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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

3.3.3 Number of books and chapters in edited volumes/books published and papers published in national/ international conference proceedings per teacher during last five years

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YASHWANTRAO CHAVAN LAW COLLEGE, PUNE

Total number of books and chapters in edited volumes/books published and papers in national/ international conference proceedings

2017-18:

Name of the Teacher	Paper Details	ISBN
Dr. Gholap Shubhada	'Development of Legal Position of Property Rights of Indian Women' published in Precedent - A Publication of Jus Dicere Center of Research in Law Volume 1 Issue 2	978-93-5281-17-99999
Mr. Ravindra Patil	'Translation and Its Use in Indian Courts' published in Translation Process	978-81-926144-9-6
Mr. Rahul Bibave	1. 'Demystifying India's Compliance to the United Nations Convention on the Rights of Child' published in Ending Child Abuse Efforts in Prevention, Intervention and Rehabilitation (2017-18) issued by P.E.S. Modern Law College, Pune	978-81-929282-5-8
	2. 'Controlling Electronic Media in the Area of Indecent Representation of Women in India' published in A Two Day National Seminar on Current Constitutional Challenges in India" (31/01/2018) issued by Gokhale Education Society's Narhar Balwant Thakur Law College, Nashik	978-93-86778-70-3
Mr. Prakash Jadhav	'Challenges face by the library to provide Translation Service to its users' published in Bhashantar Prakriya Ed. By Shobha Ingawale Dnansurya Prakashan Pune with ISBN 978-81-926144-9-6	

2018-19:

Name of the Teacher	Paper Details	ISBN
Mr. Wakade Ravindra	'Legislation for domain name registration; A requirement in Globalisation' published in Contemporary Issues in international Law Satyam law international Ed: B C Nirmal Online copyright © 2018 Springer Nature Singapore Pte Ltd.	978-93-82823-08-7
Mr. Manoj Wanare	'Role of Teacher in Higher Education' published in Seminar Proceedings of Two Days State Level Seminar on Higher Education: Opportunities and Challenges	978-81-929719-0-8

2019-20:

Name of the Teacher	Paper Details	ISBN
Mr. Wakade Ravindra	'The Transnational Corruption and Relevance of Whistleblower Law in Global challenges and solutions' published in Ed. - Dr. Mohmmad Ahmad and others, Published by KAAV Publications , Delhi 96	978-93-86789-88-4
	'Rationalising Hindu traditions and law Contribution of Dr. B. R. Ambedkar' published in Contribution of Chatrapati Shahu Maharaj, Mahatma Jyotirao Phule & Dr. Babasaheb Ambedkar at National and International levels Ed- Dr. S Taware, Snehvardhan Publishing House, Pune	978-93-87628-42-7

2021-22:

Name of the Teacher	Paper Details	ISBN
Mr. Wakade Ravindra	'Failures of Whistleblower Laws – Indian and International Experience' published in Iterative International Publishers , Chikkamagluru, Karnataka [2022]	978-93-95632-49-2
Mr. Rahul Bibave	'Public Policy Dominating Constitutionalism' published in India in Constitutionalism, International Law and Public Policy: 2021 in Constitutionalism, International Law and Public Policy: 2021 Ahead issued by Marathwada Mitra Mandal's Shankarrao Chavan Law College, Pune and UPC Universidad Peruana de Ciencias Aplicadas, Peru Ahead	978-93-5473-047-4

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Development of Legal Position of Property Rights of Indian Women

Dr. Shubhada Gholap¹

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¹ Principal, Yashwantrao Chavan Law College

“Women have a much better time than men in this world; there are far more things forbidden to them.”

-Oscar Wilde

Introduction :

“Law takes its own time to articulate such social changes through a process of amendment. That is why in a changing society law cannot afford to remain static. If one looks at the history of development of Hindu Law, it will be clear that it was never static and has changed from time to time to meet the challenges of the changing social pattern in different time.”- Justice A.K.Ganguly & G.S. Singhvi.² Rights of Indian women are unequal and unfair. Indian women still continue to get fewer rights in property than the men. There is no single body of property rights of Indian women. The property rights of the Indian woman get determined depending on which religion and religious school she follows. The Amendment of Hindu Succession Act, 2005 is a landmark step towards for the women empowerment and protection of women’s right to property. It opened the door for women to have the birth right in the family property like the son. Women were vested with the right of control and ownership of property beyond their right to sustenance.

Property Rights of Women under International Laws³:-

The Convention on Elimination of All Forms of Discrimination against Women, 1979, is the main foundation of rights in respect of women to which 166 countries including India are members till date. Gender inequality facets in different forms but the most tedious percepts are to the effective property rights. Convention of 1979, the UN Declaration, General Assembly Resolution No. 217A (III) dated 10th December, 1948, Art.14 of African Charter on Human and People’s Right, 1981 specify that the right to property shall be guaranteed. It may only be encroached

²Revanasiddappa & Anr vs. Mallikarjun & Ors, (2011) 11 SCC 1 (India)

³ P.K.DAS, Universal’s New Law on Hindu Succession, at, 147 (2nd ed. 2006).



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Translation and its Use in Indian Courts

Prof. Ravindra Patil

Earlier translation was considered a language learning activity. The practice of translating is long established. However, it received a lot of attention in the twentieth century. Translation Studies (used first by James S. Holmes in his paper 'The Name and Nature of Translation Studies' originally presented in 1972) began to grow in the 1970s and it picked up momentum in the 1980s. Thereafter it developed into a discipline in respect of theory and practice and became a 'fundamental act of human exchange.'¹ In the world of globalization, translation has become a cultural ambassador for intercultural communication. Many books on translation occurred all across the world during the past three decades. The distinct lines of inquiry and the diversity of approaches and methods have flourished over the years. As a result, translation has really helped shape our knowledge of the world. Translation became mostly popular with literature and it has now become a kind of professional activity among very well trained and experienced translators. They translate literature from one language to another language.

Though translation is always thought about in relation to literature, it is very much concerned with law in India and even in several other countries having English as their second language. As far as India is concerned, Indian society was originally based on rules of dharma, customs and traditional concepts of life tracing back to both religious and mythological scripts. However, during the time of colonization, Indian society underwent change and the

European culture made its way to India. Dharma sastras were not the codes as they are understood in European sense of that word. The rules of sastras and rules based the European socio-legal system were used together in Indian courts. And we can see that gradually the Western style of interpretation of laws and exegesis led the Anglicisation of Hindu law.² Then the modern system of law introduced by the colonisers overrode the ancient informal legal system based on customs and old scriptures. As this new system entered India and various laws were drafted in English from time to time, the local culture got transformed. Since these laws were in English, everyone in India was not very well conversant with English. In such a situation, there was a way out in the form of translation in courts.

As many old laws are based on European ideas of socio-religious life, there has been a lot of adaptation of such ideas to the native culture and translation has helped overcome this problem. It seems very clear that translation plays a very crucial role in the field of law in India. Being limited in its approach, this paper will be dealing with some aspects of translation from English to Marathi and vice versa. Similarly, translation, though the term loosely and commonly used in law, is a mysterious and ambiguous phenomenon for many. Therefore, it would be appropriate to discern what translation is exactly and how far it is helpful for lawyers and judges. This paper will also shade some light on what kinds of common problems generally occur in legal translation. Translation is a complicated phenomenon which involves various strategies and methods. But, in the first place, one has to understand the meaning of translation. Hartmann and Stroke define translation as 'a replacement of a representation of a text in one language by a representation of an equivalent text in a second language.'³ The definition gives us an idea of equivalence but how far the translated texts are truly representing the original text is difficult to surmise. As we know that languages, though they share some common

object of translation studies from language learning to 'the specific study of what happens in and around translation, translating and now translators.'⁹ When we consider this shift, we find some translation theories and approaches coming up in the second half of the twentieth century, though there has been a long-lasting debate about the free vs. literal translation in the background.

This debate over free vs. literal translation goes back to the Roman lawyer and writer, Cicero (first century BC) and St Jerome (translating the Bible into Latin four centuries later), which is also apparently connected to the rules prescribed by Tytler in his essay. Literal translation means word-for-word translation and free translation sense-for-sense. Both Cicero and St Jerome did not favour word-for-word translation as many scholars feel that it leads to an absurd translation, cloaking the sense of the original, if we strictly follow the source text. However, the sense-for-sense translation allows the content or sense of the source text to be translated. There is the least possibility of distorting the original text and it helps in creating the fluent translation of the source text.¹⁰ As far as the field of law in India is concerned, the diad of free and literal translation looms large. Although it is true that lawyers go for the sense-for-sense approach in regard to translation, it is essential to consider the variables like lexical and syntactic properties, types of texts, audience, purpose. Similarly, it is also necessary to mention that translation is considered to be both written and oral. The latter is called interpreting/ interpretation. However, Gile contends that there are many overlaps between these two categories and as a result a clear cut distinction is altogether impossible.¹¹ So it is clear the methods and techniques that we use for the translation of a written text are used for oral translation as well.

In the whole process of translation, a translator plays a crucial role and is required to have some qualities. The task of a translator is decode and re-encode texts as signifying systems. Conceptual and textual grids may create discrepancies between

source and target texts belonging to different cultures. Therefore it is really difficult for a translator to deal with a transfer of a text from source to target culture.¹² Bell envisages a translator expert system (adopted from Sharples and O'Malley's article, 1988) having the following kinds of knowledge and skills:

- (1) a knowledge base consisting of
 - (a) source language knowledge; the syntactic rules of coding, its lexicon and semantics and its texting creating systems
 - (b) target language knowledge; equivalent to that in the source language
 - (c) text type knowledge
 - (d) domain knowledge
 - (e) contrastive knowledge of each of the above;
- (2) an inference mechanism which permits:
 - (a) the decoding of texts, that is, reading and comprehending source language texts
 - (b) the encoding of the texts that is, writing the target language texts.¹³

The above given requirements clearly show that a translator is expected to possess similar bilingual competence in order to do justice to the translation.

Translation and Law in Indian Context

After considerable deliberation on what translation is, it is appropriate to contemplate the relation between law and translation in connection with the medium of communication in Indian courts. There is a constitutional hierarchy in Indian judiciary. Litigations and other court matters are allotted and run on the basis of this hierarchy. Much as the jurisdiction of courts varies, the medium of communication changes at various levels of courts and even arbitration and consumer redressal forums.

Being the apex court in India, the Supreme Court deals with

attempts to represent, is again based on an illusion of human linguistic behavior, which has evolved very efficiently for a large number of purposes, though pinning down precise meaning is not among them. This has implications for translation as well, for if indeterminacy is already the condition within languages, it holds a fortiori between languages.¹⁶

Joseph points out the risk in translations resulting from indeterminacy in both law and languages. This slippery ground makes translators alert about the ambiguity in the meaning that needs to be specifically conveyed through translation.

Deborah Cao talks about another aspect of law in relation to language that 'the legal language as a technical language often operates in a context that makes legal terms have meanings different from those they bear in non-legal contexts of use.'¹⁷ It seems that legal translation has the characteristics of technical translation and it also shares some of the features of general translation. Therefore, legal translation comes under the specialist category, or technical translation. One of the best examples of the technical translation of a legal term is 'power of attorney'. This being a technical term, it has a lexical equivalent in Marathi, (.....) (mukhatyarpatra/mukhatyarnama)¹⁸ but it is also technical and is not generally used in ordinary communication. Though it is an equivalent to an English word, 'power of attorney,' in no way does it imply the literal meaning of the words in that legal term. We can say that legal English carries a very formal, impersonal tone, and usually contains complex sentences referring to several subjects. Hence it is a tricky problem for translators in courts, particularly for new lawyers.

Given the point of the nature of legal language, it is obvious that lawyers are expected to be well versed in both languages, SL and TL. Unfortunately the syllabi meant for three and five year law degree courses in the public universities are run without any course

in translation. The lawyers practicing in lower courts receive no formal training in translation as such. Nor do they hire any professional translators for such legal works as professional translators are hired in a country like the USA. Lawyers learn translation to some extent only on the basis of their day to day practice in courts.

Lawyers use translation while preparing documents such as witness transcripts, depositions, registration documents, affidavits, regulations, laws, licenses, litigation documents. Similarly when other documents enter into civil and criminal cases, they are also translated. These documents are passports, birth certificates, wills, marriage certificates, powers of attorney, contracts, judgments, deeds, service agreements etc. Both judges and lawyers are required to be completely familiar not only with both English and Marathi but also with such documents.

Judges are expected to write judgments and orders in the language of the court, Marathi. But many judges do write judgments and orders in English. While writing down such judgments, they use translation as they are always presented with the documents in Marathi during the proceedings. That is why they are supposed to be good translators. This is a matter of seriousness for them because every single word in a judgment carries great significance. As an example, if the judge prepares the statement of the accused regarding the accusations under Section 313 of the Criminal Procedure Code in English, it needs to be translated into the language of the accused i.e. Marathi and some other times in Hindi. The same is applicable to the charge prepared in warrant cases by the judge under Section 240 (2) of the Criminal Procedure Code. Therefore judges have to take utmost care and have to be experienced translators in understanding the nuances of each language and in knowing the signifying systems of both target and source languages.

To conclude, it is necessary that lawyers and judges need to have relevant experience of translation, fair knowledge of both



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DEMYSTIFYING INDIA'S COMPLIANCE TO THE UNITED NATIONS CONVENTION ON THE RIGHTS OF CHILD

Mr. Rahul Bibave¹

Introduction:

The first UN document specially focused on child rights was the Declaration on the Rights of the Child, but instead of being a legally binding document it was more like a moral guide of conduct for governments. It was not until 1989 that the global community adopted the United Nations Convention on the Rights of the Child, making it the first international legally binding document concerning child rights. The convention consists of 54 articles covering all four major categories of child rights: Right to life, Right to development, Right to protection, and Right to participation. It came into force on the 2nd September 1990.² The United Nations Convention on the Rights of the Child is a human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children. The preamble of this Convention takes note of various aspects concerning the commitment of the United Nations as well as the States Parties right from the Universal Declaration of Human Rights where the United Nations has proclaimed that childhood is entitled to special care and assistance. It also recognizes that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding. The preamble also takes due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries.

The idea behind this research article is to compare the provisions of the Convention on

Rights of Child with that of the Constitution of India to find out the gaps, if any and to propose changes in the existing law relating to the children and to strengthen the condition and status of children in the eyes of Law.

Comparative Analysis of the provisions of UNCRC with the existing Indian Legal Framework:

Article 1 of the Convention prescribes the age of the child which is to be below 18 years of age. Indian Laws also prescribe the age of majority as 18 years.

Article 2 of the Convention speaks about equality by imposing on the member state that there shall be no discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. This provision can be seen in the Indian Constitution under Article 14³ and Article 15⁴ of the Indian Constitution. This article also speaks about the protection of children against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members. The Indian Penal Code is very clear in its application by the inclusion of the maxim '*actus non facit reum nisi mens sit rea*' due to which no person can be punished unless he has a guilty mind involved. The provisions of section 34 are also not applicable to children even if they have committed any crime due to the general exception of minority present in the Chapter IV⁵ of the Indian Penal Code, 1860.

Article 3 provides for the protection of the best interests of the children by not only the parents or guardians but even the government

magazines. Indian laws are a step forward with reference to the aspect of access to information that there is a Right to Information Act which has been passed in 2005 itself which imposes a duty on certain officials to provide for information to any question raised under the act. This right is in addition to the freedom of every citizen to access to the information through all media and internet.

The Convention under various articles seeks to secure the rights like right of adoption,¹¹ benefits to be provided to children with disabilities,¹² right of child to access to health services,¹³ right of education¹⁴ which have been separately covered under various provisions of the Constitution as well as various legislations which have been in existence for the proper implementation of these provisions.

Special mention of certain articles of the Convention needs to be done with reference to the right to be protected from economic exploitation,¹⁵ protection from substance abuse,¹⁶ sexual exploitation¹⁷ as well as protection against all forms of exploitation¹⁸ and torture, cruel and inhuman treatment has also been taken into account.

Article 39 of the Convention focuses on the duty of the state to ensure the recovery, rehabilitation and reintegration of child victims of neglect, exploitation, or abuse, etc., and Article 40 deals with the special treatment which needs to be provided to juveniles in conflict with law in their respective States.

Conclusion:

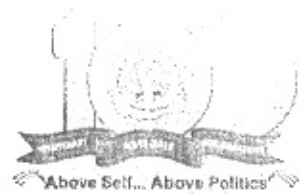
Broadly speaking all these provisions are very general in nature and there needs to be a country specific approach while implementing the provisions of the Convention due to the diversity of the member countries to the Convention. Article 41 provides that the municipal law has to be given primacy in case of a conflict between the provisions of the convention as against the provisions in the municipal legal system.

However, it is pertinent to note that there are many laws in place in India when it comes to the protection and implementation of the human rights including a specific Commission for the Children, yet there are instances that the basic rights of children are violated.

India ratified UNCRC on 11 December 1992, agreeing in principles all articles except with certain reservations on issues relating to child labor.¹⁹ In India there is law that children under the age of 18 should not work, but there is no outright ban on child labor, and the practice is generally permitted in most industries except those deemed "hazardous".²⁰ Although a law in October 2006 banned child labor in hotels, restaurants, and as domestic servants, there continues to be high demand for children as hired help in the home. Thus, although there can be practically every article under the Convention supported by the Constitutional or at least a legislative provision, in reality there are a lot of things which need to be achieved for the protection and benefit of the children for the better future for the children as well as for the overall better future of the country which is currently in the demographic phase of having maximum people in their youth. There is a lot to achieve for India to bring its children at par with the global standards although we cannot deny that we have travelled a long distance in providing the benefits to the children wherever and whenever possible.

After the analysis of the situation of India's compliance to the Convention of Rights of Child there are a few issues which emerge which need to be catered to, for the betterment of the status of children in India. The first issue which comes up is the population of the country and the percentage of population of children in the same. The very fact that the population is out of control of the administrative authorities can be the root cause of the poor implementation of any law in favour of the beneficiaries. The second issue is the development status of the country,

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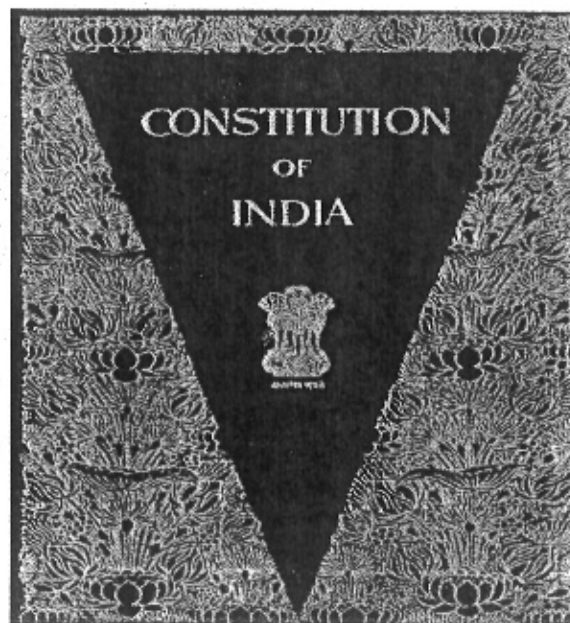
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CONTROLLING ELECTRONIC MEDIA IN THE AREA OF INDECENT REPRESENTATION OF WOMEN IN INDIA

- Mr. Rahul Nandevrao Bibave¹

As like many other countries, media in India is considered as it's forth pillar of democracy. Medi is treated as a reflection of a country making that country and the world know what is happening in it. Media has become an inevitable part of every Indian with all its diversities including all frontiers of social, political and economic surroundings. This media in India can be divided into two parts viz. print media and electronic media. In the area of electronic media, India has a dedicated executive department i.e. Ministry of Information and Broadcasting looking after all the activities of it. This ministry has created Electronic Media Monitoring Centre with its dedicated official website² But researcher found a text on its home page "The Site is under maintenance"³. This message has been found by the researcher on the site for lot many days. The electronic media is yet awaiting for the monitoring agency.

All this has leded the researcher to work in this area of electronic media and its evil ingredients which are unaddressed. This research is limited to electronic medias in the form of cable television network, internet and social media because these are the most accessed and used in India. One of the evils is electronic media leading to crimes. In this category of crimes, indecent depiction of women is contributing as a prominent reason towards crimes against women. In this research paper, the researcher will concentrate on research question that whether there should be control over electronic media in the area of indecent representation of women in India or not. This research paper is an attempt of deliberations on the seventh sub-theme of the National Seminar on Current Constitutional Challenges in India. This research paper aims at the constitutional analysis of present laws of India in the area of prohibition of indecent representation of women broadcasted through electronic media.

Electronic media started in India through radio, the electronic audio service, in 1923 by Radio Club of Bombay and which was took over by Government of India in 1930 and was changed to All India Radio in 1936 and further it was known as Akashvani from 1957.⁴ India witnessed its own terrestrial television channel Doordarshan in Delhi on 15th September 1959. These two electronic media later were broadcasted by PrasarBharati which established on 23rd November 1997 till date. Further on 1st August 1991 Star India and on 15th December 1991 Zee Entertainment started the revolution in cable television network in India by introducing their television channels. The further significant development of electronic media in India took place through availability of internet. On 15th August 1995 VSNL launched internet in India. Before that in 1986 Educational Research Network (ERNET) made India available with internet for limited use i.e. for education and research institutes. Internet has travelled various sizes of hardware starting from desktop computers to mobiles. So it started from desks to hands. The next noteworthy development in electronic media for India took place through social media. Google introduced Orkut on 24th January 2004, Facebook website was launched on 4th February 2004, by Mark Zuckerberg, along with fellow Harvard College students and roommates, Eduardo Saverin, Andrew McCollum, Dustin Moskovitz, and Chris Hughes, WhatsApp was founded in 2009 by Brian Acton and Jan Koum and many more Social Medias entered in India. At the end of 2017 there are 196.2 million users of social media in India.⁵

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भाषांतर प्रक्रिया

संपादक
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प्रा. नयनिका नलावडे
प्रा. डॉ. दीपक गायकवाड

भाषांतर प्रक्रिया

संपादक

प्राचार्य डॉ. शोभा इंगवले, प्रा. नयनिका नलावडे, प्रा. डॉ. दीपक गायकवाड

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AN ANALYSIS ON TRANSLATION
NOVEL STRUCTURE IN THE DA VINCI
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rary Translation : A Study with Reference to
Author: Vilas Sarang; University of Bombay.
Chair of Comparative Literature.
: Gurudev Tagore Chair of Comparative
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**Challenges face by the library to provide Translation
Service for its users**

Mr. Prakash Jadhav,, Mr. Santosh Khajindar

Abstract:

Library provides various services to its users. The main aim of the library is to satisfy the user needs by all possible ways. Research is a continuous process. Information is generated by the researchers in various forms and language. Translation service plays vital role in the area of research. It helps to communicate the information from one language to another language. Google also provide online language translation service with different languages. It avoids duplication of work and indirectly saves time, money and manpower.

Key Words: Translation, Library

Introduction

After world war second there is tremendous growth in science and technology. Innovations of printing technology shows accelerate growth in information generation. Information is available in various forms and formats and also in different languages. Language is a main media of communication of Information. Information is generated by scholars and researchers in various languages available in the library. No person or library is self sufficient to avail all the information to satisfy their research need. Language is also an important factor for dissemination of information. In this world, information is publishes in various subjects which is very important

७८ । भाषांतर प्रक्रिया ।

। भाषांतर प्रक्रिया । १७९ ।

Contemporary Issues in International Law

(Environment, International Trade, Information
Technology and Legal Education)

Editors

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SATYAM LAW
INTERNATIONAL



Foreword

Rapid growth of new technology, innovative techniques of exploitation of resources and novel patterns of trading present a challenge to international law. International agencies and institutions are shaping the domestic policies. Recent developments at Bali conference relating to subsidies and trade facilitation show that even aspects like minimum support price to farmers of a country are to be decided by global forces. In an age when WTO becomes, perhaps, more important than United Nations one needs to give a fresh look to contemporary face of international law.

In this context the present volume on "Contemporary issues in International Law" (Environment, International Trade, International Technology and Legal Education) comes as a wave of fresh air. Today, we stand at the crossroads of new international and national legal and policy developments. The negotiations at the WTO and the concern for conservation of environment and safe cyber transactions highlight the growing importance of national and international norm-setting in these areas. These international developments are bound to influence the domestic law, and policy.

The editors have selected those issues of international law which have emerged as a result of the advent of modern information technology. The connection between the topics of environment, trade, information technology is apparent from the fact that ultimately it is the method of doing business which is causing dents in the traditional understanding of principles and liabilities in international law. The present volume is scholarly and readable. It contains quite well-researched contributions and answers technical questions pertaining to the topics covered. It presents an intelligent sense of conceptual and contextual aspects of environment, trade, information technology and legal education that is in tune with certain ideas and experiences of readers and lawmakers. At the same time the book keeps a reader engaged by providing

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Legislation for Domain Name Registration: A Requirement in Globalization

Ravindra Wakade

I. INTRODUCTION

The purpose of this chapter is firstly to examine and to comment on the basic issues related to domain names; secondly to look at the trends in the case law in the US and to highlight a number of the issues that flow from them; thirdly to explain the policies of the regulatory bodies and deficiencies regarding the same; fourthly to discuss the policy structure of the Indian counterpart and lastly the need for legislation for the domain name is emphasised. With the rise of the internet the domain name has acquired new found interest. With the internet, e-commerce started to pave its way to life of a common man.

Domain name is basically the method of identifying and accessing websites and matches IP address through Domain Name Server (DNS) system. Domain name is given by Domain name registries which are at country level or at worldwide level. Domain name refers to an address for location of the website on internet. These are expressed in alphanumeric form and the computer known as a Domain name server matches these names to the numerical Internet Protocol (IP) addresses.

Whenever a user of internet types a domain name with the help of an application like browser, the browser sends the name to Domain Name Server (DNS) computer. It searches database of IP addresses of domain names. When match is found, the link is established, and the communication is established. Hence it becomes necessary to have one address for one domain name. Also domain name is a label which anybody can recognise instead of a string of numerals. The domain name has semantic association with the activity of the business or name of the business that is in short registered trade mark or trade



॥ जीवनाय ज्ञानं वरम् ॥

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Role of Teacher in Higher Education

■ Asst. Prof. Wanare Manojkumar Mahavir

B.S.L., LL.B, LL.M. D.C.L. D.T.L. NET

Y. C. Law College, Parvati Pune -09.

Abstract : *Guru Brahma Gurur Vishnu Guru Devo Maheshwaraha Guru Saakshat Para Brahma Tasmai Sree Gurave Namaha. Meaning: Guru* is verily the representative of *Brahma, Vishnu* and Shiva. He creates, sustains knowledge and destroys the weeds of ignorance. I salute such a *Guru*. According to Swami Vivekananda "We want that education by which character is formed, strength of mind is increased, the intellect is expanded, and by which one can stand on one's feet"

The India's higher education system is the third largest in the world, next to the United States and China. The main governing body at the tertiary level is the University Grants Commission, which enforces its standards, advises the government, and helps coordinate between the centre and the state. In modern context the role of education system and governing body is changed. It is in need of radical reforms.

The Teacher : "The primary task of a society is to find a real teacher, one who performs his duty with perfection and dedication and is a perfect moral example for the society" - **Rabindranath Tagore.**

Thus, teachers play critical role in taking quality education and in shaping the future and destiny of a nation. Teachers teach the ways of life, channelize youth power and mold their character. In a real sense, the teachers are the backbone of the nation.

Teacher Student Relation : The relationship between teacher and student should be well balanced because when we are talking in reference to higher education, teacher has to deal with student who is respectively mature and sensitive and dealing with this age group need balance and care. Also the selection of words is very crucial. In this age group student are more sensitive towards comment made for them. So Faculty supposed to comment by keeping in mind of that student stability and sentiments. Some time faculty must strict towards student and at the same time dealing must be with care. So teacher student relationship can be left to the teacher for the situational context and their experience to deal with student.

Quality and Relevance : The Key Issues Everybody agrees that policy reforms should seek in the first place to improve the quality and the pertinence of higher education systems. In a general way, the analysis of the evolution of higher education in the last two decades indicates that the two most remarkable trends of this level of education in all regions are: (a) quantitative expansion, and (b) problems for keeping or improving academic quality, and the need to examine the effectiveness and efficiency of the system. Quantitative expansion is the object of studies by various institutions. The in-depth analysis of the accuracy of recriminations against the drop in the quality, efficiency and effectiveness of the systems indicates that they hardly give a total picture of the phenomena Certain indicators such as the high level of repeating classes in certain countries, the extension of time spent at universities by young people, the drop-out rates, the high cost of services, the unemployment of graduates incapable of entering or adapting themselves to the world of work, indicate that the problem is serious and almost universal In the last decade, a great number of countries of all continents have gone through an evaluation of their higher education systems and through reforms in higher education, or have shown interest in promoting changes in this fields What are the trends and prospects revealed during these exercises? When UNESCO was preparing its current Medium-Tera Plan, which covers the 1990-1995 period, a series of consultations was held to identify the main important issues for higher education in all regions of the world. Two groups of issues were identified.

राज्यस्तरीय चर्चासत्र : उच्च शिक्षण : संधी आणि आव्हाने । १०३

How do the students with high achievement coming from several engineering courses understand the role of their teachers? It is the aim of this article to identify the most valued characteristics of teachers from the student perspective as well as to understand the perceptions of students on the influence their teachers have on the development of their greater talent and achievements.⁷

Role of Teachers in Quality Enhancement : "Education is the manifestation of perfection already in man" - Swami Vivekanand

Teachers play crucial role in improving the quality of higher education in following ways :

1. Dedication and Commitment
2. Motivation
3. Skill Development
4. Imparting Value Based Education
5. Impact of Caliber
6. Lateral Thinking
7. Use of Resources
8. Special Attention to Research
9. Academic Development To teach is the life-long process of learning
10. Quality Awareness and Self Evaluation
11. Professional Freedom
12. Professional Ethics

Broadly speaking, the function of teachers is to help students learn by imparting knowledge to them and by setting up a situation in which students can and will learn effectively. But teachers fill a complex set of roles, which vary from one society to another and from one educational level to another. Some of these roles are performed in the school, some in the Community.

Conclusions and Recommendations : The administration and the teachers have to work together to development of education and progress of students. The teacher has to try to take as little control or direction over the lesson as possible and lets the students make decisions about what they want to learn and how they want to learn it. The teacher and all the students in the class have to constitute a team and should interact like members of a team. In the college of education, the roles of teachers as planner, teaching team member, material developer, empowered, facilitator, professional, counselor and class team member have to be employed and practiced more in teaching.

Finally, the teacher needs continuous training programs to develop him with the world improvements. The teacher has to act as a student to continue learning and following the new approaches and educational strategies through the Internet mediated communication and through reading modern periodicals in the field.

Reference :

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GLOBAL CHALLENGES & SOLUTIONS

Edited By

**Dr. Mohmmad Ahmad
Saksham Agarwal
Shreet Raj Jaiswal**

Foreword by

**Hon'ble Mr Justice Abdul Moin
(Judge Allahabad High court)**



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F CHOUDHURY on Ethnic Conflict And n, his paper seeks to understand the nature and how it generates such a huge number of e the early 1990s and later. Then there is **T SRIVASTAVA** along with **PRASHANT** es the relevancy, applicability, effectuality, ovisions which has been framed for benefit

ontributed by **Dr. PREETI SINHA** which water as a global challenge and finds some is paper by **DEEPESH OJHA** which talks er crime and its dreadful effects on Indian aper by **RAUNIQUEA BISHT** and **ALMAS** r the authors have highlighted the fact that ging waste (such as Landfilling, Incineration, omposting, Waste to Energy and Waste l up creating more pollution, also they have e management methods. Then there is paper **IMAD** along with **ZOYA FATIMA** on The lty in India and comparing it with two-thirds eat! enalty-free without any decline in per by **MUKTA VERMA** which talks on the suggestions to prevent it. Thereafter is paper **HURI** and **PRIYANKA PANDAY** which d nature of workforce bullying in various of conduct and remedies available in various ; issue. Then there is paper by **SHRUTI** es on rethinking about the mode and system per by **MOHD WAZID KHAN** which throws cavenging and the serious violation of human ith this menace. Finally the last paper has been **SINGH** along with **DURGESH KUMAR** : phenomenon of parental incarceration and its arcerated parents in the light of the legal on of such children, further in their paper they olutions towards meeting the needs of these

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Competitive Federalism In India: A Scope To Globalization In Indian Federal Structure

also be plausible approach to tender out unbiased effectuate rising from globalization over the structure.

2

**THE TRANSNATIONAL CORRUPTION
AND RELEVANCE OF
WHISTLEBLOWER LAW**

Prof. Ravindra Wakade (B.Sc. LL.M)*

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Yashwantrao Chavan Law College, Pune, Maharashtra

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Abstract

The corruption nationally and internationally has become a critical problem for various nations. The globalization has expanded the ambit of the corruption to private enterprises. The corruption has grown at transnational level jeopardizing the socioeconomic culture of nations. The conventions and international instruments have promulgated various essentials for a participant nation to legislate as per model requirements. America has dealt the menace with laws relating to transnational corruption and whistleblower. The present researcher has identified that the combined effect of the Corruption law (FCPA) (with its amendments) along with whistleblower provisions have helped in controlling, early identifying and bringing reliable evidence for successful execution of law. The bounty system under the said amendment ("Dodd Frank") has added extra incentive and has neutralized the aftereffects of whistleblowing significantly. The External systems of Disclosure, Dedicated execution Machinery (SEC), Protections against retaliations are some of the key issues which had added strength to the concerned legislation. India has dealt with corruption at national level yet surprisingly at the transnational level there exists no law. The recent amendments in Company law and Prevention of Corruption Act has some promising features but a coherent approach in dealing with national and transnational corruption has to be adopted. The whistleblower law is riddled with many lacunas to make it ineffective. This position is critical when India intends to become a global leader. Hence to improve international and national image, the deficiency of laws relating to transnational corruption has to be cured with due strengthening of whistleblower laws.

Keywords: Transnational corruption, Whistleblower, SOX, FCPA, Dodd Frank amendment

Prologue

A Key for good governance is transparency and accountability which a nation seeks to achieve through its legislative efforts. In spite of checks and balances the corruption enters into the system through various ways. The scope of the corruption is not limited to governmental functions but has expanded to the private sector after

globalization. Hence the corruption phenomenon but have transcended to ol been made at national and international legal mechanisms which would cater to t

The democracy demands smooth from corruption. The public and priv running the governmental organisati executive) form the backbone of the ex either sector affects the entire system an national credibility and morale.

It becomes incumbent on any le devise its own legislative formula to del Amongst the plethora of legislations, pr laws relating to corruption and whistlebl categories of law supplement and com firewall against corruption. Corruptio dimensions of the wrongdoings which a nationally and internationally. Whistlebl corruption and also bring reliable evi output. Yet the power of the courts in ta where the corruption takes across the boi The courts are reluctant to assume juric cases. As a result of which, whistleblow the retaliations and corruption is ultimate

In this article the present researc the corruption, its scope and consequenc discussion on the laws affecting corruptic The researcher has selected American I dealing corruption. In the Part Thr Whistleblower, is detailed. In Part F corruption and whistleblower are analy. offered recommendations and conclusion

The present article is based on requisite data is collected from books, re In the present article the research will question namely whether the laws of c generate effective deterrence relating to tr

15th

International Interdisciplinary Conference, Pune

**Contribution of Chhatrapati
Shahu Maharaj ,
Mahatma Jyotirao Phule &
Dr. Babasaheb Ambedkar at National
& International Levels
Vol. 4**

Editor

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and Dr. Ambedk
whose contribution :
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Preface

Rajashree Shahu Maharaj, Mahatma Dr. Babasaheb Ambedkar are acknowledged progressive Maharashtra and are promoters of Independence, Equality, with entrepreneurship, enterprise and Education. This trinity dreamt of bringing the down levels of all round prosperity all over Maharashtra only dreamt but strived to bring their dream they achieved One hundred percent success. For reasons people of Maharashtra cannot forget the 21st Century. Even today the trinity of Shahu Maharaj, Mahatma Phule and Dr. Babasaheb Ambedkar have emerged together in form of a renaissance which has given new celebrations for raising the culture of many who then transcended to higher education and culture. We are indebted to these three great leaders Dr. Babasaheb Ambedkar who were also admirers of social evolution and advanced education remains our goal for years to come and is acknowledged by many globally. With a vision for future generations of the guiding principle to reconvene together the attainments of Babasaheb Ambedkar, Shri Shahu Mandir Vidya Maratha Shikshan Parishad and Snehalata Institute jointly have organized this Interdisciplinary Conference on this day with a theme of "Contribution of Shahu Maharaj, Mahatma Phule, and Dr. Babasaheb Ambedkar at National and International Levels". About 200 delegates comprising of Prof. Pravin Jadhav, students, and teachers participated in the conference.

Numerous articles and research papers were presented at the conference written in Hindi, English and Marathi. Out of these 153 articles written in Marathi, 120 are published in three volumes and 32 articles written in Hindi are published in the fourth volume. We are happy to publish these three volumes as a result of this conference.

Rationalising Hindu Traditions and law – Contribution of Dr. B. R. Ambedkar

Prof. R. A. Wakade
Mobile - 9823362047

Abstract -

Dr. Ambedkar, apart from being a scholar brought his pragmatic ideas into reality through law which especially relating to gender justice. His early efforts mark organisation of social movements, which led to expansion of various rights for women. The monumental work in drafting Constitution and advocating Hindu code bill were instrumental in alleviating social status of women. His effort to pass Hindu code bill though failed but later on came into existence through various legislations. It gave majority of rights to women and achieved justice for years to come.

Keywords - Hindu Code Bill, Dr. Ambedkar, Gender justice

Introduction -

The concept of equality and rationalisation was inducted by Dr. B.R. Ambedkar especially in the age old tenets of family law which was till then marred with patriarchal pedagogy. This rationalisation not only vitalised the redundant structures of law but also brought depressed section of the society within the mainstream of the national force. The effort was depicted through his efforts to bring into existence Hindu Code bill. The difference resonated while discussing the personality of Dr. Ambedkar was that he had applied his wisdom to develop a mechanism which will achieve a long lasting social impact in a positive manner. Though his thoughts showed influence of Marxism yet he had not delimited his thought process to theoretical jargons.

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Failures of Whistleblower Laws – Indian and International Experience

First Edition

Author

Dr. Ravindra Wakade



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Dr. Ravindra Wakade, B.Sc. LL.M. Ph.D., Associate Professor
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Prequel

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Chapter 1

Introduction

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Prequel

Every nation is suffering from the corruption, which occurs at every level of the organisation regardless of its form and category. The control at the instance of regulatory machinery proves insufficient due to inadequate evidence, lethargy and meagre resources. This deficiency can be effectively supplemented through the agency of whistleblower. Such person will not only helps the regulatory mechanisms to improve its quality of working but ultimately improves the national image and economic viability. Through whistleblower mechanism, the accountability and transparency of every organisation is secured which serves the public and national interest. Hence effort has to be made to improve and strengthen the whistleblower law, which is under-utilized mechanism in most of the nations. To give impetus to the concept, either a potent legislation which supports whistleblower is to be legislated or existent whistleblower law has to be strengthened. In order to achieve this, key parameters are identified within the whistleblower legislation, which are to be optimised, by adopting activist and holistic approach.

To achieve this end the present researcher has resorted to thorough critical comparison of three legislative systems, on the basis of these parameters and the optimal configuration is sought to be generated. These parameters can be harmonised to form a cohesive theme, which will serve as a strong basis for the legislation which would serve its purpose across the nations. It will help to generate motivation in the employees to disclose, the wrongdoings practised by the organisations, where they work.

For optimisation of the law special care has to be taken regarding the substantive part of the law, which confers rights and protections. The same is to be complimented by apt choice of authorities, procedure and burden of proof. For the purpose of this research, American, British and Indian whistleblower laws are selected. Amongst American laws four federal whistleblower laws, addressing Private and Governmental organisations are selected for the sake of brevity.

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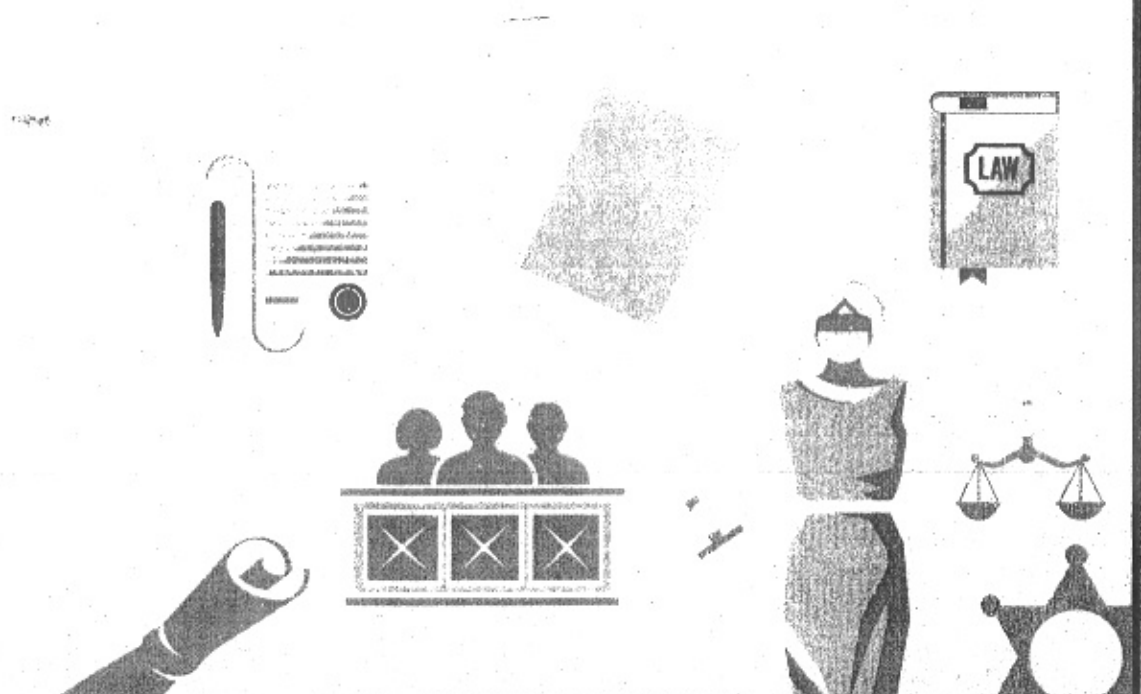
Constitutionalism, International Law & Public Policy : 2021 Ahead

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Public Policy Dominating Constitutionalism In India

Mr. Rahul Bibave

(Yashwantrao Chavan Law College, Pune)

The doctrine of Constitutionalism, from its inception in Indian Legal System has undergone lot of changes reducing its ambit. The reasons being many, the prominent one is public policy. The researcher has found the doctrines or principles like procedure established by law, protection of larger interest over smaller interest, reservation policies, no right is absolute, restrictions on freedoms, and non-enforceable nature of directive principles of state policy are those public policies relevant in this chapter. The researcher has observed that the State has an effective tool named public policy to dominate over the Constitutional guarantee of the rights enshrined in it. The researcher has found that the public policy in the object of the statutes or delegated legislations have paved the way for the political party (parties) to run their ideology of governing the country. Many political parties have their turn for governing the country, either independently or in coalition with others, but all of them worked in the same way to serve their political greed and endeavors. This leads India to suffer the detriments in all its fronts of development making it still the developing country than a developed one. This chapter is an attempt to find out the effects of those doctrines or principles over the rights guaranteed by the Constitution under the doctrine of Constitutionalism.