considering all criteria together. Practically a solution may be offered that the quota of the castes (which are added hereinafter considering such aforesaid criteria) can be inter-adjusted dynamically considering representation in public employment periodically.

Keywords :

Reservation, Backwardness, Other Backward class

Introduction :

Recently the nation has experienced huge turmoil which is spreading in different states for demand pertaining to inclusion of certain castes within the reservation pool belonging to Other Backward class or otherwise. The government is pressurised to include them by making suitable legislative and / constitutional changes. The aggressiveness experienced through the frustrations is damaging the national resources and economy. Yet the dilemma in bringing the solution to the situation pertains to sustainability in the constitutional tenets. The constitution has enabled the reservation under article 15 and 16 as an extension to equality. Multiple objectives underlined the policy but predominantly it spoke of social and economic alleviation in the cast ridden society. It also aimed at bringing under-privileged within national mainstream. As the time progressed it has been realised by certain castes (though traditionally considered as affluent without due anchorage in reality) that there is necessity of the protections through reservation. The polarisation of the opinion in such castes led to agitations for the demand of share in the reservation quota.

Plethora of the precedents has tried to resolve the competing interests in haphazard manner. The factors which are traditionally associated for deciding the backwardness of any community



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16. Indecent Representation of Women in Electronic Media - A Criminological Study

Rahul N. Bibave

Research Student, Savitribai Phule Pune University, Pune.

Preliminary

Today we are surrounded by electronic media in its various formats. Electronic media has become inevitable part of human life. Sometimes and for someone it sets a goal to achieve. Because of its audio-visual effects, electronic media creates a motivational drive for an individual. The researcher came across following research questions while studying impact of electronic media on society --

Whether electronic media is a cause of crime?

Who are the offenders of crime instigated by electronic media?

Who are the victims of crime instigated by electronic media?

What is the impact of indecent representation of women in electronic media?

This article is a doctrinal research limited to electronic media, particularly cable television networks, websites and social media, and criminological study of crimes against women instigated by those media.

Constitutional Framework for Electronic Media – A Fact and Law Finding

There is no special mention of freedom of speech and expression available to media, the freedom of press has many a times availed it. The Constitution of India in article 19 (1) (a) facilitates press, and thereby indirectly media, to enjoy the freedom of speech and expression through juristic writings and judicial interpretations. Dr. Babasaheb Ambedkar in his argument on freedom of press in the Constituent Assembly Debates¹⁵³ has said "The press is merely another way of stating an individual or a citizen. The Press has no special rights which are not to be given or which are not to be exercised by the citizen in his individual capacity. The editor of a press or the manager is all citizens and therefore when they choose to write in newspapers, they are merely exercising their right of expression and in my judgment therefore no special mention is necessary of the freedom of the press at all."

¹⁵³ 7 Constituent Assembly Debates 712-716, 780.



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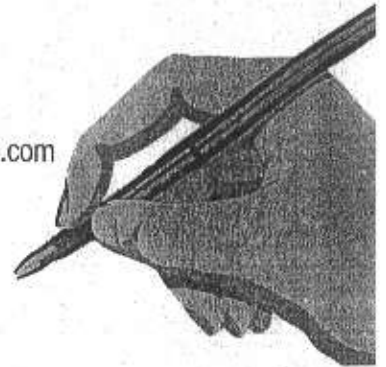
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LAWS FOR WOMEN IN INDIA - LET'S KNOW THEM



- Mr. Rahul Namdevrao Bibave
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ABSTRACT

Knowing one's own rights is a step towards protecting them as well. This research article is an attempt to make the readers of it to know rights of women in India. The researcher is expecting all readers of this article to know rights of women in India irrespective of their gender differences. In this direction researcher has carried out doctrinal research with tools and techniques of observation, analysis, appreciation and criticism of present Indian legislations relating to women.

Keywords :

Women, legislation, women related legislations and women specific legislations.

INTRODUCTION :

Ignorantia legis neminem excusat is a Latin maxim and one of the cardinal principles of law. This is a legal maxim meaning ignorance of law excuses no one. Therefore, everyone should know the laws by which he or she gets governed. There is a Roman maxim named vigilantibus et non dormientibus succurrunt jura meaning law will help the vigilant and not the dormant for his rights. Therefore, one who wants his or her right available must know it and also has to claim it and not wait for it. Outcome of these two legal maxims together will cost much adversely to a man or woman in his life if he or she fails to claim his or her rights because of lack of knowledge of those rights.

These principles are applicable to every country ruled by law. India is a democratic country, governed by Rule of Law and Separation of Powers, where these legal maxims are equally applicable. In India the duty of the State towards its Subjects to make them know the laws is over once it publishes them through the notification in the Official Gazette. These Official Gazettes are not known, even to many of the educated persons. Therefore, being a part of law fraternity and law academia, the researcher finds himself duty bound to the society to aware people with their rights. In this endeavor, this research article is an attempt to aware the readers of it to know majority of the rights given to women by various Indian laws. This research will comprise legislations because they are the prime source of law guarantying rights.

The researcher for better understanding has divided these legislations into two categories of women related laws and women specific laws. The women related laws are not the dedicated

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DESIRE OF MALE CHILD – A REASON OF FEMALE FOETICIDE

Mr. Rahul N. Bibave

Introduction

One of the dreams of Dr. A.P.J. Abdul Kalam was India will be superpower in 2020. In a year or so the time will come but the result will not because of various socio-legal problems keeping it incomplete. Among those problems, the prominent is a sex disproportionate youth. This problem will create issues like failure of institution of marriage, increase in sex crimes against women, breakdown of institution of family and ultimate outcome of these all will be collapse of society and thereby the nation. Therefore, proportion in number of males and females in Indian societies is must. But one can find that there is desire to have a male child resulting in the evil practices of female foeticide and infanticide.

Because of constant interaction between law and society, law has to come up with a solution for this issue. Law, particularly legislation as the first and prime source, is in reaction mode wherein action comes from society. Many of the times, dynamism of the society is far more than the reaction by legislations. The society tries new ways and means to overcome the areas prohibited or regulated by legislations. This has been witnessed by the researcher while studying statutes in the area of research. The researcher has observed misuse of the scientific development and technological advancements by many a people in the society towards the overcoming. It has also observed by the researcher that now a day these development and advancements increased female foeticide than infanticide.

The researcher has come across number of legislations in Indian legal system to curb or fight against the evil practice of female foeticide. These legislations gradually developed and devise in their ambit various evil practices arising out of misuse of science and technology for female foeticide. These statutes according to their emergence in the area of research are as follows :

1. The Indian Penal Code, 1860
2. The Constitution of India, 1950
3. The Medical Termination of Pregnancy Act, 1971
4. The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex



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In Re Indian Whistleblower Law...

Prof. Ravindra Wakade*

Prof. Dr. M. H. Hirani*

ABSTRACT

During last political regime the entire nation was rocking with news of corruption in various sectors of organisations. As per International Transparency report¹ India is in last ranks in the global index making her as one of the most corrupt nation of the world. The Government of Manmohan Singh to answer these charges half heartedly passed the law relating to Whistleblower. In order to curb the corruption, the law has to be all inclusive and provide adequate protection. Simultaneously it should also strive to curtail misuse and abuse of the protection conferred to whistleblowers for the sake of organizational integrity and control.

This article takes an overview of the Indian legislation passed for the protection of the Whistleblowers along with critical analysis of the provisions. The recommendations are given to make the law more effective.

Keywords – Whistleblower, Protected Disclosure, The Whistle Blowers Protection Act, 2011

1. Introduction

The legislation pertaining to whistleblower is a sunrise Act having no precedential fortification. The Act is not widely publicized and is not used by the relevant cadres in public employment who generally opt for the same. The basic reason for non-use maybe assigned to disbelief on the system which is responsible for dispensing the justice. The Act preliminary addresses the needs of public sector. The machinery is primarily administrative and feeble. Internal mode of the disclosure has sapped the effectiveness of this legislation. The principles of the natural

* Assistant Professor Yeshwantrao Chavan Law College, Pune.

* Prof. Dr. M. H. Hirani, former HoD, Department of Law, SPPU, Pune

1 https://www.transparency.org/news/feature/corruption_perceptions_index_2016, the India is in the 79th rank in corruption perception index.

Comparative Analysis of the Whistle-blower Laws with Special Reference to America

Mr. Ravindra Wakade*
Prof. (Dr.) M.H. Hirani**

*Assistant Professor, Yashwantrao Chavan Law College, Pune
**(Former Head, Department of Law, SPPU, Pune)

Abstract: The whistleblower law can be used dynamically for the purposes of creating transparency and accountability within any type of organisation. Due to opacity in working several wrongdoings are perpetrated which may go beyond public interest. Since the America has pioneered and used extensively the concept of whistleblower, the present researcher has identified through literature review the concepts which are essential for developing model whistleblower law. The article makes critical comparison between how these concepts are treated in each of the legislation under scrutiny. The research is doctrinal and exploratory. The research considers four American legalisations which offer whistleblowing in governmental and private organisations. The analysis is based on critical comparison between the issues like disclosure, institutional response (retributions), procedure elaborated, anonymity and rights including protections offered by law. By virtue of the said comparison the provisions with supports the whistleblower optimally are identified, elaborated and recommended.

Keywords: Whistle-blower, Disclosures, Retributive Practices, Anonymity, Procedural Safeguards

I. PROLOGUE

For the enhancement of the transparency and accountability the law has devised several modalities and amongst the same, the concept of whistleblower assumes importance due to defective regulatory mechanisms. The organisational opacity in working, profit motives and lax control of the law enforcement machinery is

responsible for wrongdoings which ultimately affect the public interest. The whistleblower is person who in spite of being within organisation makes a disclosure regarding the wrongdoing which occurs within the organisation. He in short, sacrifices his own interests for the public interest. The administrators of law require this modality as an enhancement to their role as

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Misconceptions of Homelessness and Beggary in Law

Nitin S. Chalwadi*

Introduction

The welfare of all human beings in the world should be ensured. Everyone wants happiness and prosperity for all. Not everyone is equally fortunate when it comes to happiness. Some get happiness and wealth by birth while some get it with the help of education, skill and efforts. But some less fortunate people are far from all kinds of happiness, prosperity and wealth. India's emergence as an economic power is a topic of discussion on every TV channel these days. The world also expects India to be a superpower in the next decade. Economic growth is calculated based on the wealth and numbers of the upper middle class in society. We have unparalleled wealth in our country and an incredible display of wealth in our country. There are many businessmen who have built sky scrapper for the three to four members in family

We have more land to grow grain. Grain production is also high so that people all over India can get adequate nutrition. But this is one side of the coin. The other side of the coin is not attractive but dark and ignoring it can paint a wrong picture of India. The country's prosperity and wealth is to some extent concentrated in society and a large portion of the population is still fighting for a one-time meal for the day. The voices of these people are very low, not heard. These are people who are deprived of the basic necessities of life and are forced to live in miserable conditions. So considering the current economic and social situation, the question arises as to how justified it is to call India the economic tiger of the century.

People living in the rural areas are pushed to leave their rural life and compelled to go to urban areas but urban areas have failed to absorb these people in urban life. The pathway from rural to urban is full of thrones as these people lead their life without any shelter. The increasing numbers of destitute, homeless people and beggars are the results of the unbridled

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LAW AND IRRESPONSIBILITY AS SOURCES OF MISERY IN *BLEAK HOUSE*

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Abstract

Bleak House is one of the most popular novels by Dickens wherein he tries to depict human relation between different individuals gets affected due to a lack of sympathy and genuine concern for each other. One of the reasons behind this is irresponsible nature of a man and the other one is a social institution is law. *Bleak House* concentrates on this issue and points out how one person suffers misery because of a neglectful behaviour of the other. In the same way, law whose purpose to protect people and provide them security fails to deliver what is expected of it. Hence *Bleak House* proves to be the best example to understand this situation.

Keywords: Law, Justice, Irresponsibility, Indifference, Misery, Human Nature

Responsibility is a unique concept. It can only reside and inhere in a single individual. You may share it with others, but your portion is not diminished. You may delegate it, but it's still with you. You may disclaim it, but you cannot divest yourself of it. -Admiral Hymen Rickover

Charles Dickens, a prolific writer of the Victorian era for wonderful prose writings, uses the complex of plots that forms a novel and the main line of action. At the same time this complex works in relation to the development of characters. The complex of plots is seen to be working together towards one common end, that is, the 'theme'. The theme stands out clear. So Dickens quite carefully combines the incidents of serious and popular social and political concerns with various kinds of characters through plots. *Bleak House* is one of such examples as shows the corrupt system of law as a serious concern of the Victorian society.

In this paper I will concentrate on how the attitude of irresponsibility towards other people destroys social and family relationships in *Bleak House*. This paper also underpins an attempt to show how law fails to serve its purpose and brings about misery in the lives of human beings of varied nature connected with each other in some way or the other shown in the novel. Considering the fabric of Victorian society, these social and legal elements have been

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Trial by Media: An Anathema to Fair Trial

Mr. Sanjay Kisanrao Sirsat

INTRODUCTION

It is often said that 'justice should not only be done, but it should appear to have been done'.¹ Justice must be rooted in confidence; and the confidence is destroyed when right-minded people go away thinking that 'the Judge was biased,' or "The proceedings of a particular Court or Judges are not fair". This is the basis of 'Fair Trial'. Thus only by 'Fair trial' justice is done and it also appears to have been done.

The right to a Fair Trial is a norm of international human rights law designed to protect individuals from the unlawful and arbitrary curtailment or deprivation of other basic rights and freedoms, the most prominent of which are the right to life and liberty of the person. The major features of fair criminal trial are preserved in Universal Declaration of Human Rights, 1948.² It is also guaranteed under Article 14 of the International Covenant on Civil and Political Rights (ICCPR)³.

As a norm of international human rights law, right to a Fair Trial has been adopted by many countries in their legal system such as U.S.A⁴, Canada⁵, J.K.⁶ India etc. In India fair trial is an integral part of the Constitution⁷ and rests on the basic principle of presumption of innocence.

¹ Assistant Professor Y. C. Law College, Pune

Held in *R. v. Sussex Justices, Ex parte McCarthy*, [1924] KB 25, cited from https://en.wikipedia.org/wiki/R_v_Sussex_Justices,_ex_p_McCarthy, visited on 10/03/2017

² Article 10 of UDHR, 1948 stated that 'Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

³ Everyone shall be entitled to a Fair and public hearing by a competent, independent and impartial tribunal established by law.

⁴ The Sixth Amendment to the U. S. Constitution entails that in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury.

⁵ Section 11 of the Canadian Charter of Rights and Freedoms, which is part of the Canadian Constitution's Charter of Rights, protects a person's basic legal rights in criminal prosecution.

⁶ Article 6 of the European Convention on Human Rights.

⁷ Article 14, 20 and 21 of the Indian Constitution.

- Provisions of the Federal False Claims Act*, Temp. L. Rev., 71, P.23.
13. 18 U.S.C. S 1514A (a).
 14. a (h)(2)(D)(i) I to IV.
 15. Office of Special Counsel.
 16. Annual Report to Congress for Fiscal year 2017, Table 4, available at <https://osc.gov/Resources/FY%202017%20Annual%20Report.pdf> as seen on 11/08/2019.
 17. Merit systems Protection Board Annual Report for FY 2018, P. 11, available at <https://www.mspb.gov/MSPBSEARCH/viewdocs.aspx?docnumber=1592474&version=1598254&application=ACROBAT> as seen on 10/08/2019.
 18. 31 USC §3729 (b)
 19. *Delek, Inc. v. Dep't of Labour*, No. 14 of 2415 (4th circuit 2016).
 20. <http://www.cooley.com/expansion-of-whistleblower-protection-the-dodd-frank-act>.
 21. *Compare Gady v. Department of the Navy*, 38 M.S.P.R. 118 (1988).
 22. *Halliburton, Inc. v. Admin. Review Bd.*, 771 F.3d 254 (5th Cir., 2014).
 23. 5 USC §1213 h.
 24. *Hogman v. Washington Mutual Bank, Inc.*, ALJ Case No. 2005-SOX-00073, at 26-30.
 25. 5 USC 2302 § (b)(9)(B).
 26. 5 USC §1221 (g) (1).
 27. 147 Congress Rec. 55972 (7/6/2001).

Ravindra Wakade & M.H. Hirani, *Comparative Analysis of the Whistle-blower Laws with Special Reference to America*, IX [1] BHARATI LAW REVIEW 01-10 (July-Sept., 2020), available at bharatilawreview.com.

competing claims regarding the wrongdoings are concerned the law has not prescribed essential parameters as to why only prior claims should get precedence over others.

Under Sarbanes-Oxley Act (SOX) the essential condition for the disclosure is reasonable belief on the wrongdoing which implies a lower standard of proof than in criminal cases. Secondly the disclosure should refer specifically and definitely to the wrongdoing in concern. Such disclosure may be done by any employee, related or unrelated to the job duties in that organisation. Further the motives of the whistleblower are irrelevant for the protections that are conferred by the legislation. Disclosures may relate to fraud, violations of law, rules and regulations[6]. But communication to media or union or to any subordinate employee is not protected.

The Dodd frank Act requires original information for disclosure which can be communicated through either internal or external modality. The original information is interpreted to include any information based on own expertise and not from secondary sources. The word 'own' implies that information derived only through research or special knowledge of the concerned whistleblower. The secondary source means information received through any pleading or hearing of existing

case, any government report, audit[7], investigation or media etc. Whistleblower also should not use the position or capacity within employment to derive the information or where he gets it as a part of routine. The protection is conferred to person making disclosures as well as the person who gives evidence or cooperates with the investigation or proceedings. If the consequence of proceeding results in monetary sanction/outcome in form of fine which is less than 1 million dollars then such information is of no use and the question of originality does not come in picture.

In Whistleblower Protection Act (WPA), the disclosure relates to a statement given either formally or informally except covering those facts concerning policy matters. Such disclosures may relate to violation of any law or rule or regulations framed, mismanagement or waste of funds (gross), any abuse of authority or specific danger to the public health or safety[8]. The phrase 'gross' is intended to siphon out trivial wastes but there is no clear guideline as from which limit the gross waste is starts. The term disclosure includes all the activities which lead to disclosure like giving evidence, extending cooperation, assistance in grievance petition, complaint or appeal. If the order given by the authority under agency is refused as it is violates any law then also the

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Emerging Samaritan Law In India : Liability Protection For Moral Behaviour In Road Accident Cases

 **Dr. Vaishali Jadhav***

Associate Professor, Yaswantrao Chavan Law College, Pune

Introduction

In India, road traffic fatalities have become a major developmental issue and a public health concern affecting the economic productivity and social welfare at large. India, with 1% of world's vehicles ranks at the top with highest number of accidents with about 11% share in the world.¹ 'Accident victim dies as bystanders film videos' such news are frequently reported in the newspapers referred as social media death. 'Social media death' refers to an accident victim bleeding heavily to death when the people gathered were busy recording the incident on mobile phone for social media posts instead of providing assistance. Many such incidences of reluctance to assist the accident victims are reported. Attitude of ignoring, bypassing and running away and showing unwillingness to help in any emergency situation has become a usual behavioural pattern. This intrigued researcher to undertake this socio-legal study and find out the reason for this behavioural change. Many factors account for this change. Man being considered as a social animal is expected to live organized in cooperation, helping and taking care of each other. However, human beings of the technology era seem to be more selfish and self-serving which depict the declining moral and social values.

Another viewpoint is the complicated legal systems in the modern era. Modern world though governed by a welfare State is distinct in comparison with the earlier era. Today, State through its three organs- legislature, executive and judiciary perform the function of legislation, implementation and administration of justice. Goals enshrined in the

Constitution acts as the guiding principles for good administration ensuing the rule of law. Today's State is performing multifarious functions in the interest of the public, coping societal exigencies that has led to the establishment of complicated social systems. Complicated systems have created an apparent fear in the minds of common man of getting imposed with liability. The fear is about getting intricately involved in the legal proceedings and police cases. Although, such standpoint is against the public policy, relative fear of undergoing harassment, suffering loss in terms of time and money, is the matter of concern for common man. It is the moral duty of each and every human being to affirmatively help the victims of emergency situations in road accident or crime. Constant increase in such cases led to revival of the concept of Samaritan² - a charitable or helpful person, in law clothed with legal protection.

In this paper, researcher explores and makes the study of the landmark decisions of the superior courts involving the issue of emergency medical care and the protection of Good Samaritans. The paper traces the evolution of law in the form of legal guidelines and schemes relating to Samaritan and probes into the related aspects of the legal intervention and other factors which prevents the medical professionals and by passers to help the accident victims. The paper aims to create an awareness about the Good Samaritan law and emphasizes on effective implementation of the Good Samaritan law encouraging the human virtue of saving life. Researcher has applied combination of evolutive, explicative, analytical, impact and critical research methods.





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FEDERALISM: THE COMPARATIVE AND THE SHIFTING DIMENSIONS OF INDIA AND U.S.A.

Dr. Vaishali Jadhav

Associate Professor, Yashwantrao Chavan Law College, Pune.

ABSTRACT:

The Constitutional Law lays down the framework of a political system according to which a country is administered. The location and the distribution of power between the different governing units determines whether a government is federal or unitary and manifest the political behaviour. In federal system, sovereign power to govern is constitutionally divided at two levels of government- a central governing authority and constituent units. In unitary system, the central governing authority exercise all the sovereign powers in the form of central government. The human pursuit for the attainment of stable and justiciable political system has led to the evolution of different government systems. America is having the oldest federal system in the world and India being a largest democratic country as adopted the federal polity in the Constitution. This paper highlights on the comparative study of federal system in India and U.S.A.



KEY WORDS: *Constitutional Law lays, federal system, sovereign power.*

INTRODUCTION

The Constitutional Law, written or unwritten is the most significant and foundational basis of all the laws in any polity. It lays down the framework of a political system according to which a country is administered. The State policies are determined and enforced through the institution of government. Governments are categorized into various forms based on ideologies and the basis of power source. The power structure determines the government system. A government system may be federal or unitary depending on how the power is organized between the central and regional governments. The location and the distribution of power between the different governing units determines whether a government is federal or unitary and manifest the political behaviour. In federal system, sovereign power to govern is constitutionally divided at two levels of government- a central governing authority and constituent units. In unitary system, the central governing authority exercise all the sovereign powers in the form of central government. The human quest for the attainment of stable and justiciable political system has led to the evolution of different government systems. Any political order aims to attain the goals enshrined in the Constitution through a government system.

Research paper, concentrates on the federal governmental system functioning on the structure-based division of sovereign authority. The paper explores the concept and traces the origin of federalism. This paper studies a comparative study of federal system in India and U.S.A. The American

2. The Data Protection Bill, 2018 requires some kind of issues which are not enlighten like, data localization, cross border data transfer, breach notification and right to erasure, etc.
3. Vigilance and awareness of public is needed at the time of furnishing data or information for any purpose.
4. Today's judiciary is not technically adequate. Establishment of separate E-judicial wing is necessary with technical and legal experts to handle the electronic data issues.
5. Awareness programs for masses are required to percolate concept of privacy as of right to the grass route level.

With all these efforts and with the help of dedicated law of privacy and data protection, we will definitely succeed to strengthen the right to privacy in India.

The Language of Law and its Formal Nature

Dr Ravindra Paril*

Language has always been regarded with respect and admiration. It has long been the most powerful instrument of reasonably clear and precise communication between individuals and an individual and society of which he or she is a part. We imagine, think and express everything that we perceive through our senses by way of language in the form of writing or speaking. In order to do so we use different words marshalled into a particular order in the best possible way. Words that are instrumental in expressing diverse meanings in different contexts are used substantially in our communication related to any general topic or to any specific area of information or knowledge that we possess. So it is the language that makes possible interaction between different human beings from different cultures or professionals from distinct professions and fields. One of such widely known and fascinating areas that affects people very much in their daily lives is law. As our life is organized into law so it is in our language that we speak. Furthermore, as law describes our relationship so do the words. Therefore, probably Peter Tiersma's opening remarks in his book are more suggestive of it, "Our law is a law of words. Although there are several major sources of law in the Anglo-American tradition, all consist of words. Morality or custom may be embedded in human behavior, but law-virtually by definition- comes into being through language." It implies how law and language are closely connected with each other.

Law and Language

As the introductory passage just indicates the connection between law and language, it would be more pertinent to throw some light on law and language separately. Being a vital aspect of society, law plays an

* Assistant Professor, Yashwantrao Chavan Law College, Pune

1 Tiersma, Peter M. *Legal Language*. Chicago: University Press of Chicago, 1999. p.1.



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**LITERATURE PUBLISHED ON LIBRARY AUTOMATION IN WEB OF SCIENCE DURING
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Abstract:

This paper presented on the bibliometric analysis of literature published on Library Automation during the period of 2002 to 2019. Sample data collected from the web of science core collection and Total 155 documents found. The authors use Bibliometrix R package (4.1.3) and Biblioshiny for data analysis. The study found that in the year 2003 and 2010 the publication production is high with 6 number and YU SC, 2007, ELECTRONIC LIBRARY with DOI: 10.1108/02640470710729119 has got the first rank with (36) citations. The study also revealed that first rank has received by Ramzan M with 3 articles and Pakistan has got the first rank in-terms of producing higher documents with (10) followed by UK (9), India (8), Nigeria (7).

Keywords: Library Automation, Bibliometric Analysis, Web of Science, Library and Information Science, Biblioshiny

Introduction:

The impact of Information and Communication Technology (ICT) has affected in every sector of the human life and it causes for industry transformation. "ICT is getting key component of every industry and education industry is not an exception to it. Education sector is also equally inspired by the remarkable potential of information and communication technology for upgrading the quality of education along with outreach" (Phutela & Dwivedi, 2019) The main role of any library is to provide the right information to the right users at the right time. For fulfillments of this aim, ICT is helping tremendously to the library professionals. "Library automation reduces the drudgery of repeated manual efforts in library routine by use of library automation collection, storage, administration, processing, preservation and communication" (Sz et al., 2018)

Encyclopedia of Library and Information Sciences "Library Automation is the use of automatic and semiautomatic data processing machines to perform such traditional library activities as acquisitions, cataloguing, and circulation. These activities are not necessarily performed in traditional ways, the activities themselves are those traditionally associated with libraries; library automation may thus be distinguished from related fields such as information retrieval fields such as information retrieval, automatic indexing and abstracting and automatic textual analysis" (Kent, 1997)

Considering importance of the term "Library Automation". Researcher thought to carry out the study on bibliometric analysis of literature published till now. Raw data collection from the web of science core collection.

Literature Review:

Researcher tried to bring out the strong positive impact of these UGC research and education promotion program on the quantity and quality of research in department of chemistry during the period 2007-2014 in comparison to period 2002-2006. Study reveal the contribution of papers published in journals with IF > 3 has been increased from 18.35% during 2002-2006 to 34.43% in period 2007-2014. (Aggarwal,



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ABSTRACT

Modern era marks universalization of human rights securing the inherent rights equally to all without any discrimination. The most common vulnerable group contributing half the world population is women's group. Law has played an important role in recognizing the equal status and legal rights of the women. Today, no arena is left unacquired by women. Women are equally participating in employment and exercising the right to work. Women empowerment, has assisted in the overall improvement of the social, economic and political status and promoted autonomy. Nevertheless, women at workplace face the issues related to the safety, dignity and equal treatment. Women's role in reproduction as a mother is both rewarding as well as challenging. Due to prevailing inequalities balancing the work-life and the family-life has become critical in the modern technological era. Hence, social security through maternity leave and other benefits are inevitable to promote social justice. A State is under legal obligation to provide for maternity benefit as social welfare measure.

Keywords: Human rights, vulnerable, protective discrimination, social security legislations, social justice, maternity leave, maternity benefits

Introduction

Twentieth century marks an era of universalization of human rights securing the inherent rights equally to all without any discrimination. Over the years equality and justice principles focused on the upliftment of distinct vulnerable categories to make them a part of egalitarian society. The concept of protective discrimination deployed worldwide aimed to confer privileges in favour of oppressed and underprivileged section of society and attain the social justice. The most common vulnerable group contributing half the world population is women's group. Women since ages, have been denied equal rights and been a victim of exploitation. However, the efforts of great philosophers, reformist, feminists and human rights activists have been successful in carrying out the positive changes over the centuries.

Numerous international instruments viz., the International Bill of Human Rights, and women and child specific international instruments particularly the Convention on Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, promoted the rights of women and imposed an obligation on the States for the legal enforcement. Law has

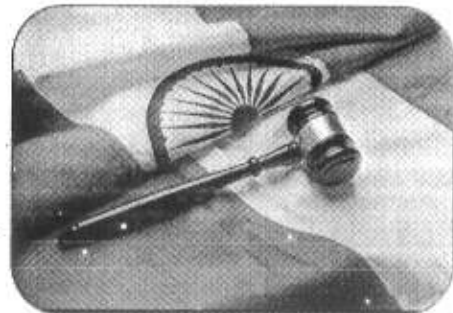
played an important role in recognizing the equal status and legal rights of the women and preventing the workplace discrimination. Regulation of employment of women particularly during pregnancy and after childbirth is important to secure women a quality right to life. Prior to the enactment of the Maternity Benefit Act, women planning to have a family had an apprehension in their mind of taking or continuing a job and the subsequent challenges in taking care of the child. Women always had been in a dilemma that pregnancy obstacles and destroys career. Predicament of balancing family and work prevented women from participating in work force. The World Bank Report of 2017 noted that, in the year 2017 the India's female labor force participation rates fell to its lowest since independence.¹

In India, approximately 70 % of women do not work outside the home. Out of 30 % women working outside only 16 % women work in organised sector and remaining in unorganized sector. The percentage of women engaged in employment is very less. The main reason being the gendered role of motherhood assigned to women is patriarchal dominated society and subjugation of women.



A STUDY OF FEDERAL MODEL OF INDIAN CONSTITUTION**Dr. Vaishali Jadhav****Associate Professor, Yashwantrao Chavan Law College, Pune.****ABSTRACT**

The Constitutional Law lays down the framework of a political system according to which a country is administered. Any political order aims to attain the goals enshrined in the Constitution through a government system. The location and the distribution of power between the different governing units determines whether a government is federal or unitary and manifest the political behaviour. In federal system, sovereign power to govern is constitutionally divided at two levels of government- a central governing authority and constituent units. In unitary system, the central governing authority exercise all the sovereign powers in the form of central government. The human quest for the attainment of stable and justiciable political system has led to the evolution of different government systems.



The federal system in India is considered as unique in character throughout the world. Since the establishment of independent government, nature of vertical division of sovereign political powers amongst the two levels of government has always been a question of debate and analysis.

KEYWORDS : *Constitution, federal, unitary, dual government, judicial review, dual citizenship.*

INTRODUCTION

The Constitutional Law provides for fundamental legal rules, doctrines relating to the establishment of governmental institutions, scope and limit of their powers and duties. Based on ideologies and the basis of power source, a political structure of government is of different kinds. A government system may be federal or unitary depending on how the power is organized between the central and regional governments. The nature of distribution of sovereign power between the different governing units and the political structure of government determines whether a government is federal or unitary and manifest the political behaviour. When the sovereign power to govern is constitutionally divided at two levels of government- a central governing authority and constituent units, political system is federal in nature. On the other hand, when there is one central governing authority in the form of central government exercising all the sovereign powers, the system is unitary. The human pursuit for the attainment of stable and justiciable political system has led to the evolution of different government systems. A federal system provides for intergovernmental relations. Federalism is an arrangement between two separate political entities establishing a political order and system for the common good.

The paper, highlights the study of concept of federalism. Federalism is a governmental system functioning on the structure-based division of sovereign authority. The paper deals with the concept and origin of federalism. In the second part, an attempt is made to understand the federal model

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Present Day Utility of Definitions Under The General Clauses Act, 1897

Rahul Bibave*

Introduction

The General Clauses Act, 1897 is a piece of legislation dealing with some common definitions and provisions relating to construction of statutory provisions. This statute also works on the scope, powers and functions of the government mechanisms. This legislation is one of the pre constitutional statutes still having its application in Indian legal system. The Act¹ was the tenth legislation passed in the year 1897 and in near future it is going to complete 125 years of its existence. After passage of so many years of successful survival of the Act, the researcher has found it necessary to research on its effectiveness and work ability for the present legal system. It has been found that the contents of this statute should be revisited to find their application and significance in the present days. There are a lot many provisions of this statute found to be of least utility. This research article is an attempt to find out those statutory provisions which are badly in need of either removal or making them to undergo such changes so that the statute will become useful to serve its object of being a general law of interpretation. This will make its provisions to give direction in constructing of various laws of the Indian Legal System. There will be some amendments suggested by the researcher in the form of insertion, omission or substitution of the words, phrases and sentences, if necessary while analysing the sections of the statute. This research article is divided into the parts concentrating only on the definitions of the Act which the researcher opines and advocates to be revisited to fit them for interpretation of the contemporary laws in the Indian legal system. The research methodology used in this research is doctrinal including a critical analysis of section 3 of the Act of 1897.

Definition section is also titled as interpretation clause in some statutes.

* Associate Professor, Yashwantrao Chavan Law College, Pune

1 The General Clauses Act, 1897 (hereinafter referred as the Act of 1897)

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TIME TO CHANGE COMPETENCY OF MINOR UNDER THE LAW OF CONTRACT IN INDIA – A CRITICAL STUDY

Dr. Rahul Namdevrao Bibave

Introduction

Minor today enters into many contracts. They are getting so many goods and services for their own consumption by purchasing or rendering them from vendors and service providers respectively. The other party to such contract, knowing or unknowing the law, enters into contract with them. The present law of contract and many other related legislations are protecting minor and his interest by allowing him or her not to fall into any contractual liability by making such contracts *void-ab-initio*. This research article is primarily pointing out the position of minor under those legislations by searching relevant statutes and case laws.

The research question for this article is 'whether there is a need of amending the Indian Contract Act, 1872¹ (hereinafter referred as the Act of 1872) towards competency of minor to enter into contract and impose contractual liabilities on him?' The research methodology used in this research is critical analysis and doctrinal in nature using books, official websites under e-governance and some reliable online sources in the field of law. The endeavour of this article is to find better law for the capacity of minor to enter into contract to live his or her life to the fullest and to find the right time to change the law towards that end.

The Act of 1872

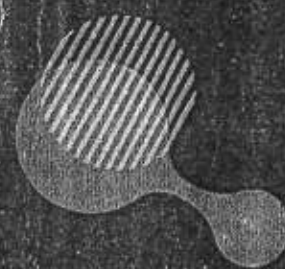
As one can observe that a thing which cannot be prohibited or is inevitable, has to be regulated. The humans enter into contract every now and then to live his or her life satisfactorily in a civilised society. The Act of 1872 is a regulating law where it regulates the contractual relationship between the parties to the contract. The primary object of the Act of 1872 is to keep the contract valid by prescribing the four corners of validity, give occurrences of tolerance where contract becomes voidable and to prevent the entering into a void contract. The beginning of every contract is an agreement which is an outcome of a promise against a promise which begins with a proposal and ends with acceptance of that proposal. For a valid contract, it



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COMBATING ONLINE SEXUAL VIOLENCE AGAINST WOMEN UNDER THE GENDER EQUALITY GOAL AND INDIAN LAWS – A CRITICAL ANALYSIS

Rahul N. Bibave

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Yashwants Rao Chavan Law College, Pune, Maharashtra

Abstract

The United Nation Development Programme as the development agency of United Nations puts seventeen sustainable development goals. The fifth goal is to achieve gender equality and empower all women. It has been observed that 1 out of 3 women above the age of 15 years get sexual violence and/or physical violence at least once in their lifetime. The present use of internet or online services has played a significant role and contribution in this violence. There is a Special Rapporteur of thirty-eighth session of the Human Rights Council of 2018 in regard with pointing out women facing online sexual violence. UN member countries are expected to achieve the sustainable goals through their laws and secure their respective citizens the said goals. In India, there are legislations and delegated legislations working in this direction. This research article is a critical study of Indian laws fighting against the online sexual violence against women.

Keywords

Gender equality, women empowerment, online sexual violence, indecent representation of women, sustainable development goals, special rapporteur, and the IT Rules of 2021.

Introduction

Empowerment of women is that dream which majority legal systems want to achieve. The half of the population of world is still fighting for their equal status with the remaining half, the men. Male dominating society is deep rooted in not only under-developed or developing countries but also in developed countries. This fact makes women vulnerable in every walk of life including objectification of women for lustful desires of men. The indecent depiction of women in print and electronic media has many of the times deliberately used to attract male audience. The stuff ranges from pictorial to audio-visual representations of women. It has been observed that to get maximum fame and reputation in minimum time, representation of women in an indecent, obscene, immoral, and vulgar forms is an easy route. Electronic media, especially internet services are using this route very often. Pornography is the



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"THE INDECENT REPRESENTATION OF WOMEN (PROHIBITION) ACT, 1986 AND AMENDMENT BILL, 2012 - A COMPARATIVE STUDY"

Mr. Rahul N. Bibave

Assistant Professor, Yashwantrao Chavan Law College, Pune

INTRODUCTION

The Amendment Bill, 2012¹ for the Indecent Representation of Women (Prohibition) Act, 1986² has paved the way for the successful inclusion of electronic media. The Act, 1986 was created to prohibit indecent representation of women in media. It has been observed that, the then, media was the print media and yet the electronic media was in its primitive stage where there was only, television channel, "Doordarshan" as electronic media. Thereby the Act, 1986 was able to curb the evils of lowering dignity of women by their indecent portrayal in those media.

In the direction to cater the contemporary needs by the statute, after advent of technological advancements, to prohibit the continuous degrading portrayal of women in electronic media, the Amendment Bills were introduced in 2001 and 2007 in the Parliament. These two Bills failed and at present the Bill introduced in Rajya Sabha³ is waiting for its turn to get converted into a legislation and its inclusion in the Act, 1986. Where the Act, 1986 combated the print media and the Bill, 2012 tries to combat the electronic media in granting a dignified presence of women in the media.

Changes in the Amendment Bill, 2012

The comparative analysis of the Act, 1986 and the Bill, 2012 can be observed through the provisions of the Bill substituting or introducing sections of the Act. The following are the sections proposed to be affected by the Bill:

Definitions

The definition of advertisement is proposed to be substituted with following words - "advertisement" includes any notice, circular, label, wrapper or other *document or any audio or visual representation* made by means of any light, laser light, sound, smoke, gas or *electric form or through any other media, for the purpose of promotion of any goods, service, place, person, event or organisation.*"

The word advertisement, earlier, used to comprise physical forms of presentations where the technology of laser lights has proposed to be added. The electronic forms or any other form of audio-visual communication is proposed to be included encompassing every mean and medium used for popularizing or promoting any goods manufactured⁴, services provided⁵, places for commercial activities⁶, persons showed off⁷, events organized⁸ or organisation of persons⁹ doing any such activities.

The definition of electronic form has been introduced by the Bill in following words -

"electronic form" shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000."

The definition of in clause (r) of section 2 of the Information Technology Act, 2000 is "*electronic form" with reference to information means any information generated, sent, received or stored in media, magnetic, optical, computer memory, micro film, computer generated micro fiche or similar device.*"

The definition for the word electronic form has been imported from the Information Technology Act, 2000. The Bill, 2012 has deliberately kept the definition of electronic media same as that of the Information Technology Act, 2000 for coordinating implementation of the offences and procedural requirements in tune with theoretical enactment of definition.

The definition of distribution is proposed to be substituted with the following words -

"distribution" includes *all method of distribution, either by way of samples or making available for public access through broadcast, transmission or uploading on website or in any other printed or electronic form, whether for profit*

**THE FRENCH LIEUTENANT'S WOMAN: AN IRONIC RECREATION OF THE VICTORIAN WORLD****DR. RAVINDRA PATIL**Assistant Professor,
Yashwantrao Chavan Law College
Pune**ABSTRACT:**

*The English novels in the decades of the 1960s and 70s exhibit change through various experimentation in respect of plot, story and structure. The reflection of such changes in both society and literature could be witnessed in John Fowles' *The French Lieutenant's Woman*. Due to these experimental changes, this novel is recognized as one of the best pieces of historiographic metafiction. In view of this phenomenon, the author of this paper is trying to examine how the author makes a recreation of the Victorian world in the novel and demonstrates why the recreation of the past is meant to be ironic vis-a-vis the modern situation.*

Keywords: Anti-Realist, Archetypal Romance, Irony, Historiographic Metafiction, Metafiction,

Introduction

After the World War- II the British novel grew exponentially and variedly. The novels written in the subsequent decades defy an attempt to be brought under one umbrella term as they show a lot of experimentation in terms of form, structure, and narration. Particularly the decade of the 1960s witnessed several changes, political, social and cultural. It was natural and incumbent that the features of experimentation were to grow out of the sense of change. Writers became self-conscious about their writing due to the pressure and impact of severe changes in the postmodern society and so they began to question the cultural past and the literary tradition of writing fiction. The reflection of such changes in both society and literature could be seen in *The French Lieutenant's Woman*, one of the best novels by John Fowles.

***The French Lieutenant's Woman* - Historiographic Metafiction**

John Fowles, one of the successful British novelists in the postmodern period, wrote some remarkably interesting novels like *The French Lieutenant's Woman* (1969), *The Magus* (1977), *Mantissa* (1977) and *A Maggot* (1985). *The French Lieutenant's Woman*, being a good story, demonstrates Fowles' innovative narrative technique which departs from the traditional way of telling stories. Linda Hutcheon claimed that *the French Lieutenant's Woman* is the first British historiographic metafiction. She defines that the works of historiographic metafiction are "those well-known and popular novels which are both intensely self-reflexive and yet paradoxically also lay claim to historical events and personages". *The French Lieutenant's Woman* makes historical reference and yet tries to respond self-consciously to the blending of fictionality and reality in its writing process. So,



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Research Paper

Covid-19 Pandemic- An Opportunity to Re-born the Alternative Dispute Resolution Mechanism

Sarika Prashant Ingulkar¹

Abstract

E-Governance is the part of every department of life today. It increases productivity, enhances transparency and accountability. Technological Developments within the field of data and introduction of computers have made a turning point within the history of human civilization. Today we can't imagine our life without the technology. It has brought about a sea change in all fields of human activity and judiciary is not an exception to it. No one can deny that the justice delivery system in India has overburdened due to the delay and pendency of cases and this situation is become more difficult and worse as witnessed by Covid-19 pandemic. Covid-19 pandemic and resultant lockdown in almost all nations realized the mankind that it is the time to find the answer for such difficult situations since, total shut-down of justice delivery system can curtail the growth of nation.

Keywords-ADR, Online dispute resolution, Technology, Judiciary.

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1. Introduction

To overcome the pressure on judiciary we can find the answer in alternative dispute resolution mechanism with the help of negotiation, conciliation, arbitration and mediation services. These are the methods known to be resolving the disputes speedily and cost effectively. If these ADR methods adopted with add and use of technology then the ADR Mechanism will become more convenient and more speedily dispute resolving system. Now it is the time to adopt ODR that is Online Dispute Resolution System as one of the attempts to reborn and reform the ADR to make it more efficient. In India few online institutions have providing the online arbitration, conciliation. Mediation services to the needy peoples. The objective behind these online platforms is to provide cost effective, speedy and result oriented dispute resolution platform to the litigants. Since the online

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'VIRTUAL COURTS IN INDIA - A VISION TOWARDS THE MODERNIZATION OF INDIAN JUDICIARY WITH SPECIAL REFERENCE TO THE COVID-19 PANDEMIC'

Sarika Prashant Ingulkar ¹

1. Introduction

On March 24, 2019, India went under a complete lockdown to prevent the spread of corona virus. All the working in India has been suspended and the court proceedings were not an exception to it. The Hon'ble Supreme Court has stopped the normal running of the courts and gave directions to take up only urgent matters. The Supreme Court on Friday 13th March 2020 decided that it will restrict itself to hearing only urgent matters. The decision has been taken in an urgent meeting convened by Chief Justice S. A. Bobade to deal with the emergent situation in view of the World Health Organization (WHO) declaring COVID- 19 a global pandemic, and advisory issued by the Ministry of Health and Family Welfare in this regard, cautioning against mass gathering. Considering the safety and welfare of all the visitors, litigants, lawyers, court staff, security, media professionals all the Competent Authorities directed that the functioning of the courts shall be restricted to urgent matters with appropriate number of Benches. ²

In the Hon'ble Supreme Court, the hearings for urgent matters have started by way of video conferencing. Following the footsteps of Hon'ble Supreme Court, the High Courts and subordinate courts also have started to function through video conferencing. After a decade-long computerization and digitization of Indian judiciary drive, the Indian judiciary has envisaged its capacity and preparedness of migrating to the modernized justice delivery system, using information technology for providing justice to the Indian peoples. Video conferencing facilities installed in majority of the courts across India is one of the up moves towards the modernization of judiciary. The Supreme Court also advised the High Courts to ensure the use of e-courts systems such as e-filing, sending out court summons through SMS or e-mails to the registered litigants.

2. Brief history of e-court in India

The initiatives for the use of computers started from office automation and were introduced to be used by the Judiciary to large extent. Initially the computers were introduced in the Supreme Court of India and the High Courts for the only purposes

Use and Awareness of Open Access Legal Information Resources by the Law College Students in Western Maharashtra: An Empirical Study in India

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Abstract

This article discussed about the use and awareness about the open access legal resources in the state of western Maharashtra region in India. Researcher tried to find out the awareness, sources of awareness, among law students about open access legal resources i.e. JUDIS (Judgment Information System), Bombay High Court Judges Library, Supreme Court Judges Library (SUPLIS), India Code Information System, Indian Kanoon Legal Information Institute of India. Then researchers revealed the data about the frequency and purpose of using these resources. Research finds out the user perception about quality of open access resources from users' point of view and subsequently, discussed the satisfaction level of users and problems being faced by the students during use of these resources. Study reveals that (44.5%) respondents were from LLB program and 60.7% respondents were aware about these resources. It also reveals that (65%) respondents were using India kanoon, 77 (20.8%) users using National Digital Library portal, 74 (19.9%) respondents using Bombay High Court Judgments, 67 (18.1%) Supreme Court Judges Library. social media, Teachers and Library Staff are main sources of knowledge. 191 (46.5%) responses mentioned as Less awareness about open access legal information resources. Henceforth, law librarians should be taking initiatives for making awareness among law students by conducting more library orientations and extra library lectures and 44.9%) respondents replied with good comment for quality of open access resources in users point view and 61.7% respondents were satisfied. Most of users using open access resources by as and when required.

Google Originality Test: An Instrument for Research Integrity in Higher Educational Institutes

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Quote on Plagiarism:

Taking something from one man and making it worse is plagiarism – George A. Moore

Originality is undetected plagiarism – William Inge (Plagiarism Quotes, n.d.)

Abstract:

The paper explains the importance of research for development of society. It describes meaning of plagiarism, types of plagiarism and also discussed commercial and open-source plagiarism software which are available in the market. More importantly it talks about Google-Originality check process, Its Advantages and disadvantages of originality check, Importance of plagiarism in research or correlation of plagiarism and research methodology and its implementation and use for research integrity in higher educational institutes. This paper will be useful for teachers, students and librarians for testing the plagiarism report and making the research integrity. This is a best tool for the beginners.

Keywords: Research Integrity, Plagiarism, Google-Originality Check. Higher Education Institutes. Step by step guide.

Introduction:

Research is the essential for development of society and human lives. It is invention of new knowledge and fact checking process. The growth of research has been tremendously increased at the higher educational institutes, research centers and universities due to advent of information and communication technology (ICT). To ensure the quality of higher education for the present and upcoming generation, the Government of India has been putting countless efforts consecutively since independence and funding/funded different advanced projects which might have been proved milestone. (Kumar & Bhakar, 2020)

Ethics and integrity of research will prove quality of research in the higher educational institute and academic environment. It will completely depend on verifying the content with best

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Best Practices of Academic Colleges with Special Reference to the Yashwantrao Chavan Law College Pune

Mr. Prakash Babanrao Jadhav
Librarian, Yashwantrao Chavan Law College Pune

Abstract:

The paper's aim is to give a brief overview of best practices among academic colleges in the context of NAAC. The author has given a definition according to the National Assessment and Accreditation Council (NAAC) of BEST PRACTICES. The author also tried to elaborate on best practices given by different researchers, further, the researcher has check up the best practices implemented at Yashwantrao Chavan Law College Pune. This paper will use for the other librarians to follow the best practices for their institutes.

Keywords: Best Practices, NAAC, Yashwantrao Chavan Law College Pune, Library.

Introduction:

To maintain the quality and standardized parameters every educational institute is now trying to initiate and maintain the best practices in the organization. It is required to produce quality products in terms of quality students after completing their education. It ultimately shapes the student's personality with sound and practical knowledge, which will help his career and society, and nation-building. Best practices add commendable value to an institution and various stakeholders and are considered reliable benchmarks or standards of quality. Best practices encompass the implementation of quality frameworks, and the use of benchmarking and performance measurement as tools for the continuous improvement of products, processes, and services. (Jotwani, 2008) "ICTs have brought about socio-cultural, political, educational, and economic changes. The library is one of the main areas deeply impacted by ICTs, a pillar of the information age. This is because the library is the main place of information and knowledge; it has become virtual so that library and information services extend beyond walls and physical buildings". (P. Patel, 2020) Libraries should establish, promote, maintain, and evaluate a range of quality services that support the colleges, mission, and goals. (Waghmode, 2013) Therefore, the author has tried to present his best practices implemented at the present education institute. i.e. Yashwantrao Chavan Law College Pune.

Definition of Best Practices:

Mariam Webster Dictionary: "a procedure that has been shown by research and experience to produce optimal results and that is established or proposed as a standard suitable for widespread adoption." (Definition of *BEST PRACTICE*, n.d.)

Here, webster dictionary has defined basic procedure for research that can be help maximum output with the standard consistence practices which may be adopted at universal level. Therefore, standard practices enhance to build the strong base for development of the society. Thus, in the domain of library and information science field, standard procedures and practices not only help to library professional but also for its user's community.

Oxford Advanced Learners Dictionary: "a way of doing something that is seen as a very good example of how it should be done and can be copied by other companies or organizations."

Best Practices defines as per NAAC:

According to NAAC "best practices are quality enhancing academic/ administrative/ infrastructural strategies adopted by highly accredited institutions of higher learning in the present instance". Best practices are those which add value to human life and support the main cause of an institution.

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INTERNATIONAL JOURNAL OF CYBER CRIMINOLOGY: A BIBLIOMETRIC STUDY

Prakash Babanrao Jadhav

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ABSTRACT:

The paper brings out the results of a bibliometric analysis of the journal titled "International Journal of Cyber Criminology" for the period from 2012 to 2020. The data were downloaded from the SCOPUS database. This study aims at analyzing the research output performance of faculty of cyber law and cyber criminology subjects. Publish or perish software used for retrieving data from the SCOPUS database. MS-Excel is used for the analysis of data. The study covers the analysis of year-wise growth of articles, author-wise distribution of citations, GS ranking of top-ten authors. Based on the search results, a total of 145 papers were found during 10 years of spam (2012-2020). Total citations were 1312, Average citation per year was 131.20, Average citation per paper – was 9.05, Average citation per Author was 1.00, h-index was 18, g-Index was 28. This study not only help to library professionals but also to legal professionals those who are working in the domain cyber security and criminology.

KEYWORDS: Bibliometric Analysis, Research Productivity, Year-wise growth of articles, Author-wise citation analysis, GS Ranking, International Journal of Cyber Criminology.

PAPER TYPE: Research Paper

INTRODUCTION:

Journals are the most preferred source of communication channel for research and academic publications. These are treated as a relevant platform to disseminate research results. These are gaining popularity among the research community because of their peer-review process, editing, formatting, indexing, and marketing. (Sa et al., n.d.) Journals are basically considered as a primary source of information. therefore, its value is more in the academic and research community.

Bibliometrics is a set of mathematical and statistical methods used to analyze and measure the quantity and quality of books, articles, and other forms of publications. There are three types of bibliometric indicators: *quantity indicators*, which measure the productivity of a particular researcher; *quality indicators*, which measure the quality (or "performance") of a researcher's output; and *structural indicators*, which measure connections between publications, authors, and areas of research. Bibliometric indicators are especially important for researchers and organizations, as these measurements are often used in funding decisions, appointments, and promotions of researchers. (Durieux & Gevenois, 2010)

SOURCE OF JOURNAL:

International Journal of Cyber Criminology (IJCC) is a peer-reviewed online (open access) interdisciplinary journal (Established: 2007) published biannually and devoted to the study of cyber-crime, cyber-criminal behaviour, cyber victims, cyber laws, and cyber policy. IJCC will focus on all