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INDIA TODAY – OUT LOOK – THE WEEK – THE KNOWLEDGE REVIEW

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Annual Quality Assurance Report 2022-23

Criteria-3

Research, Innovations and Extension

3.3.2 - Number of research papers per teachers in the Journals notified on UGC website during the year

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S. No.	Title of Paper	Name of Author's	Name of Journals	Year of Publication	ISSN NO.
1	A Study on Impact of COVID 19 on the Growth of Banking Sector in India	Prof. (Dr.) Manpreet Kaur Rajpal and Dr. Manish Phalke	Specialusis Ugdyamas	2022	1392-5369
2	Gandhi Hall: Alankrit Vastu Aur Indore Nagar ki Sanskriti Pravan	Madhuri Modi and Dr. Sunita Malviya	International Journal of Social Science & Management Studies	2022	2454-4655
3	Abortion Rights of Women: Fourth Wave of Feminism	Prof. (Dr.) Manpreet Kaur Rajpal and Amaresh Patel	Dogo Rangsang Research Journal	2022	2347-7180
4	Are these Recent Events a Repeat to the Exodus of Kashmiri Pandits	Chetan Prakash and Depak Anjana	Dogo Rangsang Research Journal	2022	2347-7180
5	Sustainable Development in Energy Sector	Amit Kumar	Dogo RangSang Research Journal	2022	2347-7180
6	Electoral Reform in India with Recent Development	Amaresh Patel	Dogo Rangsang Research Journal	2022	2347-7180
7	Environmental Protection and Sustainable Development	Amit Kumar	Dogo Rangsang Research Journal	2022	2347-7180
8	Sociology and Law Interface: A Critical Discourse	Amit Kumar and Shweta Rawat	Education and Society	2022	2278-6864
9	Marital Rape: An Evil of the Society.	Dr. Shikha Dube	Juni Khyat	2022	2278-4632
10	Juvenile Justice System- A Critical and Comprehensive Analysis	Dr. Shikha Dube	Dogo RangSang Research Journal	2022	2347-7180
11	Khap Panchayt – Honor Killing (A Critical Study)	Dr. Shikha Dube	Juni Khyat	2022	2278-4632
12	Rise of Hate Speech: Consequences and Legislation	Aakriti Shukla and Amaresh Patel	Dogo RangSang Research Journal	2022	2347-7180
13	Electoral Reform in India with Recent Development	Amaresh Patel & Aakriti Shukla	Dogo Rangsang Research Journal	2022	2347-7180

Prof. (Dr.) Manpreet Kaur Rajpal
Dean

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14	Critically Evaluate The Nature of Judicial Technique And Point Out How It helps In Accepting A New Principal of Law.	Dr. Shikha Dube	International Research and Reviews- An International Research Refereed Journal	2022	2319-3204
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16	To Study The Effect Of Gender On Inclination Of Health Care	Dr. Reva Prasad Mishra	The Journal of Oriental Research Madras	2022	0022-3301
17	Character Merchandising: Right of Publicity and its Relation with Trademark Laws	Ms. Kusum Joshi	Specialusis Ugdymas International Journal	2022	1292-5369
18	Emergency Provisions of Constitution	Dr. Rupali Rathore	Journal of Education, Rabindra Bharti University	2022	0972-7175
19	CSR- Corporate Social Responsibility	Dr. Rupali Rathore	DOGO Rangsang Research Journal	2022	2347-7180
20	Data Protection: A Need for Legislation in India	Dr. Rupali Rathore	Juni Khyat	2022	2278-4632
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22	State's Control and Balance Over Right of Privacy and Promotion of Freedom of Speech and Expression	Prof. (Dr.) Manpreet Kaur Rajpal and Amaresh Patel	Juni Khyat	2022	2278-4632
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24	भारत में किशोर न्याय: एक ऐतिहासिक रूपरेखा	Dr. Shikha Dube	Drishtikon	2022	0975-119X
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27	An Analysis of Right to Privacy during Covid 19 Pandemic	Rewa Gupta	Kanpur Philosophers	2022	2348-8301
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38	Role of Fintech in India's Finacial Inclusion	Ami Agrawal	IJSSMS	2023	2454-4655
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Manpreet
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40	A Study on Impact of Ethical values on Intellectual Property Rights (With Special Reference to Mechanical Philosophy of Nature)	Ishita Rana	Korea Review of International Studies	2023	1226-4741

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2022-23

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e-ISSN 1392-5369 | Publisher Siauliai University |

ARTICLE ACCEPTANCE LETTER

Date: 09/August/2022

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Thank you very much for your submission to our journal.

We are pleased to inform you that your paper has been reviewed, and **Accepted** for publication in Regular Issue of the journal based on the Recommendation of the Editorial Board without any major corrections in the content submitted by the researcher. This letter is the official confirmation of acceptance of your research paper. Your paper is tentative to get published in August 2022, if in case you complete the process withing 7 days.

Title: "A STUDY ON "IMPACT OF COVID - 19 ON THE GROWTH OF BANKING SECTOR IN INDIA""

Author's: Prof.(Dr.) Manpreet Kaur Rajpal & Dr. Manish Phalke,

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गांधी होल: अलंकृत वास्तु और इंदौर नगर की सांस्कृतिक पहचान

भापूरी सोदी

सोसायटी, दश अखिला विश्वविद्यालय, इंदौर

डी. सुनील भास्कर

शासकीय संस्कृत महाविद्यालय, इंदौर



अलंकृत वास्तु और इंदौर नगर की सांस्कृतिक पहचान गांधी होल जिससे हम किंग एडवर्ड हाउस होल के नाम से भी जानते हैं। इनमें से अब इसकी पहचान 1947-48 के बाद पूर्णतया गायी होल के रूप में ही परिचित हो गई है। क्योंकि जब से इसे गांधी होल का नाम दिया गया है किली भी इंदौर जसी को अर्थविद्या की कोई पहचान को अब हिंदुस्तान में खोजने देना पसंद नहीं आता। बहरहाल इंदौर का हर नागरिक अपने शहर की संस्था और संस्कृति को लेकर बहुत राजस है और इसका ही जीव जागता उदाहरण हमें तब नजर आता है जब कोई भी विजयश्री हासिल हो या उत्सव त्योहार को मिलजुलकर मनाया हो, पूरा शहर चरों और से उठकर राजवाड़ा चौक पर जमा हो जाता है। ऐसे इंदौर में सांस्कृतिक आयोजनों का होना राजवरी की बात है। इस प्रकार के आयोजन जब से इंदौर बसा है संभवतः तब से ही होते चले आ रहे हैं और ऐसे आयोजनों का एक सुंदर से भाव परिवार में एक सौंदर्य शाली प्रसाद में किया जाना होनाकर दिखाता, अंग्रेजों और इंदौर के नागरिकों के मौर्य और गरिमा का विषय रहा है। दो हजार लोगों की सभा करने की क्षमता रखने वाले इस आधुनिक की विशालता का अनुमान स्वता ही लगाया जा सकता है।

इतिहासकार जकर अंसारी गांधी होल के बारे में साक्षात्कार के दौरान बताते हैं कि इन शहर के ऐसे स्थान को चुनकर बनाया गया जहाँ रेसिडेन्सी में रहने वाली तथा होलकर दिखावा में रहने वाली दोनों ही तरह की जनता की पहुँच में लाया जा सके और यहाँ

बस और रेलवे स्टेशन भी निकट होने से लोग आसने से पहुँच सकते थे। इस पर लगी कार्रवाई यहाँ को आवाज राजवाड़ा तक सुनाई देती थी यहाँ कई महारू हरिद्वी ने आकर अपना उद्घोषण दिया है, जैसे - महात्मा गांधी, कस्तूरबा गांधी। यहाँ तक कि नरसिंह लोरेक ने भी इस होल को अंदर अपनी प्रदर्शनी लगाई है। इस प्रकार यह स्थान कई हरिद्वी के आगमन का साक्षी रहा है साथ ही यह यह भी कहते हैं कि इसे पूर्व से संकेत रश् से संवर्धन कर दिया गया था लेकिन बाद में फिर शहर के निवासियों प्रशासनिक अधिकारियों का ध्यान इस ओर करने के बाद इसे परिभाषायी रूप प्रदान किया गया तथा यह आज अपने सुंदर रूप में प्रस्तुत है और शहर के कई कार्यक्रमों को यहाँ आयोजित किया जाता है।

गांधी होल के निर्माण का उद्देश्य किंग एडवर्ड सप्लम के गद्दीनशीली को अचलर जो स्मृति बनाए रखने के लिए किया गया था।

नगर के मध्य एंगली रोड पर अवस्थित गांधी होल का मूल नाम किंग एडवर्ड हाउस है। यह भवन 1904 में किंग एडवर्ड एडवर्ड सप्लम के राजवरीहम की स्मृति स्मोला पर गुर्बई के प्रसिद्ध जस्तुविद निस्टर स्टीवेसन की देखरेख में रूपए 2,50,000 की लागत से निर्मित कराया गया था। इसका उद्घाटन नवंबर 1900 में विस ऑफ वेल्स (जॉर्ज पंचम) द्वारा किया गया।

यह भवन एक विशाल परिवार के बीच विद्यमान है जिसके चरों और खुल मैदान है और वर्तमान में गांधी पार्किंग के लिए भी अंदर की ओर खुला हिस्सा है तथा बाहरी खुले मैदान में भी कई बार आयोजन के लिए उपयोग में लाया जाता है।

यह भवन आवाताकार रूप में निर्मित है। चरों से देखने पर यह भवन मुख्यतः दो रंगों का सुन्दर सम्मिश्रण प्रतीत होता है, जो एंगली रोड से गुजरने वाले हर नागरिक का बरबस ही ध्यान आकर्षित करता है। इको-मोडिक शैली में बना यह भवन मुख्यतः दो भिन्ना इमारत है। भवन के मुख्य द्वार पर पोर्च बना है, जो ब्रिटिश स्थापत्य का द्योतक है और मुख्य प्रवेश द्वार के दोनों ओर मोडिक शैली में सीनारे बनी है। पोर्च में तीन मेहराबे बनी है, जो वेस्टेडियन आर्चज की तरह है, परंतु उसमें अंदर जो आकृतियाँ हैं, वह राजपूत शैली

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Title
A STUDY OF EUTHANASIA FROM SOCIO-LEGAL, ETHICAL AND MORAL PERSPECTIVE

Authors
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Dr Azimkhan B. Pathan, Professor of Law and Head of the Department, School of Law, GD Goenka University, Sohna Road,(Gurugram), Haryana

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Title
ABORTION RIGHTS OF WOMEN: FOURTH WAVE OF FEMINISM

Authors
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Amaresh Patel, Assistant Professor and Research Associate, Indore Institute of Law

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Title
PREDICTION OF HEPATITIS DISEASE USING MACHINE LEARNING TECHNIQUE

Authors
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Dogo Rangang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-09 No. 02 September 2022

**ARE THESE RECENT EVENTS A REPEAT TO THE EXODUS OF KASHMIRI
PANDITS?¹**

Deepak Anjana, Assistant Professor, Indore Institute of Law
Chetan Prakash, Assistant Professor, Indore Institute of Law

ABSTRACT

This research focuses on the *exodus of Kashmiri hindus or pandits*, which took place in early 1990s and the actual reasons behind it which include both social and political causes. Many hindus immigrated from the muslim- majority Kashmir valley or were forced to leave. The insurgency was being headed by a group pushing for a secular and independent Kashmir during the period of significant migration, but there were also expanding Islamist forces imagining an Islamic state. The targeted killings of a few high-profile officials among their ranks and the rebels' vocal aspirations for independence generated terror and panic among the Pandits, who believed that Kashmir's culture was linked to India's. Despite the fact that their numbers of dead and injured were minimal. The latent causes of the departure may have been the rumours and uncertainty that went along with it, the lack of assurances from the Indian government regarding their safety, and these factors together. The labelling of the violence as "genocide" or "ethnic cleansing" in some publications by Hindu nationalists or in some expatriate Pandits' suspicions is commonly regarded by academics as being erroneous, confrontational, or propagandist.

Keywords: Kashmiri Pandit, Exodus, Genocide, Nationalist, Muslim, Immigrant

INTRODUCTION

The phrase "Kashmiri Pandits" instantaneously arouses a variety of feelings, from rage and irritation to hopelessness and melancholy. If you've been keeping up with the news lately, you've probably heard how certain terrorist organisations' targeted assassinations are forcing Kashmiri Pandits to leave the Valley. The famous Pandit organisation Kashmiri Pandit Sangharsh Samiti (KPSS) wrote an open letter to the Chief Justice of Jammu and Kashmir pleading with him to help the scared Pandits escape the Valley.² Residents of the Mattan transit colony in Anantnag who identify as Kashmiri Pandits believe that since June 1, 2022, more than 80% of the families have moved to Jammu, according to a story by The Hindu. The oppressed community of Kashmiri Pandits have consistently made news headlines due to their sufferings throughout the years, you must be wondering who they are. "The broader Saraswat Brahmin community of India includes the Kashmiri Pandits, a branch of Kashmiri Hindus. They are a part of the Kashmir Valley's Pancha Gauda Brahmin ethnic group"³. They are Kashmiri Hindus who were born and raised in the Kashmir Valley. The Kashmiri Pandits are a community that is reportedly the only one of its kind left in the Valley. Various historical texts claim that many individuals in the Valley converted to Islam during the mediaeval era.

STATEMENT OF PROBLEM

This research paper deals with the problem of the exodus of kashmiri pandits which took place in 1990 and how it has continuing effects still prevalent in the valley even in the present time. This problem of exodus or Kashmiri hindus are still leaving the valley due to fear of their life, even the government cannot protect them from outsiders who try to control and dominate the valley.

OBJECTIVE OF STUDY

- To understand the history of Kashmiri pandits and life in the valley
- Analyse the timeline of events that took place in kashmir since 1975

¹ Deepak Anjana, Assistant Professor, Indore Institute of Law and Chetan Prakash, Assistant Professor, Indore Institute of Law

² Koul, B.K., 2020. About Kashmiri Pandits. In *The Exiled Pandits of Kashmir* (pp. 67-108). Palgrave Macmillan, Singapore

³ Kaw, M.K. ed., 2001. *Kashmiri Pandits: Looking to the future*. APH Publishing.

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-09 No. 02 September 2022

people who have become self-radicalized. The GOI is not in a position to actually help with the Pandits' repatriation. If everything is in order, they should start communicating with the Pandits who lead unhappy lives, he suggested. When discussing how Pandits have been treated as passive recipients of aid throughout the years and under various governments, Tickoo claimed that Pandits have always been pressured to obtain documentation, take use of aid, rather than return back and live in the valley. KPSS estimates that at least 8,500 Pandits live in the Valley currently.

Centre not ready for relocation of pandits

The Centre opposes the relocation of Kashmiri Pandits and Hindus to Jammu because it would be a repetition of the 1990s, when thousands left the Valley under government supervision in response to numerous threats and attacks. "Since October of last year, there have been numerous strikes in the Srinagar-Central Kashmir region"¹⁹. Anonymity and floating population offers the terrorists a cover to carry out attacks in Srinagar and surrounding areas with impunity. The terrorists currently lack a leader and a face.

The Kashmir Files by Anupam Kher

A movie which portrays the pain and sufferings of the the Kashmiri hindus. The film, which is based on the testimonies of those who have been affected by the insurgency in the State for generations, portrays the tragic exodus as a full-scale genocide comparable to the Holocaust that was purposefully concealed from the rest of India by the media, the "intellectual" lobby, and the government of the day due to their conflicting interests. The makers of "The Kashmir Files" termed the movie a document of truth that every Indian Hindu must be aware of. However there are many things where the movie goes wrong about and directly attacks various parties which are not involved in the cause. "*The Kashmir Files* mounts the claim that 5 lakh Pandits fled Kashmir, while 4,000 were killed during the exodus – figures higher than most accepted estimates"²⁰.

CONCLUSION

It was expected that the Pandits' situation would become better now that the state has been under Central control from August 5, 2019. But for those who have opted to stay there, issues seem to have become worse during the past several months. The community is terrified by the killings of innocent people, and there is a sense of demoralisation among them, especially because the militants who carry out the heinous atrocities manage to flee.

There is no denying that Muslim neighbours' compassion is endearing. However, the tense political climate and the intermittent but persistent deaths of Hindus since 2019 have made Kashmiri Pandits feel even more unsafe.

The Kashmiri Hindus, also known as Kashmiri Pandits in local vernacular, have experienced panic and fear as a result of these intentional killings of members of minority communities. Even though there are now just a small number of Pandit families in Kashmir, and the most of them reside in walled communities, the dread is evident. But it wasn't anything new; it was really a repeat of the changes they made in the early 1990s.

¹⁹ Duschinski, H., 2008. " Survival Is Now Our Politics": Kashmiri Hindu Community Identity and the Politics of Homeland. *International journal of Hindu studies*, 12(1), pp.41-64.

²⁰ Pulla, V.R., 2022. Movies that Actually Get History: The Case and a Half of Kashmir Files: A Study in Social Blogging. *Space and Culture, India*, 10(1), pp.5-15.

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
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SUSTAINABLE DEVELOPMENT IN ENERGY SECTOR

Amit Kumar, Assistant Professor of Law, Indore Institute of Law
Pooja Sangwan, Research Scholar, Department of Law, Bhagat Phool Singh Mahila
 Vishwavidyalaya, Kanpur Kalan, Sonipat

Abstract

This research paper focuses on the concept of sustainable development and presents the scope and limitation of current sustainable development agendas. This paper also provides for the importance of sustainable development in the energy sector and how the concept of development of any economy contributes to the development agendas it has set. Also the role of economic situation of the countries concerned is analysed. The main objectives of this research paper include to survey energy and financial effectiveness as well as the conditions and issues connecting with the activity of the energy area in countries with progress economies. To give proof supporting the advancement of the energy area on the move economies ailing in energy assets while considering the previously mentioned components and maintainable improvement fundamentals.

"Satisfying the needs of the present without compromising the capability of people in the future to satisfy their own necessities" is the meaning of sustainable energy. Most of meanings of sustainable energy consider social and financial variables like energy neediness as well as ecological elements like ozone harming substance outflows. "As a general rule, sustainable power sources like wind, hydropower, sunlight based, and geothermal energy are considerably more harmless to the ecosystem than petroleum derivatives. In any case, some sustainable power drives, similar to the logging of woods to make biofuels, can truly hurt the climate."¹ There has been banter over the spot of non-environmentally friendly power sources in manageable energy. This research provides an explanation to the measures undertaken to provide sustainable development needs.

Keyword: Sustainable Development, Fundamental Right, Economical Growth, Natural Resources

Meaning and Origin of Sustainable Development

Sustainable energy is a critical part of manageability, which is essential for the development and action of people. Due to the eternal and extending nature of energy utilization, the different negative ecological impacts related to energy frameworks, and the meaning of energy to expectations for everyday comforts and monetary turn of events, the study of sustainable energy is significant.

"In its 1987 report Our Common Future, the United Nations Brundtland Commission illustrated the possibility of an economical turn of events, which underlines the significance of energy."² The capacity of people in the future to meet their own prerequisites was not compromised to meet "the needs of the present." Since then, various definitions and clarifications of usable energy have referred to this idea of a supportable turn of events.

There is certainly not a solitary perspective on how the possibility of maintainability connects with energy that is acknowledged worldwide. Working meanings of sustainable energy consider the maintainability's numerous features, including its social, monetary, and natural angles. The possibility of sustainable energy improvement has generally put areas of strength on outflows and energy security.

Energy Efficiency Finance

"Sustainable energy utilities (SEU) are more connected with an energy effectiveness plan of action than a supporting methodology, and they mirror work by different utilities in a specific geographic region to combine all energy productivity tasks under one rooftop. However, there is a cross-over."³

¹ Blumberga, A., Blumberga, D., Bazbauers, G., Zogla, G. and Laicane, I., 2014. Sustainable development modelling for the energy sector. *Journal of Cleaner Production*, 63, pp.134-142.

² Steger, U., Achterberg, W., Blok, K., Bode, H., Frenz, W., Kost, M., Gather, C., Hanekamp, G., Kurz, R., Imboden, D. and Jahnke, M., 2005. *Sustainable development and innovation in the energy sector*. Springer Science & Business Media.

³Id.

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-09 No. 01 September 2022

community, and other interest groups, may provide input during the energy planning process.”¹⁰ Energy planning frequently uses integrated methods that take into account both the availability of energy supply and the contribution that energy efficiency makes to lowering demand. Planning for energy should constantly take population expansion into account.

Energy planning has for quite some time been the main consideration in making the standards that oversee the energy business (for instance, impacting what kind of force plants may be constructed or what costs were charged for powers). In any case, throughout recent years, a few countries have liberated their energy markets, decreasing the significance of energy arranging and expanding how many market-driven choices. There is some proof that this has supported rivalry in the energy business, however, there is minimal verification that this has brought about lower buyer energy costs. Liberation has, in specific occasions, really brought about tremendous centralizations of "market power," with enormous, very beneficial enterprises having a huge impact as cost setters.

Conclusion

Energy, which is fundamental for all features of presence, is vital to the improvement of the countries. To contend well on the worldwide stage and advance a manageable turn of events, countries should utilize energy really. Nations that utilize energy assets really well monetarily and overwhelm their rivals. The objective of this study is to introduce the worth and capability of energy productivity for the public feasible turn of events. The capability and meaning of energy proficiency have been underlined for the maintainable improvement of the nations, and energy productivity has been thoughtfully concentrated on all through the paper considering studies from the writing.

¹⁰ Lund, H., 2007. Renewable energy strategies for sustainable development. energy, 32(6), pp.912-919.

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-10 No. 01 October 2022

ELECTORAL REFORMS IN INDIA WITH RECENT DEVELOPMENTS

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Abstract

In recent decades, the funding of elections has grown to be a significant concern. It is generally accepted that the price of contesting elections has increased well beyond the permitted expenditure thresholds. This has led to a lack of transparency, rampant corruption, and the prevalence of so-called "black money."

A variety of concerns related to election administration also require attention. Elections are difficult to hold because of the enormous size of the electorate, but this should not be used as an excuse for problems like booth capturing, voter intimidation, falsified voter registration records, widespread election rigging, other irregularities at the polls, the prevalence of ineffective candidates, and the misuse of religion and caste to influence voters. This document provides a list of potential remedies to these issues.

The proliferation of insignificant parties, the recognition and de-recognition procedures, the disclosure of political parties' assets and liabilities, and the auditing and publication of those assets and liabilities are all significant issues that are addressed in this paper with regard to the role of political parties in the electoral system.

This background paper's goals are to review some of the most important problems with our electoral system and to quickly look at the proposals made in this respect by several previous committees. In order to enhance our electoral system, significant adjustments must be made, and it is intended that this background paper will serve as a springboard for a fresh national conversation on these issues.

Keywords: Black Money, Electoral Reform, Parliamentary reform, Legislative, Executive and Judiciary

Introduction

A lot of newly developing democracies throughout the world look to India as an example. A democracy that operates effectively must have free and fair elections. Despite the fact that we have good reason to be proud of our democracy, there are a few areas that need to be improved if we are to fully realize its potential. We urgently need to make fundamental reforms to our electoral system, including the way in which candidates are chosen and the way in which campaign money are raised and dispersed.

A number of issues of our election system have caused rising concern in India over the years. In response to some of the concerns, the Election Commission has made reforms in a number of areas. Additionally, a number of committees have looked at the main concerns related to our voting system and offered some solutions. But there are still some significant difficulties that would require legislative action in order to make the necessary improvements.

Nearly all recent committees on politics and electoral reform have agreed that our political system has been criminalized. There are various ways that politics are being criminalized, but one of the most concerning is the large number of elected officials who are currently facing criminal accusations.

Issues which Concern the Electoral Politics

It is seen that, the candidates who are participating for the elections have to spend a lot of money for the purpose of camping, publicity or any other purposes. But in most of the scenarios, it is seen that the participants exceed the limit of the amount. Sometimes, the use of muscle power comes into use. Here muscle power means that the participants commit illegal and wrongful acts during the time of polling which cause a lot of violence and prevents the peace in the country. Moreover, it is seen that there is a misuse of the government's machinery. In some cases, the party uses the government's machinery for

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-10 No. 01 October 2022

3. TARKUNDE COMMITTEE

The minimum voting age should be 18, autonomous statutory corporations should have control over TV and radio, and the Election Commission should be a three-member body. In order to facilitate free and fair elections, the committee advised the creation of voter councils in as many seats as feasible.

Conclusion

It is a well-known truth that there are certain issues with the country's election system that need to be fixed. However, this should be accomplished gradually and consistently, after much discussion and deliberation.

The relevance of the challenges surrounding electoral reforms has been acknowledged by successive administrations at the Center. The Election Commission and several committees have occasionally presented suggestions for election changes, and these suggestions have routinely been taken into consideration and also put into practice.

The government acknowledged that electoral reforms are an ongoing process, and it shall be the effort of all stakeholders, including the government, the Election Commission of India, the Law Commission, etc., to implement those suggestions for electoral changes on which consensus occasionally arises



DOGO RANGSANG
Research Journal
দগো রাংছাং
গবেষণা পত্রিকা

ISSN : 2347-7180

CERTIFICATE OF PUBLICATION

This is to certify that the article entitled

ENVIRONMENTAL PROTECTION AND SUSTAINABLE DEVELOPMENT

Authored By

Amit Kumar,
Assistant Professor, Indore Institute of Law

Published in

Dogo Rangsang Research Journal : ISSN 2347-7180 with IF=5.127
Vol. 12, Issue. 09, No. 02, September : 2022

UGC Care Approved, Group I, Peer Reviewed, Bilingual and Referred Journal



Chief Editor

(Hon.) – Dr. Upen Rabha Hakacham

ENVIRONMENTAL PROTECTION AND SUSTAINABLE DEVELOPMENT¹

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Pooja Sangwan, Research Scholar, Department of Law, Bhagat Phool Singh Mahila
 Vishwavidyalaya, Kanpur Kalan, Sonipat

ABSTRACT

The notion of sustainable development, which has forced society to acknowledge and understand the significance of environmental issues as well as the functions and services that the environment provides, is examined in this essay. In order to improve the adverse consequences of environmental degradation, sustainable development aims to meet the requirements of the current generation while preserving the natural elements for future generations.

The soundness of the climate and human prosperity are reliant. As per the World Health Organization, natural causes are at fault for 24% of fatalities around the world. Individuals require solid conditions that are without any trace of dangers and perilous synthetics, clean air to inhale, and new water to drink. We should make a move to fix these effects and stop extra mischief so people in the future can live in sound conditions. As we begin to feel the drawn out repercussions of dramatic modern development and energy use, we should act to switch these impacts and stay away from additional harm. To assist with making energetic networks and guarantee future improvement potential, organizations should focus on naturally well disposed rehearses.

Keyword: Sustainable development, Environmental Protection, Brundtland Report

INTRODUCTION

Environmental protection is concerned with finding solutions to difficulties that result from interactions between people and natural systems, such as conservation, pollution, biodiversity loss, land degradation, or environmental policy. The main goal of environmental protection is to stop the natural environment from deteriorating due to factors like population growth, technology, and excessive consumption, all of which have a detrimental influence on the environment and continue to put people and animals in danger.

Resource management, or how people engage with nature to safeguard and preserve natural ecosystems, is another aspect of environmental preservation. To limit environmental deterioration, this may include taking ethical, economic, and ecological factors into account.

The use of fossil fuels has led to some of the major issues in environmental protection today, including pollution, climate change, and the depletion of natural resources. Plastic contamination of water, which has a negative effect on ecosystems and marine life, is another topic that has gained attention recently. A directing idea in practical improvement is keeping up with the limit of normal frameworks to keep giving the regular assets and biological system benefits that are vital for the economy and society. A condition of society where residing conditions and assets are used to fulfil human requirements while keeping up with the honesty and solidness of the normal framework is the planned result. As per the Brundtland Report from 1987, supportable improvement is "advancement that fulfils the current age's necessities without risking the limit of people in the future to fulfil their own requirements."² As the possibility of maintainable improvement developed, it turned its accentuation more toward the protection of the climate for people in the future as well as the financial and social advancement of society.

¹ Amit Kumar, Assistant Professor, Indore Institute of Law and Pooja Sangwan, Research Scholar, Department of Law, Bhagat Phool Singh Mahila Vishwavidyalaya, Kanpur Kalan, Sonipat

² Parris, T.M. and Kates, R.W., 2003. Characterizing and measuring sustainable development. *Annual Review of environment and resources*, 28(1), pp.559-586.

Manu

- **The Water (Prevention and Control of Pollution) Act, 1974**
 It was taken on to forestall and oversee water defilement and to keep up with or reestablish the nation's water's healthiness. To complete the previously mentioned points, it additionally considers the arrangement of Boards for the anticipation and control of water contamination. The Water Act forces fines for rebelliousness and precludes the release of impurities into water bodies over a specific limit.
- **The Environment Protection Act, 1986**
 It is for the climate upgrade and insurance. The Environment Protection Act lays forward a system for exploring, coordinating, and trying long haul natural security measures. It likewise sets a system for fast and satisfactory response to ecological dangers. "It is an overall piece of regulation laid out to offer a system for the joint effort of government and state organizations made by the 1974 Water Act and the Air Act. Under segment 2(a) of the Environment Act, the expression "climate" has a genuinely expansive definition. Water, air, and land are undeniably included, as well as the associations among them and individuals, other living things, plants, microorganisms, and property."⁹
- **The Hazardous Waste Management Regulations, etc.**
 Hazardous waste is any waste that poses a threat to human health or the environment because of one or more of its physical, chemical, reactive, poisonous, combustible, explosive, or corrosive properties, whether it is present alone or in combination with other wastes or chemicals.
 Sustainability is crucial for the future of the globe, not simply for the environment. We can lessen the harm we cause to the environment by practising sustainability as people, communities, and businesses. Sustainability leads to a general decrease in energy use. Compared to fossil fuels, wind and solar energy need less transportation, and both leave the surrounding environment mostly unaffected. Less waste, less pollution, and lower operating expenses are the results of living and functioning sustainably.

WHAT WILL HAPPEN IF WE DON'T LIVE SUSTAINABLY?

By leading a sustainable lifestyle, we reduce the negative effects of our way of life and place an emphasis on actions that are good for the environment. "Our potential to influence our lives and make better decisions for the environment and future generations is given to us through sustainability"¹⁰. It gives us a chance to move faster toward greener energy sources and a worldwide transition to a net-zero carbon future. If we don't live sustainably then it will result in problems like more land spaces taking up, an increase in the diseases of respiratory system, harsh climate, rising sea levels, low income, land water and air quality, etc.

CONCLUSION- TOWARDS BUILDING A SUSTAINABLE FUTURE

Even if there has already been significant environmental harm, reform is yet conceivable. Understanding what we must do moving forward and aiming for sustainability are at the heart of that constructive development. We have the power to alter our homes, neighbourhoods, ecosystems, and the entire world. Each generation must exercise responsibility in the use of natural resources, making sure that the environment is protected and that any changes are made in a way that does not hurt it. Thankfully, there are a number of methods to live sustainably without making significant and difficult adjustments to our way of life. By using renewable energy providers, we can alter our degree of sustainability in a simple, affordable, and healthy method. Although it may not always be feasible to install solar panels or construct a community wind turbine, switching to a renewable energy provider is a quick and efficient method to live more sustainably.

⁹ Prasad, P.M., 2006. Environment protection: role of regulatory system in India. *Economic and Political Weekly*, pp.1278-1288.

¹⁰ Agarwal, V.K., 2005. Environmental laws in India: challenges for enforcement. *Bulletin of the National Institute of Ecology*, 15, pp.227-238.

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Education and Society

CERTIFICATE OF PUBLICATION

This is to certify that the article entitled

SOCIOLOGY AND LAW INTERFACE: A CRITICAL DISCOURSE

Authored By

Amit Kumar,
 Assistant Professor, Indore Institute of Law

University Grants Commission

Published in

Education and Society (शिक्षण आणि समाज) : ISSN 2278-6864 with IF=6.718

Vol. 46, Issue 03, No. 03, July - September : 2022

UGC Care Approved, Group I, Peer Reviewed,

Bilingual, Multi-disciplinary Referred Journal



Shikshan Anil Samaj

Education and Society (शिक्षण आणि समाज)
(UGC Care Journal)

ISSN: 2278-6864

Vol-46, Issue-3, No.-03, July-September: 2022

SOCIOLOGY AND LAW INTERFACE: A CRITICAL DISCOURSE

Amit Kumar, Assistant Professor, Indore Institute of Law
Shweta Singh Rawat, Assistant Professor, Indore Institute of Law

Abstract

Sociology is the study of human society and social institutions. Law controls and restricts the behaviour of its subjects. The study of legal aspects of things and law is known as jurisprudence. The sociological school of jurisprudence and related jurists believe that law and sociology are interdependent and related fields. The main reason for the development of this theory is the spread of Laissez-Faire doctrine. The impact of this doctrine and resultant effects are discussed in later part of research.

Various jurists such as Ehrlich, Duguit, Montesquieu who gave important thesis and ideas for establishing the relationship between law and society and proving the importance of the same are covered. The ideas of the jurists cement the interface between sociology and law.

Further, Roscoe Pound is considered the father of sociological jurisprudence. The research shall bring out his theory of social engineering, jural postulates and interest theory.

Indian legal system has worked in sync with the societal standards or the norms. This is evidently proved by landmark judgements and contemporary enactments by legislature.

The research concludes by bringing out the inherent relationship between law and society.

Introduction

The relationship between law and sociology has been recognised and accepted by sociological school of jurisprudence. This interdisciplinary approach studies law as a social construct and all manifestations on society by law. The core belief of the jurists believing in the relationship between sociology and law is that any change in either subject will have an impact on another subject.

The development and spread of Laissez-Faire doctrine reduced the role of state in public welfare and public life and have paramount importance to individual rights. This left poor and oppressed people a mercy of powerful. The exploitative practises surfaced in the society and with no state intervention, inequalities were wide spread. The response was the development of the theory which saw society and law as related subjects. The jurists advocated that law must be an instrument of social progress. The focus of law must be on social purposes and greater good rather than benefit of few.

This research focuses on the background of this approach. How the relations came to be recognised and how it has been propounded by Indian legal system.

The legal system and society works on the balance. Law is an instrument of state to enforce its authority and embodies rights which are individual, public. But these laws regulate the behaviour of citizens of the state; this means the laws regulate society and societal behaviour. Any such restriction on the society must be just and reasonable as per norms of society and for the benefit of the masses. If this is not the case, the society may not comply with the legal authority and an enactment may not get effective implementation.

Also, any enactment or order must be a result of wide public consultation or study, only then it will be able to gauge the needs of the society and meet its end.

Emergence of Sociological School of Jurisprudence

The doctrine of Laissez – Faire

The doctrine of Laissez – Faire contributed to the development of sociological school of jurisprudence. The doctrine of Laissez – Faire meant least interference by the government in the affairs of the society. Literally, it means- allow to do. This doctrine gained the prominence after industrial revolution and spread of capitalism, the individual interests ultimately became more important than societal interest or welfare of citizens. The doctrine also meant that there can be a situation where the gap between rich and poor could increase and wealth can be accumulated in few

Education and Society (शिक्षण आणि समाज)
(UGC Care Journal)

ISSN: 2278-6864

Vol-46, Issue-3, No.-03, July-September: 2022

There are several other examples of interdependence between law and morality. The interface is aptly supported and is evident by Indian case laws and statutes.

Conclusion

Laws enacted for the regulation of society, they must be studied in respect of the society they are to be implemented. There are several instances in judgements of Supreme Court of India that principles of social jurisprudence are clearly followed and extended. In addition, various statutes have also been evident of accepting these principles. This then goes without saying that legal system of India has developed itself to adopt the principles of sociological jurisprudence.

There are also other schools of thought, some advocate philosophy, morality as source of law. However, many schools converge on the view that there exists an interdependent relationship between law and sociology. For example, morals are often accepted and preached as social standards allow. What is morally correct now may not be correct as per society tomorrow. This again depends on society. Like ways many school of thoughts find their way connected to sociological school of jurisprudence in one manner or another.

To maintain balance in society, to make society more harmonious, peaceful and better place to exist, things which are good for society must be encouraged and those detrimental to the interest of society must be prohibited. This balance and choice between right and wrong must be settled by studying law and morality together. The laws must further values as desired by society and any change that laws try to bring in society must be supported by extensive consultation, long settled values else the laws will be met by huge unrest and they will not be able to meet the ends they desire.

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CERTIFICATE OF PUBLICATION

This Publication certificate has been issued to

Dr. Shikha Dube
Assistant Professor Indore Institute of Law


For the Research paper title
MARITAL RAPE: AN EVIL OF THE SOCIETY

Vol.12 Issue 08 No.02 Month August Year.2022


ज्ञान-विज्ञान विमुक्तये
Published in
JUNI KHYAT JOURNAL ISSN: 2278-4632

Impact Factor : 6.625


This journal is indexed, peer reviewed and listed in UGC CARE



ज्ञान-विज्ञान विमुक्तये
UGC
University Grants Commission
Approved Journal



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6.625
Impact factor

जूनूी ख्यात JUNI KHYAT जूनूी ख्यात JUNI KHYAT

MARITAL RAPE: AN EVIL OF THE SOCIETY

Dr. Shikha Dube Assistant Professor Indore Institute of Law

INTRODUCTION

For a long time, people believed that a woman's duty in her married life is to look after her husband, bear children, take care of household matters, cook and provide emotional and sexual needs to her husband. This was first noted in Manusmriti which is considered to be an ancient legal text and has been used to formulate the Hindu Law. The same text states that it is the duty of a man to protect his wife, even if he is physically weak. This kind of stigma has been created by the society itself and men assume the role of dominance, sometimes taking it too far. The women were not given the status similar to that of their male counterparts and, before marriage, were considered the property of their fathers, and after their marriage, were considered the chattel of their husbands. The father could wed off his daughter to whomsoever he deemed fit. The woman had to provide her husband sexually with or without her consent to ensure progenies and continuation of the family line. This made the woman believe that being sexually available to her husband at all times was a necessity and her duty; she could never decline her husband's wishes. But these laws were written a long time ago when all of it was socially acceptable.

Women were considered to be the slave of man and the ill practices like Sati and child marriages were prevalent in the country but the situation in the country changed after the movement of Raja Ram Mohan Roy. Even Mahatma Gandhi took a great initiative to improve the social conditions of the women because it was the first time in the Indian Independence Struggle that women participated in the same and were at par with their male counterparts. The outcome of these very movements was a Constitution which gave equality to the women and almost all the rights that are given to the men; be it Right to Vote or Right to contest elections. Post-Independence, there were improvements and advancements in almost all the fields and focus on the life being given to woman could be made better. They were rather discriminated on the basis of their gender. The women have always fought for their rights and this was one of the main reasons why the status of women and men was equated in the Indian Constitution. There were many legislative reforms taken after the independence of the country to strengthen women and improve their status in the country so that no discrimination takes place with them. With the introduction of a Constitution, women have been granted equal social as well as political rights to that of men. Women have been given the freedom and all the support from the constitution so that they can help in shaping the future of the country.

MARITAL RAPE

Marital rape in layman's terms can be explained as a spouse having sexual intercourse with their spouse without their consent.

According to Section 375 of the Indian Penal Code – "Rape means unlawful sexual intercourse or any other sexual penetration of the vagina, anus, or mouth of another person, with or without force, by a sex organ, other body part, or foreign object, without the consent of the victim."¹

However, there is an exception provided which says that if non-consensual sexual intercourse takes place between a married couple, in that case, it will not amount to rape². Domestic violence refers to the violent or aggressive behaviour within the home which involves the violent abuse of a spouse or partner³ which takes place with a woman because the husband in all the circumstances is powerful and most males comprehend that marriage gives them the right to have sexual intercourse with the wife at any point of time whether she is willing or not. This is the face of a patriarchal society; this act is

¹ The Indian Penal Code, 1860 (45 of 1860), s. 375

² The Indian Penal Code, 1860 (45 of 1860), Exception to s. 375

³ The Protection of Women from Domestic Violence Act, 2005. (No 43 of 2005), s.3

Juni Khyat
(UGC Care Group I Listed Journal)

ISSN: 2278-4632
Vol-12 Issue-08 No.02 August 2022

Justice Krishna Aiyar in the case *Rafiq v. State of Uttar Pradesh* said that **“A Murderer kills the body but a Rapist kills the soul”**²⁶. The State says this is not sacrosanct and it is the sole business between a husband and wife; the state has already made laws relating to marriage e.g. dowry, cheating, cruelty and divorce. Adding marital rape to the list would be nothing but a huge success for India towards healthy mental development. The state also said that criminalising marital rape would “destabilize the institution of marriage”²⁷ and it can be easily used to “harass husbands”. When an act has already been done to taint the very sacrosanctity of marriage, how would getting justice for the very same act destabilize the marriage of the two individuals? The marriage has already been destabilized when the spouse tried or did sexually abuse their partner. The second point of ‘harassing husbands’ can be met with fast-track courts and their speedy trials. Setting up of various other fast-track courts all over the country would help in solving this issue of false cases. But when the state itself is rigid in not taking any steps in furtherance of marital rape, then it can take years to get the act criminalised. There is a need to criminalise the same because these steps are necessary to be taken so that the married woman can also use the law to address their grievances. Marital rape will only be criminalised when the distinction between rape and marital rape is understood. Sensitisation of marital rape is the need of the hour. As a society, we are tremendously cultural and put traditions on a pedestal. This ceases the need of discussing about taboos. Turning a blind eye towards these taboos will not solve the problem itself; the problem still looms. Marital rape cannot be put in force until the very own citizens of the nation are familiar itself with the same. Even if marital rape becomes a crime, there would have to be a thorough explanation of the said act/statute. Awareness of marital rape would have to be made in order to achieve the zenith of justice. Various organisations have been committed towards the same but until the citizens do not bring the attention of the judiciary to how grave the issue already is, no big steps will be taken. Studies show that 70 per cent of women have experienced physical and/or sexual violence from an intimate partner in their lifetime²⁸. This goes against the very thing our forefathers fought for- fundamental rights. Article 14 and Article 21 of the Indian Constitution talks about equality and freedom of life and liberty. India needs to take a decision on the furtherance of marital rape. In a land where goddesses are revered and worshipped, India can certainly not afford to stay silent on this issue any further. Doing so would be a gross miscarriage of justice.

²⁶ *Rafiq v. State of Uttar Pradesh*, 1980 Cr. L.J. 1344 SC

²⁷ *Nimeshbhai Bharatbhai Desai v. State of Gujarat R/Criminal Misc. Application Nos. 26957, 24342 of 2017 and R/Special Criminal Application No. 7083 of 2017*

²⁸ World Health Organization, Department of Reproductive Health and Research, London School of Hygiene and Tropical Medicine, South African Medical Research Council (2013).
<http://www.who.int/reproductivehealth/publications/violence/9789241564625/en/>



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Dr. Shikha Dube

Juvenile Justice System –A Critical & Comprehensive Analysis



DOGO RANGSANG

Research Journal

दोगो बांछांग
गबेवणा पत्रिका

ISSN : 2347-7180

CERTIFICATE OF PUBLICATION

This is to certify that the article entitled

JUVENILE JUSTICE SYSTEM – A CRTICIAL & COMPREHENSIVE ANALYSIS

Authored By

Dr. Shikha Dube

Assistant professor Indore Institute of Law Indore (MP)

Published in

Dogo Rangsang Research Journal : ISSN 2347-7180 with IF=5.127

Vol. 12, Issue. 08, No. 07, August : 2022

UGC Care Approved, Group I, Peer Reviewed, Bilingual and Referred Journal



University Grants Commission



Chief Editor

(Hon.) – Dr. Upen Rabha Hakacham

JUVENILE JUSTICE SYSTEM – A CRITICAL & COMPREHENSIVE ANALYSIS

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ABSTRACT –

It is our responsibility as a nation to ensure that our children's rights are protected and that they have a chance to grow and mature. The rights of children are at the heart of the juvenile justice system's mission. The basic goal of juvenile justice is prevention, and the use of custody is reserved only as a last measure. In Delhi on December 16th, 2012, the violent gang rape case was a landmark case that revolutionised the current law of Juvenile Justice System. Juvenile Justice (Care and Protection of Children) Act, 2015 was enacted following public outcry over the release of the juvenile offender in State v. Ram Singh & Ors. This Act came into existence as soon as the Juvenile Justice (Care and Protection of Children) Act, 2015 was signed into law (hereinafter referred to Nirbhaya case). The latest Juvenile Justice (Care and Protection of Children) Act, 2015, and its flaws have been examined by the authors in this article.

1. INTRODUCTION TO THE JUVENILE JUSTICE AND THE OFFENCES COMMITTED BY THEM

The rights of children are at the heart of the juvenile justice system's mission. For juvenile justice, prevention is a main goal, and custody is a last choice and for the lowest feasible period of time, taking into consideration the effects on the victim and community. "Children in dispute with the law" are socioeconomic victims, denied their basic human rights such as health care and education, as well as housing and protection. Although it has been revised three times since 2000, 2006, and 2015, the Juvenile Justice (Care and Protection of Children) Act, 2015 (hence referred to as J.J.A.2015) nevertheless warrants careful consideration from the authors' perspective in this article. It's well-known that society's needs necessitate changes in the legislation from time to time. In order to solve the problem of juvenile involvement in horrific crimes, lowering the age of minors from 18 years to 16 years just in exceptional situations is not enough.¹

The authors chose this subject because of the frequency with which minors are implicated in criminal activity. As a result of the Delhi Gang rape case, there was worldwide outcry for measures to prevent similar crimes in the future. Unexpectedly, one of the alleged perpetrators of a vicious gang rape was a teenager, being just 17 years old at the time. For legal purposes, the Latin phrase "Doli incapax" signifies that a child cannot commit a crime, and this is what they rely on blindly. Today's youngsters, on the other hand, are maturing at an earlier age than in the past. A child's maturity level varies greatly from one child to the next, as well as from year to year. Authors will investigate whether or not a child is immune from criminal accountability based on his or her maturity level or on the fact that he or she is a minor. Consider the current juvenile justice system and its flaws and needs for change in such a case.

2. THE CONTEXT OF THE STORY

It was the Apprentices Act of 1850 that first dealt with children who had run afoul of the law. When the United Nations General Assembly met in plenary session on November 20, 1959, it overwhelmingly adopted the Declaration of the rights of the child, which had delegates from 78 countries in attendance. The proclamation included India as a signatory. The Children's Bill was introduced to Parliament in the same year. It was the first piece of model central legislation on the issue when it was passed in 1960. Adjudicatory bodies for children in dispute with the law and children in need and care of protection were established under a 1960 statute that barred the death penalty, incarceration for children, and detainment in jails or stations.

¹ Jhuma Sen, "Regressive Step", Frontline, The age of unreason, (22nd January 2016), 12-13.

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-08 No. 07 August 2022

- At the same time, member nations should work individually and collectively to ensure that every young person has the resources they need to have hope for a meaningful and valued future, even if incarceration is the only option available to safeguard public safety.

6. VIEWS NEED TO BE CHANGED-

We recommend ensuring that the children's rights be protected in order to defend their best interests. When making reforms to the juvenile justice system, we must not lose sight of its original goals and objectives. Reducing the age of juvenility from 18 to 16 years was unnecessary since there is a chance that a minor under the age of 16 may conduct another horrible crime. When it comes to punishing a "kid in dispute with the law," one should not solely consider their age. Whether or not a child is mature enough to grasp the repercussions of his actions should also be taken into account by the court. Since the J.J.A., 2000 only stipulated an age limit of 18, the 18-year-old requirement should not have been reduced to 16 years. As children get older, determining when they become criminally responsible becomes increasingly challenging. Even in the rarest of the rarest circumstances, we believe that children should be punished more harshly when they are proven to have committed an offence in a particularly barbaric manner. The main suspect in Nirbhaya's case should have been sentenced to more than three years in prison, with hard labour, for the crime. As he was able to assault and rape her, he is also able to be imprisoned for a long period of time under hard labour. As a general rule, no mercy should be granted to the accused person in these situations.

The child in conflict with the law should not be tried as an adult, even when the offence is particularly heinous, because if we keep him in the same environment as hardened criminals, he will likely develop the same mentality. Instead, we would recommend that the Juvenile Justice Boards be given the authority to sentence the most severe punishments in the most extreme of cases, while simultaneously rehabilitating the child. Special homes for "children in conflict with law" have already been established under J.J.A.2015, and they can be detained there for years. As a result, there is no need to send children to prisons like severe offenders. So that he can atone for his actions, such a "kid in dispute with the law" will be required to perform some hard labour while he is housed in a special facility. Steps must be done to ensure that he receives education in a special home solely. Furthermore, the 'kid in confrontation with the law' should be divided into groups based on their age and the nature of the offence they have done.⁷

7. CONCLUSION –

The basic goal of the J.J.A. 2015, rehabilitation, has been abandoned by our country's so-called parliamentarians. Only decreasing the age of sexual maturity from 18 to 16 is not a viable or convincing argument. Following Nirbhaya's tragic rape case, the J.J.A.2000 amendment was made. As far as we're concerned, we don't believe that any youngster involved in a gang-rape case should have been exonerated. That again, going from 16 to 15 as the minimum age for criminal responsibility isn't the answer here either. What will happen the next day, for example, if a 15-year-old commits rape and murder? When compared to India, the age of criminal responsibility in other countries is much lower because of a higher crime rate. Despite international laws for the protection of children's rights and the Indian Constitution, J.J.A. 2015 was enacted. Many social workers, NGOs, and advocates for children's rights were outraged when this Act was signed into law. Children are regarded as a nation's most valuable resource, and it is our responsibility to safeguard their rights and provide them with opportunities for holistic growth.

⁷ N.V. Paranjape, *Criminology and Penology with Victimology*, 580 (Central Law Publications, Allahabad, 15th edn., 2012).

जूनी ख्यात JUNI KHYAT जूनी ख्यात JUNI KHYAT



CERTIFICATE OF PUBLICATION

This Publication certificate has been issued to

Dr. Shikha Dube

Assistant Professor – Indore Institute of Law (Indore)

For the Research paper title

KHAP PANCHAYAT- HONOR KILLING (A CRITICAL STUDY)

Vol.12 Issue 09 No.01 Month September Year. 2022

ज्ञान-विज्ञान विमुक्तये
Published in

JUNI KHYAT JOURNAL ISSN: 2278-4632

Impact Factor : 6.625

University Grants Commission

**This journal is indexed, peer reviewed and
listed in UGC CARE**



ज्ञान-विज्ञान विमुक्तये
UGC

University Grants Commission
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Editor



Impact factor

जूनी ख्यात JUNI KHYAT जूनी ख्यात JUNI KHYAT

Manpreet

Juni Khyat
(UGC Care Group I Listed Journal)

ISSN: 2278-4632
Vol-12 Issue-09 No.01 September 2022

KHAP PANCHAYAT- HONOR KILLING (A CRITICAL STUDY)

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Introduction

Khap panchayat is the traditional local judicial body active in north-western states like Haryana, northern Rajasthan, rural belt of Delhi and western Uttar Pradesh. These panchayats are a part of the rural social set-up and have their roots intruded deep into the past, expected to be in the existence for fourteenth century.

The four strong pillars of a rural society are Unity, Honor, Community and Brotherhood, any incursion of unfavorable practices into it creates an adverse environment, on the basis of this concept the emergence of such traditional judicial institutions could be conceived.

The main work of traditional panchayats revolves around issues threatening the peace of villages, disputes over property and inheritance and sexual/marital transgressions.

The punishments that traditional panchayats hand out for transgressions are archaic. These punishments could be fines (nominal or substantial) to be deposited in a common fund of the panchayat, ritual expiation, public humiliation (ranging from blackening of the face, to rubbing the victim's nose into the dust, shaving of the head and dipping the victim's nose in human urine), forcing him or her to host a feast, subjecting the victim to a beating, forcing him or her to visit the elders in the village and give a public assurance not to err in future.¹

If we typically talk about khap panchayats, it is a traditional, non-constitutional and wholly illegal body, can be explained as the union of several villages, have their existence extensively in the rural regions of Haryana state and western UP state. They perform mainly three types of functions, adjudicative, legislative and executive. They are like "self proclaimed courts" managed by the elderly people of dominant caste societies which are famous for "self styled decision making" and sometimes are also called as social dictators.

The khap panchayats generally consist powerful persons of the society, majorly of dominant caste. The members of these panchayats are being the retired senior citizens who are considered to be the upholders of village norms, custodians of rural culture and guardians of public morality.

These are elements of undemocratic parallel system which do not have any compatibility with the laws of Constitution of India. They are mainly in dominating states in the regions only where communities of Jats and Gurjars are in majority.

Political Structure of Khap Panchayats

The political structure of khap panchayat is not very much complex, they have 2 tier system, one is Khap Panchayat comprising of some villages and another Sarv-khap Panchayat which comprises all khap panchayats falling in its adjudicative domain.

Khap Panchayat at Villages level

The khap panchayat at village level is the smaller body giving quick, unilateral and incontestable decisions on multiple and varied issues like social transgressions, marriage, offences, property rights, inheritance, or regarding situations threatening tranquility in the village.

The members of this union being mostly the elder people of particular dominant castes especially of Jat community who are experienced and considered as the saviors of rural cultures, norms and as the best juries.

The members don't be democratically elected candidates with some legitimate eligibility, but they owe to their political status and societal endowments. They

Juni Khyat
(UGC Care Group I Listed Journal)

ISSN: 2278-4632

Vol-12 Issue-09 No.01 September 2022

cultures and traditions by ordering brutal and misogynistic diktats.

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DOGO RANGSANG
Research Journal
दोगो रांगसांग
गवेषणा पत्रिका

ISSN : 2347-7180

CERTIFICATE OF PUBLICATION

This is to certify that the article entitled

RISE OF THE HATE SPEECH, CONSEQUENCES AND LEGISLATION

Authored By

Amaresh Patel,
Assistant Professor and Research Associate, Indore Institute of Law

Published in

Dogo Rangsang Research Journal : ISSN 2347-7180 with IF=5.127
Vol. 12, Issue. 09, No. 02, September : 2022

UGC Care Approved, Group I, Peer Reviewed, Bilingual and Referred Journal



Chief Editor
(Hon.) – Dr. Upen Rabha Hakacham



DOGO RANGSANG

Research Journal
দগো বাংছাং
গবেষণা পত্রিকা

ISSN : 2347-7180

CERTIFICATE OF PUBLICATION

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Published in

Dogo Rangsang Research Journal : ISSN 2347-7180 with IF=5.127

Vol. 12, Issue. 09, No. 02, September : 2022

UGC Care Approved, Group I, Peer Reviewed, Bilingual and Referred Journal



Chief Editor

(Hon.) – Dr. Upen Rabha Hakacham

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-09 No. 02 September 2022

RISE OF THE HATE SPEECH, CONSEQUENCES AND LEGISLATION

Aakriti Shukla, Assistant Professor, Research Coordinator and Trainer, Indore Institute of Law
Amaresh Patel, Assistant Professor and Research Associate, Indore Institute of Law

Abstract

*The goal of this research study is to shed light on the present rise in hate speech and its various elements. It provides an illustrated definition of what constitutes hate speech and explains how counter-speech might be utilised to quell such speech. Controlling hate speech has proven to be a challenging task. The anti-hate speech law is contentious since it restricts someone's ability to express themselves freely. The legal system continuously treads a fine line between control and outright prohibition. "But cases of hate speech are nevertheless on the rise despite the introduction of strict legislation. The Law Commission of India pushed for even tighter regulations in 2017 to curb this. In light of the obvious harm that hate speech does, it is vital to look beyond the current framework and uncover best practises that may be employed to address the issue of hate speech in addition to the legal framework."*¹

Keywords: Hate Speech, complimentary speech, Defamation,

Introduction

Today, a wide range of hazardous speech, including annoying, defaming, separating, provocative, and even speech that induces, upholds, or impels savagery, is alluded to as "hate speech." It might actually irritated the harmony and congruity of society. However, more essentially, hate speech can possibly transform into a serious type of hate speech wrongdoing that straightforwardly imperils the casualties' physical and emotional well-being. It impalpably affects its casualties, which hinders their capacity to practice their entitlement to free speech and articulation and holds them back from participating in fair cycles and public discussion.

Today, a wide range of hazardous speech, including annoying, defaming, separating, provocative, and even speech that induces, upholds, or impels savagery, is alluded to as "hate speech." It might actually irritated the harmony and congruity of society. However, more essentially, hate speech can possibly transform into a serious type of hate speech wrongdoing that straightforwardly imperils the casualties' physical and emotional well-being. It impalpably affects its casualties, which hinders their capacity to practice their entitlement to free speech and articulation and holds them back from participating in fair cycles and public discussion.

Statement of Problem

This research paper intends to throw the light between the common grounds where the prevalence of hate speeches in India has to be given relevant importance. This paper provides the reasons for the rise in hate speeches due to various elements and also due to its misuse by political parties.

Objective

This study aims to shed light on the areas in which the prevalence of hate speech in India warrants appropriate consideration. This research paper explains why hate speech has become more prevalent owing to a variety of factors and also because political parties have been misusing it and has become a weapon for majoritarian politics. The effects and consequences of the same have been analyzed deeply.

Review of Literature

1. Pohjonen, M. and Udupa, S., 2017. Extreme speech online: An anthropological critique of hate speech debates. *International Journal of Communication*, 11, p.19.

¹ Pohjonen, M. and Udupa, S., 2017. Extreme speech online: An anthropological critique of hate speech debates. *International Journal of Communication*, 11, p.19.

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-09 No. 02 September 2022

There is nothing unexpected that there is no settlement on what comprises hate speech since it is a disagreeable subject. Nonetheless, there is a far and wide comprehension that hate speech is any correspondence that calls for brutality or bias against racial, strict, or ethnic gatherings. Three vital attributes of hate speech are distinguished by political researcher Bhikhu Parekh:

It is coordinated towards a specific, effectively unmistakable individual or, all the more much of the time, a gathering of people in light of an erratic, unessential quality of standards.

By inferring or altogether crediting to the objective gathering qualities that are generally viewed as exceptionally bothersome, it defames that gathering.

The objective gathering is seen as an undesirable presence and a reasonable objective of enmity in light of its troublesome qualities.

Hate speech is dangerous since it adds to institutional viciousness, and India's legislative issues of free speech include some type of fight for control. The standards against hate speech are much of the time used by the predominant class or strict gathering as an instrument for societal position declaration or to constrain others to regard their strict convictions. Indeed, even the legal executive has focused on "public request" over "free maxim" in these circumstances, which has aggravated the matter.

Thusly, these guidelines against hate speech really do safeguard strict sensibilities, however just for the socially and politically persuasive. In India, rejects hate speech serve more to safeguard power elites from moral damage than to propel the reason with the expectation of complimentary speech. The courts in India subsequently base their understanding of the guidelines against hate speech more on the possibility of the "commercial centre of shock" than the "commercial centre of thoughts."

Conclusion

Hate Speech guideline in a liberal majority rule state is a subject of philosophical and scholastic conversation. Any idea or assessment, regardless of how hostile, ought to be tested in the "commercial centre of thoughts" for reality to arise, as per the people who support the possibility that hate speech ought not be confined. Hate speech produces undeniably more damage than anything it indicates to guard or maintain, as per the individuals who accept it ought to be disallowed.

There are a few reasons for this issue. They incorporate subjectivity, conflicting use of the law, and ambiguity in the law. A short look at the legitimate foundation of these regulations uncovers that they have provincial starting points, and after freedom, India either embraced them in their unique structure or corrected them as and when fundamental. As such, albeit the regulations' careful language might have changed, their general plan to battle hate speech is as yet in light of a pilgrim perspective on Hindu-Muslim ties in India as well as the nation's way of life and society.

शिक्षण आणि समाज



Education and Society

CERTIFICATE OF PUBLICATION

This is to certify that the article entitled

ELECTORAL REFORM AS A PANACEA TO ACCOUNTABLE GOVERNMENT

Authored By

Amaresh Patel,

Assistant Professor and Research Associate, Indore Institute of Law

University Grants Commission

Published in

Education and Society (शिक्षण आणि समाज) : ISSN 2278-6864 with IF=6.718

Vol. 46, Issue 03, No. 03, July - September : 2022

UGC Care Approved, Group I, Peer Reviewed,

Bilingual, Multi-disciplinary Referred Journal



शिक्षण आणि समाज



Education and Society

CERTIFICATE OF PUBLICATION

This is to certify that the article entitled

ELECTORAL REFORM AS A PANACEA TO ACCOUNTABLE GOVERNMENT



Authored By

Aakriti Shukla,

Assistant Professor and Research Trainer, Indore Institute of Law

University Grants Commission

Published in

Education and Society (शिक्षण आणि समाज) : ISSN 2278-6864 with IF=6.718

Vol. 46, Issue 03, No. 03, July - September : 2022

UGC Care Approved, Group I, Peer Reviewed,

Bilingual, Multi-disciplinary Referred Journal



Education and Society (शिक्षण आणि समाज)
(UGC Care Journal)

ISSN: 2278-6864
Vol-46, Issue-3, No.-03, July-September: 2022

ELECTORAL REFORM AS A PANACEA TO ACCOUNTABLE GOVERNMENT

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Abstract

In recent decades, the funding of elections has grown to be a significant concern. It is generally accepted that the price of contesting elections has increased well beyond the permitted expenditure thresholds. This has led to a lack of transparency, rampant corruption, and the prevalence of so-called "black money."

A variety of concerns related to election administration also require attention. Elections are difficult to hold because of the enormous size of the electorate, but this should not be used as an excuse for problems like booth capturing, voter intimidation, falsified voter registration records, widespread election rigging, other irregularities at the polls, the prevalence of ineffective candidates, and the misuse of religion and caste to influence voters. This document provides a list of potential remedies to these issues.

The proliferation of insignificant parties, the recognition and de-recognition procedures, the disclosure of political parties' assets and liabilities, and the auditing and publication of those assets and liabilities are all significant issues that are addressed in this paper with regard to the role of political parties in the electoral system.

This background paper's goals are to review some of the most important problems with our electoral system and to quickly look at the proposals made in this respect by several previous committees. In order to enhance our electoral system, significant adjustments must be made, and it is intended that this background paper will serve as a springboard for a fresh national conversation on these issues.

Keywords: Black Money, Electoral Reform, Parliamentary reform, Legislative, Executive and Judiciary

Introduction

A lot of newly developing democracies throughout the world look to India as an example. A democracy that operates effectively must have free and fair elections. Despite the fact that we have good reason to be proud of our democracy, there are a few areas that need to be improved if we are to fully realize it's potential. We urgently need to make fundamental reforms to our electoral system, including the way in which candidates are chosen and the way in which campaign money are raised and dispersed. A number of issues of our election system have caused rising concern in India over the years. In response to some of the concerns, the Election Commission has made reforms in a number of areas. Additionally, a number of committees have looked at the main concerns related to our voting system and offered some solutions. But there are still some significant difficulties that would require legislative action in order to make the necessary improvements.

Nearly all recent committees on politics and electoral reform have agreed that our political system has been criminalized. There are various ways that politics are being criminalized, but one of the most concerning is the large number of elected officials who are currently facing criminal accusations.

Issues which Concern the Electoral Politics

It is seen that, the candidates who are participating for the elections have to spend a lot of money for the purpose of camping, publicity or any other purposes. But in most of the scenarios, it is seen that the participants exceed the limit of the amount. Sometimes, the use of muscle power comes into use. Here muscle power means that the participants commit illegal and wrongful acts during the time of polling which cause a lot of violence and prevents the peace in the country. Moreover, it is seen that there is a misuse of the government's machinery. In some cases, the party uses the government's machinery for many purposes which helps in the candidate winning the election. In addition, there is a lack of the moral values. In this era, the political corruption has led to the place of business. So, the

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Education and Society (शिक्षण आणि समाज)
(UGC Care Journal)

ISSN: 2278-6864

Vol-46, Issue-3, No.-03, July-September: 2022

The relevance of the challenges surrounding electoral reforms has been acknowledged by successive administrations at the Center. The Election Commission and several committees have occasionally presented suggestions for election changes, and these suggestions have routinely been taken into consideration and also put into practice.

The government acknowledged that electoral reforms are an ongoing process, and it shall be the effort of all stakeholders, including the government, the Election Commission of India, the Law Commission, etc., to implement those suggestions for electoral changes on which consensus occasionally arises

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**CRITICALLY EVALUATE THE NATURE OF JUDICIAL TECHNIQUE
AND POINT OUT HOW IT HELPS IN ACCEPTING A NEW
PRINCIPAL OF LAW**

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Introduction

Every developed legal system possesses a judicial organ. The main function of the judicial organ is to adjudicate the rights and obligations of the citizens. In the beginning, in this adjudication, the courts are ruled by customs and their own sense of justice. As the society progresses, legislation becomes the main source of laws and judges decide cases accordingly to it. Even at this stage the judges perform some creative function.

In the cases of first impression, in the matter of interpretation, or filling up any lacuna in the law made by the legislation, the judges to some extent depend upon their own sense of right and wrong in doing so, they adopt the law in the changed condition. The decision on such points become authority or guide for the subsequent cases of similar nature.

The judiciary in India has been assigned a significant role to play. It has to dispense justice not only between one person and another, but also between state and citizens. It interprets the constitution, and act as its guardian by keeping all the authorities within bound. The judiciary is entitled to scrutinized any governmental action in order to assess whether or not it conforms with the constitution and the valid laws made there under. The judiciary supervises the administrative process in the country and acts as the balance wheel of the federalism by settling inter-governmental disputes. It acts as sentinel on the qui vive to protect the fundamental rights. The court accepts that it has to play a law-creative role.

Concept & Nature of Judicial Technique (Inductive & Deductive Method)

There are legal systems where much of the development of law has taken place through this creative role of the judges. The English legal system is an example of it. There, a great reliance is placed upon the decision of the judges. Before deciding a case, the judges look into previously decided cases of similar nature by their own court or by superior court. From particular cases they deduce general rules, and apply them on the cases before them and decide them accordingly. This is known as inductive method.

However, there are legal systems, where most of law is embodied in legislation, such legal system may be called "civil law" system. The judges decide the cases according to the law laid down in the code, and they are not to for the previously decided cases of similar nature. This is called deductive method. Under this method general rules are applied to particular cases.

(i) Whether Judges Declare or Make the Law

It is submitted that the both the views regarding the function of judges contain only partial truth. Whether judges declare or make the law depend upon the nature of particular legal system. In common law countries, the role of judges has been greatly creative whereas in countries where the law is codified, it has been comparatively less creative.

Thus, these views are rather complementary than opposed to each other. There must be synthesis of the two views.

(ii) Judges Develop the Law

With changing social circumstances and condition, the law goes on changing and gets adapted to the changed conditions. Transformation of law with the changing circumstances and condition is the fundamental characteristic, nature and virtue of law.

The courts by their interpretation bring changes in those Constitutions which are rigid and where amendment is not easy as in U.S.A. They by their interpretation cause political evolution also. They enable the law to keep pace with the changing condition. *Cardozo* writes, "*Law and obedience to law are facts*

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understandings about the narrative and keeping a fresh mind to listen to a new story by a new storyteller in a new medium (of comics).

While *Kari* deals with the city as a wilderness experience where one must find a way to survive through the suffocation and alienation of urban existence, the Parva duology deliberates on the idea of civilization where Patil slightly hints at the transformative and liminal experience of the forest as “many things to many people” (Patil, *Sauptik*). When the Pandavas enter the forest, they are being inducted into five very different forests although physically it is the same forest. This fascination about the wonders of the forest-scape is amply explored in Patil’s most recent graphic novel *Aranyaka: Book of the Forest* (2019). Co-written with Devdutt Pattanaik, one of the most popular Indian authors writing on myth and tradition, *Aranyaka* is a meditation on some essential Vedic concepts associated with food, body, sexuality, hunger, acceptance, family, and nature, among others. The narrative takes inspiration from “the *Brihadaranyaka Upanishad* (nine-six century BC), particularly from the story of Yajnavalkya, the great scholar of Advaita philosophy, and his two wives—the sensual and earthy Katyayani, and the austere and cerebral Maitreyi” (Ghoshal) but is framed in Patil’s signature episodic narrative that resolves the identity of outliers or outcasts—be it Katyayani or Ashwatthama—and deliberates on the sense of belonging amidst the wilderness of alienation (Patil, *Aranyaka* 52).

While Padmanabhan talks about personal space and womanhood through her strips, and Amruta Patil taps into history, myth and storytelling through her graphic novels, Chennai born Srividya Natarajan discusses more contemporary histories and life stories through her graphic novels—*Bhimayana: Experiences of Untouchability* (2011) co-written with the founder of Navayana Publishers, S. Anand and illustrated by Pardhan Gond artists Durgabai Vyam and Subhash Vyam; and *A Gardener in the Wasteland: Jyotiba Phule’s Fight for Liberty* (2018) illustrated by Delhi based artist Aparajita Ninan. *Bhimayana* presents a montage of stories in the life of Dr Bhimrao Ramji Ambedkar, the father of the Indian constitution, shedding light on the kind of challenges he had to face in his childhood, youth, and adult years as a dalit in India. The narrative connects Ambedkar’s story with that of current events in 21st century India since it begins with two people talking about the system of reservation and the legacy of Ambedkar, making the text even more relevant despite its historical focus (Natarajan et al. 11). *A Gardener in the Wasteland* follows a similar structure in which the author and illustrator duo reflect upon past events and injustices like caste-based slavery and rediscover socialist revolutionary icons like Jyotirao and Savitribai Phule as superheroes similar to the caped and hooded vigilante Batman (Natarajan and Ninan 9). The graphic novel uses visual metaphors throughout the narrative to deliberate on the powerlessness of lower caste people and the chasm between castes that led to rampant exploitation.

The Chhattisgarhi indigenous Gond art of *Bhimayana* finds expression in a lot of graphic narratives published by Tara Books, which is a publishing house known for revisiting indigenous Indian art through the graphic novel format. Another such art style is the Bengali Patua art— “a folk form that combines performance, storytelling and art... [where] the narrator holds up a painted scroll, pointing to the image that goes with the words” (Arni and Chitrakar 152). The narrative of *Sita’s Ramayana* (2018) by Samhita Arni and Moyna Chitrakar is a folk subversion of Bengal’s own *Chandrabati Ramayana*, which was initially painted by Chitrakar before the words were added by Arni to mould a feminist version of the Indian epic (Arni and Chitrakar 150).

Parismita Singh’s *The Hotel at the End of the World* (2009) explores multiple layered narratives where the titular hotel is the point of intersection of the stories and Singh captures the beauty and mysticism of North-eastern traditions and culture through this graphic novel and other works discussed later. Bringing the idea of storytelling through memory, history and time, *The Piano* by Nandita Basu delves into a very personal and autobiographical narrative but from the perspective of a piano which came into her possession in her childhood days and has been a source of joy in her life.



ISSN: 2347-7180

UGC CARE Group I Journal

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A STUDY ON STRATEGY OF EMPLOYER BRANDING AND ITS IMPACT ON TALENT
MANAGEMENT IN IT INDUSTRIES

Authored by

Dr. Reva Prasad Mishra

Department of Management, Dr. A. P. J. Abdul Kalam University, Indore (M.P.) – 452010

University Grants Commission

Vol.13 Issue. 05 No.01 Month May Year. 2022

Has been published in

Dogo Rangsang Research Journal

Impact Factor : 7.12





DRSR
Journal

ISSN: 2347-7180

UGC CARE Group I Journal

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Has been published in
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Impact Factor : 7.12

Impact Factor 7.12

UGC
University Grants Commission
Approved Journal

doi
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**TO STUDY THE EFFECT OF GENDER ON INCLINATION OF HEALTH CARE
COVERAGE***

BY

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Abstract :

Health care coverage is a kind of protection inclusion that pays for clinical and careful costs brought about by the guaranteed. It very well may be characterized as an agreement between the safety net provider and the safeguarded whereby, the guarantor vows to give determined medical coverage cover on installment of charge subject to the agreements indicated in the arrangement. Notwithstanding some advancement, India's medical coverage area is as yet falling behind in contrast with different nations. Medical coverage advanced gradually from the pre-autonomy period however the development was a lot quicker after the liberalization in 1991. Allow us to take a gander at the different stages exhaustively. The aim of this paper is to find the effect of gender on inclination of health care coverage.

Keywords: health care, gender

Received 22 Apr 2022, Accepted 10 May 2022, Published 26 May 2022

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I. Introduction

Wellbeing is a common freedom. Its openness and moderateness must be guaranteed to all areas of the local area. Man is presented to hazards from the hour of origination. Dangers are inescapable which must be met by limiting their belongings or by diminishing the dangers. Consequently, the idea of medical coverage came in to presence. Hence, the concept of health insurance came in to existence. To attempt and speed up the widespread wellbeing inclusion, World Bank and World Health Organization (WHO), have fostered a system which incorporates monetary danger security, as one of the parts. Health care coverage is a strategy to fund medical services. The ILO characterizes medical coverage as "the decrease or end of the unsure danger of misfortune for the individual or family by joining a bigger number of comparatively uncovered people or families who are remembered for a typical asset that makes great the misfortune caused to any one part". To lay it more out plainly, in a medical coverage program, individuals who have the danger of a specific occasion contribute a limited

ups with better quality medical clinics. With their conventional and moderate ways to deal with have the tie-ups essentially with government emergency clinics, public stands behind. In this way, it's prescribed to public area organizations to have better and quantities of restrict with the clinics winning in a city. While examining it was originate that females were more accountable in delivery differences in contrast with male respondents. This demonstrates that female were to be given due significance as like the organizations do have for senior residents particularly. Females have wellbeing idiosyncrasies unique in relation to men. Bringing both into a similar section and to serve them a similar item not legitimizes the help. For both the areas it's will be a creative endeavor to concoct ladylike wellbeing inclusion.

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Character Merchandising: Right of Publicity and its Relation with Trademark Laws

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Chapter1- Introduction

"I personally think intellectual property is an oxymoron. Physical objects have a completely different natural economy than intellectual goods. It's a tricky thing to try to own something that remains in your possession even after you give it to many others."

John Perry Barlow

The Intellectual Property is brainchild of human intellect which means that it is the outcome or the result of laborious work done with creativity by the authors, writers, creative people artists and inventors etc. The law is obligated to protect the same that there is no unauthorized use of this creative creation and due recognition is given to the ones who have given in their heart and soul to the work. The law which is used for regulating the creation, its use and authorized exploitation is known as the Intellectual Property Law.

One of the primary branches of this Intellectual Property Law is the Trademark law. A trademark requires a brand, term, or symbol that separates products from other companies' products and services. Branding of products or services through the process gets even smoother with a recognizable mark which can be associated to that particular product, so it is guaranteed and simpler to recognize the product through the trademark. The owner of the trademark can prohibit another rival from using his symbol or a sign. Trademark is a marketing technique that boosts organization funding. A trademark is not necessarily a brand, but a brand is always a trademark. There's a misunderstanding between trademark and brand sometimes. The brand name may be merely a badge or emblem, but in a corporate corporation the trademark is a conspicuous sign or indicator because it has a broader meaning.¹

In recent times, there has been a development of a new concept in the trademark law that is known as 'Merchandising'. Merchandising is the licensing of publicly recognizable properties for use on or in association with products or services to promote sales of those products or services. It is traditionally used to promote and market the core products or the services of the licensor. It has become well known in the fields of motion pictures, sports and events.²

¹Vartika Prasad, *Character Merchandising, Through Trademark Licensing*, IIPRD, (5th February 2021, 9:08 AM) <https://www.iiprd.com/character-merchandising-through-trademark-licensing/>

²RODNEY D. RYDER, *INTELLECTUAL PROPERTY- LAW AND MANAGEMENT*, 125 (Bloomsbury 2018)

SPECIALUSIS UGDYMAS / SPECIAL EDUCATION 2022 1 (43)

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8385



Journal of Education
Rabindra Bharati University

ISSN: 0972-7175
A Peer Reviewed Journal

CERTIFICATE OF PUBLICATION

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EMERGENCY PROVISIONS OF THE CONSTITUTION

Authored By

Dr. Rupali Rathore

UGC

University Grants Commission

Approved Journal List
Published in

Journal of Education: Rabindra Bharati University
ISSN : 0972-7175

Vol. : XXIV, No. :1(XII), 2022

UGC CARE Approved, Peer Reviewed and Referred Journal



Journal of Education

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-01 No. 02 January 2022

CSR- CORPORATE SOCIAL RESPONSIBILITY

Dr. Rupali Rathore Ph.D. in Law

Abstract

CSR is a common topic of discussion in the corporate sector these days. It has recently become so after the enactment of Sec 135 Companies Act which makes CSR a mandatory practice for a certain section of companies. The concept is not as straight forward as it seems – it is rather complex. This complexity became more prominent during the times of Covid-19. The same has been explored and analyzed by the researcher in great detail. The researcher has also talked about the PM CARES FUND controversy to further highlight the issue.

Keywords: CSR, social, company, PM CARES fund, Section.

Introduction

CSR is a phrase that is often used these days. It's the method by which a firm's "business ethos" and collective justice are displayed and developed. In the last decade, CSR has piqued the attention of academics all over the globe, and according to some, it has risen to popularity in recent years and is currently believed to be at its most powerful. As a consequence, business leaders, government officials, and academics are highlighting the idea of CSR. It is a reaction to societal concerns rather than a response to them. CSR has grown into a means of ensuring that a firm meets all of its social requirements and, as a result, is qualified for a business license. The primary issue in CSR is determining a company's appropriate place, which is almost totally dependent on its comparable field.¹

Definition

Several individuals have written formal descriptions of CSR. The following are some examples of such definitions:

1. "A dedication to enhancing social well through voluntary market behaviour and business capital size," Philip Kotler and Nancy Lee define CSR.
2. The WBCSD gave the meaning: "CSR refers to a company's continued commitment to act ethically and responsibly progress while also improving lives of people and families."
4. According to the leading journal CSR Asia, "It is a corporation's dedication to working in a legally, culturally, and environmentally sustainable way while reconciling the expectations of various stockholders."
5. In US-UK tradition, it is characterized as "operating a business in a manner that satisfies or beyond social, ethical, financial, and societal standards that people expect from an organization."

There are five acknowledged fundamental features in most definitions of CSR:

1. Companies have responsibilities that go above profit related production of goods and services; these responsibilities include assisting in the resolution of society issues, particularly those for which they are accountable.
2. Companies represent a far larger market than individual shareholders;
3. They have a powerful presence that extends beyond commercial transactions, and they satisfy a wide range of human needs that can't be adequately addressed by a sole focus on money values.
4. It is defined by terms such as "governance, integrity, citizenship or stewardship, ethical entrepreneurship, and triple bottom line."
5. CSR is regarded as "responsible competition" or "business sustainability" when it becomes an integral element of industrial activity.

CSR's definition is rather subjective, and its scope is presently limitless philosophically.

CSR activities are often carried out as part of societal obligations, which might change over time based on a range of reasons, including extraordinary circumstances.

¹ Jyoti Ganapathi, Ruth V. Aguilera, Cynthia A. Williams, "Employee reactions to corporate social responsibility: an organizational justice framework", 27 *JOB* 537 (2006).

Dogo Rangsang Research Journal
ISSN : 2347-7180

UGC Care Group I Journal
Vol-12 Issue-01 No. 02 January 2022

employees, shareholders, and public. PMNRF is a fund established in India to assist persons affected by natural and man-made disasters. The entire amount given and identities of donors are kept private, and the fund is inspected behind closed doors. Despite the fact that the fund uses government resources and the Indian flag, the government first claimed that the fund is private and disputed that PM CARES Fund is a government fund for purposes of the RTI Act of 2005. Companies may be enticed to transfer a large portion of their CSR funding to PMNRF, according to the Ministry of Corporate Affairs (MCA). This would benefit from the twin benefit of tax exemption under the IT Act of 1961, as well as the simplicity with which CSR compliance may be met without the requirement for complex policies and audits. Payments to the PM-CARES Fund are eligible for CSR credit under Schedule VII, while donations to the CMRF or SRF for corona are not.⁴

Conclusion

Several MNCs embraced "Corporate Social Responsibility" to describe organisational operations that had a substantial impact on the environment in 1960s and early 1970s. The germ of corporate social responsibility was rooted in philanthropy. CSR refers to a company's entire responsibility to the environment. At the time, CSR leads to unprofitable normal business practises. Such programmes, of course, have a significant developmental push toward corporate money to assist non-profit groups and communities. The researcher believes that the CM CARES fund should likewise be placed in Schedule VII because there is absolutely no justification to keep it outside of its scope.

State governments are better familiar with their state's unique demands and difficulties for obvious reasons. Companies are discouraged from giving to the CM CARES fund since it is exempt from Section 135 and Schedule VII. This has an influence on the amount of money available at the state level. As a dynamic notion, such concerns will inevitably arise over time; it is critical that authorities remain vigilant in their efforts to resolve them.

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⁴ Supra 2.

Manu



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DATA PROTECTION: A NEED FOR LEGISLATION IN INDIA?

Vol.12 Issue 01 No.01 Month January Year. 2022

ज्ञान-विज्ञान विमुक्तये
Published in

JUNI KHYAT JOURNAL ISSN: 2278-4632

Impact Factor : 6.625

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जूनी ख्यात JUNI KHYAT जूनी ख्यात JUNI KHYAT

Juni Khyat
(UGC Care Group I Listed Journal)

ISSN: 2278-4632
Vol-12 Issue-01 No.01 January 2022

DATA PROTECTION: A NEED FOR LEGISLATION IN INDIA?

Dr. Rupali Rathore (Ph.D. in Law)

Abstract

Data protection is a need of the hour considering the rapid technological revolution in the society. Since literally everything is online these days, the data is bound to be sustained there. Therefore, there is no reason why we do not need data protection laws, but yet India has no solid statute which answers the questions related to it. The law on privacy in India exists by way of judicial pronouncements only and it is via the same that we expect data protection currently. The researcher has touched upon the same along with details of the recent data protection bill and the degree of compliance expected from the same had it been implemented.

Keywords: Data, protection, law, legislature, privacy, case, SC, HC.

Introduction

Due to a lack of an appropriate legislative framework, India's data protection law is encountering different obstacles and resentments. Because of lack of appropriate rules, India, which is world's largest host of outsourcing data processing, may become a hotbed of cybercrime. In this regard, DSCI and DIT must both revive their efforts.¹

Credit card details, financial data, etc. are handled and accessed by Indian IT and BPO businesses all around globe. There have been security problems and data leaks at high-profile Indian corporations. In India, there is no defined data protection legislation. The legislation aims to improve on the 1996 EU Data Privacy Directive's wide framework. Both govt and private enterprises that deal with data are affected by the legislation. There is a provision for Data Controllers to be appointed, who will have ultimate monitoring and adjudicatory jurisdiction over the bill's issues. It further states that in addition to compensating victims for their losses, perpetrators may face criminal penalties. The law is unquestionably a positive step forward. The bill, however, is currently waiting owing to a lack of information. While IT Act 2000 has provisions pertaining to cyber and IT legislation and outlines the extent of accessibility that a person may have to data held on a computer, it does not meet the need for such a complete data protection legislation.

India's status in regard to Data Privacy Laws

Regrettably, India's data protection rules are almost non-existent. Only a few laws, such as IT Act and the IT Rules, address data privacy. For a long time, the government has had this area of law on its back foot when it comes to legislation. This is mostly due to the fact that data privacy rules in India are under-emphasized, and the average Indian is unaware of importance of his personal information. Because of this absence of understanding and seriousness, people have been exposed to large organizations that exploit these flaws and abuse data. The Honorable SC transformed the landscape and view of masses towards privacy with landmark case of Justice K.S Puttaswamy v. UOI². The right to privacy was declared a basic right u/Art 21 by the court. This ruling in turn increased awareness and made people understand that their data is fundamentally important and should be secured from the start. Despite judiciary's efforts, India is lacking a specific data privacy act.

IT Act and SPDI rules

The IT Act and the SPDI Rules have a significant influence on most businesses, regardless of industry. While the IT Act does not define 'reasonable security policies and procedures,' the SPDI Rules, which were enacted in response to the IT Act, provide basic data protection criteria for sensitive personal

¹ L Jayashree, "Right to Privacy of a Woman under Criminal Law" (2003).

² "Need For Data Protection Laws In India: Analysis Of The Exploitation Of Personal Data By WhatsApp And Other Social Media Platforms" (December 31st 2021) <https://www.mondaq.com/india/privacy-protection/1025404/need-for-data-protection-laws-in-india-analysis-of-the-exploitation-of-personal-data-by-whatsapp-and-other-social-media-platforms>

Juni Khyat
(UGC Care Group I Listed Journal)

ISSN: 2278-4632
Vol-12 Issue-01 No.01 January 2022

personal data: An MFT solution protects sensitive data whether it is accessed by others or transmitted to unmanaged domains, devices, or applications.

Conclusion

It might be difficult to comply with data privacy rules in today's era of information explosion. However, if businesses are proactive and prepare ahead of time, this does not have to be the case. Businesses in India must have a comprehensive privacy and compliance plan, and those that do so will reap significant rewards. In the next years, data privacy will play a significant role, therefore now is the time for enterprises who haven't started or are just getting started on their compliance journey. By developing a tiered, comprehensive strategy to data security, organizations may confidently embrace the PDPB and, if compliant, consider it a competitive advantage. In order to protect consumers from exploitation, India has to pass a particular privacy protection legislation.

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OF FREEDOM OF SPEECH AND EXPRESSION**

Vol.12 Issue 11 No.01 Month November Year. 2022

ज्ञान-विज्ञान विमुक्तये
Published in

JUNI KHYAT JOURNAL ISSN: 2278-4632

Impact Factor : 6.625

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For the Research paper title

**STATE'S CONTROL AND BALANCE OVER RIGHT OF PRIVACY AND PROMOTION
OF FREEDOM OF SPEECH AND EXPRESSION**

Vol.12 Issue 11 No.01 Month November Year. 2022


ज्ञान-विमुक्तये
Published in
JUNI KHYAT JOURNAL ISSN: 2278-4632

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Juni Khyat

(UGC Care Group I Listed Journal)

ISSN: 2278-4632

Vol-12 Issue-11 No.01 November 2022

STATE'S CONTROL AND BALANCE OVER RIGHT OF PRIVACY AND PROMOTION OF FREEDOM OF SPEECH AND EXPRESSION

Prof. (Dr.) Manpreet Kaur Rajpal, Dean and Director, Indore Institute of Law
Amaresh Patel, Assistant Professor, Indore Institute of Law

Abstract

The dawn of technology and internet of things has significantly altered the way we interact with each other and pursue our transactions with rest of the world. The relationship between state and citizens has not remained unaffected by the same. The spread and magnanimous increase of technology has caused the problem of state surveillance through the deployment of spywares like Pegasus. The paper analyses such state practise as antithetical to rights of privacy and freedom of expression and tantamount to the concept of limited government. The paper studies the interplay of the concepts of privacy, freedom and state control.

I. Review of Literature

1. Freedom of Expression Challenged: Scientists' Perspectives on Hidden Forms of Suppression and Self-censorship¹ by Esa Valiveronon

This paper talks about the new secret types of concealment and self-control seeing researchers' jobs as open specialists. It depends on two web overviews directed among Finnish analysts in 2015 and 2017.

2. 'Freedom of Speech and Expression' as a Fundamental Right in India and the Test of Constitutional Regulations: The Constitutional Perspective² by Aqa Raza

The specialists in this paper try to examine the idea of the right to speak freely and articulation as an essential right ensured by the Constitution of India with an accentuation on the trial of established guideline.

3. Analysis of the Obstacles to the Freedom and Independence of the Media in the World and Turkey³ by Dr. Mustafa ÖZTUNÇ

This paper analyzes the deterrents to the opportunity and freedom of the media on the planet overall and Turkey specifically. The basic political economy of the media was utilized as the hypothetical structure for the review and, with respect to the strategy, a subjective investigation of optional information was performed.

4. Freedom and control: A state of balance in public space⁴ by Kin Wai Michael Siu

The motivation behind this study is to decide how to accomplish a harmony among freedom and control openly space. It investigates the connection among freedom and control to distinguish peculiarities and deal clients and policymakers directions for accomplishing that equilibrium.

5. The Autonomous Mind: The Right to Freedom of Thought in the Twenty-First Century by Simon McCarthy-Jones

The paper contends that the space of the right to Freedom of thought ought to be stretched out to incorporate outside activities that are seemingly constitutive of thought, including web searches and journals, consequently safeguarding them with outright security. It is focused on that regulation should shield us from dangers to freedom of thought from the two states and organizations, with legislatures expecting to act under the positive part of the option to guarantee social orders are organized to work with mental independence.

¹ *Science, Technology, & Human Values*, 46(6), 1172–1200

² *The Constitutional Perspective*. XLIII. 87-110.

³ *The Turkish Online Journal of Educational Technology* – January 2021, volume 20 issue 1

⁴ *European Journal of Marketing*

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Vol-12 Issue-11 No.01 November 2022**

In India, the legal system serves as the bare minimum of government. In order to secure these rights, governments are established among men, obtaining their equitable powers from the consent of the governed. These truths include that "All Men are Made Equal," that they are endowed by their Creator with certain unalienable Rights, including "Life, Liberty, and the Pursuit of Happiness," and that in order to secure these rights, governments are established throughout history. Any kind of governance that exists must be founded on these realities at all times.

The architects of the welfare state did not merely come up with the standards of the Indian government, nor did they choose these realities at random. They made use of their knowledge of the many, lengthy times in human history when different people groups battled for freedom and limited government. There were achievements and failures during the process.

Conclusion

The amalgamation of political interests with targeted surveillance has resulted in not just a blitzkrieg of information, but also the emergence of governmental institutions aimed at behaviour control, undermining the sanctity of individual privacy and posing a severe threat to democracy. We, therefore move towards a society where the brutal reality of power and its exercise trumps the constitutionally protected rights to privacy and freedom of speech. However, the core motivation remains political dominance through the suppression of any opposition or intellectual divergence from the state. And targeted state surveillance must not become an instrument of such intention.

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International Journal of Human Resources Management (IJHRM)
ISSN(P): 2319-4936; ISSN(E): 2319-4944
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INDIAN ARBITRATION REGIME; HERALD A NEW EPOCH

GEETANJALI R CHANDRA¹
Assistant Professor, Amity Law School, Dubai Amity University Dubai UAE

"Every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconvenience, we give and take, we remit some rights that we may enjoy others; and we chose to be happy citizens rather than subtle disputants".

Edmund Burke (Speech on Conciliation with America, 22 March 1775.)

ABSTRACT

The Indian judiciary has laid down various laws, which narrow the front through which Indian courts can intervene in arbitral procedures an arbitration regime that was afflicted with various problems including those of high costs and delays. To compliment that, the Government has also been cognizant of the urgent need to restrict judicial scrutiny, both during the pendency of arbitration, and after an award is made. In order to address these challenges, the Law

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Edmund Burke (Speech on Conciliation with America, 22 March 1775.)

ABSTRACT

The Indian judiciary has laid down various laws, which narrow the front through which Indian courts can intervene in arbitral procedures an arbitration regime that was afflicted with various problems including those of high costs and delays. To compliment that, the Government has also been cognizant of the urgent need to restrict judicial scrutiny, both during the pendency of arbitration, and after an award is made. In order to address these challenges, the Law Commission came up with its 246th Report on proposed amendments to the Arbitration and Conciliation Act, 1996 and Government passed the, The Arbitration and Conciliation (Amendment) Act, 2015 ("Amendment Act"), which is most certainly a welcome change and has been addressed for providing the much needed impulse to the growth of the Indian arbitration regime. Despite some deviations, the Amendment Act is largely in consonance with the Law Commission Report and the Arbitration Ordinance. However, there have been lapses in drafting the new law, and some more steps could have been taken by the law makers to ensure that India does indeed become the international commercial hub This paper, therefore, seeks to analyze the challenges that the Indian arbitration regime has faced in the previous few years and discuss how the Supreme Court's intervention in the 2014 has sought to address them and to provide perceptions and critically evaluates the Amendment Act with suggestions to make the Arbitration Act more operative.

KEYWORDS: Herald a New Epoch

INTRODUCTION

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Ilkogretim Online - Elementary Education Online, 2021; Vol 20 (Issue 5): pp. 5328-5332
<http://ilkogretim-online.org>
 doi: 10.17051/ilkonline.2021.05.597

“A Study of Heritage Tourism in Madhya Pradesh”

Dr. Kavita Dive, Assistant Professor- Indore Institute of Law
Dr. Archana Dubey, Assistant Professor- Indore Institute of Law

Abstract: Heritage tourism involves services to tourist with the occasion to understand, and contentment from uniqueness of natural and heritage features. Cultural legacy, environment, accessibility and facilities are important features of heritage tourism places. Heritage tourism involves services to tourists with the Significant difference is current among demographics of domestic tourists and features of heritage tourism places. Cultural inheritance, traditional values, nature and environment and facilities have significant impact on return intention of domestic tourists. In order to improve revisit intention of domestic tourists, heritage tourism places should arrange cultural programs and they must give traditional hospitality. Additionally, places should maintain well and they must have recreational activities.

Keywords: Domestic tourists; Features; Heritage tourism; Return intention

I. INTRODUCTION

Tourism Industry has been renowned as one of the fastest growing industries with huge potentiality in economic development and economic reformation especially in developing countries. Tourism in a straight line involvement in the economy not only by earning foreign exchange, but also through the dimensional effect. Apart from that it also involved in social culture and environmental development. Tourism development in Madhya Pradesh encourages both employment opportunities and entrepreneurs practices. . Multi-dimensional approach of tourism invites new innovations and practices to make available versatile demand of tourists from both domestic and international market. Entrepreneurship is always recognised practice in tourism industry as it encourages in creative freedom and accepting challenges. Madhya Pradesh is a land, where tourism creates opportunities for both tourists and the entrepreneurs. It offers multiplicity of destinations covering almost all type of tourist attractions and explores opportunities to earn from tourism too. The state carries immense potentials in women entrepreneurial Practices like other industry. The research had been conducted to understand the opportunities of entrepreneurship in tourism Industry in Madhya Pradesh. It is also to understand its application area and the limitations.

Madhya Pradesh – India

Madhya Pradesh is located in the centre which is known as “heart of the India” sets as a major example helpful in promoting a secular state as it homes to many divine temples, mosques, forts and palaces of great historical background. Though Madhya Pradesh was awarded as the Best Tourism State Award in the year 2012 as per the data but yet to be more publicised and less informational channel because the strengths are less exploited. Due to this it becomes important and rational to promote MP tourism. MP is developing its tourism in a public private partnership that to in a sustainable way. Culture of Madhya Pradesh is a pleasant combination of Hindus, Jains, Christians, Muslims, Buddhists, and Sikhs. Languages are also commonly spoken here thanks to the mix of people. Hindi is the main and the official language of Madhya Pradesh. The culture of Madhya Pradesh, in true sense, is extensively recognised for its musical performance and dancing rhythms. Cooking in Madhya Pradesh has a small touch of Rajasthani and Gujrati cooking Previously, Jowar was the principal cereal here. But now, Wheat is the staple food of Madhya Pradesh.

II. REVIEW OF LITERATURE

S.no	Topic	Author Name	Methods /Objective	Year
1	A study on prospects and problems of heritage tourism in Karnataka	Anitha KP and Dr.B Chandrashekara	Secondary Data used enhance employability and result in community development. The	2017
2.	A Study On Women Entrepreneurial	Supriya Sikari	Primary & Secondary Data	2018

5. Build good roads and approach points to a certain tourist destination.
6. Campaigns abroad, holding tourism seminars or offering Madhya Pradesh locations with facilities to promote foreign film productions in the country. Aggressive marketing is absolutely essential to be seen and heard well.
7. India is currently in a position where it can make a cash scare out of selling customized experiences rare animal sanctuaries, religious pilgrimage tours and extreme Heritage Places .

V. CONCLUSION

The Finding of this research disclose that Cultural, Traditional, Natural and Educational environment, facilities are features are important features of heritage tourism places. Significance different is established among demographics of domestic tourist and features of heritages tourism places. Cultural, traditional, pilgrim centers and heritages places natural environment has positive impact on return intentions of domestic tourism, Heritages tourism place conduct cultural programme promote local events and must provide hospitality in area. Eventually heritage tourism maintain well clean and sustain fro entertaining activity.

Madhya Pradesh department is now focus on growth of sustainable tourism and in resembling Well plan and tourism model and involve in various activities and expansion methods and development process and recreationally activities.

The Madhya Pradesh department is now concentrating on growth and development in tourism and in resembling days there are well plans and tourism model are there. There are sustainable development and expansion in natural, heritage and cultural development in Madhya Pradesh. Heritage tourism is based for other sector and develops in Madhya Pradesh. All tourism sectors now days create recreational activities, eco tourism, heritages, and pilgrims centres in MP. Tourism is one of the high revenue generator and more revenue generator in GDP and more foreign visitors in every year. The importance of research is social and heritage creational activity promote in Madhya Pradesh. The growing rates of tourism can be improve in and success for Madhya Pradesh and also economic development.

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Swadeshi Research Foundation A Monthly Journal of Multidisciplinary Research
International Peer Reviewed, Refereed, Indexing & Impact Factor - 5.2, Ex-UGC S.N. 4990
ISSN : 2394-3500, Vol. - 8, No. - 10, August - 2021, Conference Special Issues

2021

**पत्रों में वर्णित गढ़ा मंडला की रानी विलासकुंवर और उसके साथ जमादारों के प्रयास
(सुमेर शाह को शासक बनाने के सन्दर्भ में)**

**माधुरी मोदी
सोभार्थी, इंदौर**

1776 ई. में गढ़ा मंडला' के प्रभावशाली शासक निजाम शाह की मृत्यु हो गयी और गढ़ा मंडला राज्य रस्ता के लिए होने वाली लड़ा-पटक और आंतरिक भद्राघातों का मद्द बन गया निजाम शाह की मर्दा का उत्तराधिकारी उसका पुत्र सुमेर शाह था, परन्तु भद्राघात कारियों ने दासी पुत्र महिपाल सिंह को सुमेर शाह की उपास कर्त्तव्य हुए महीमहीन कर दिया। दूसरी ओर निजाम शाह का भतीजा नरहरि शाह भी मर्दा पर नजर जमाये हुए था उसने महिपाल सिंह को मर्दा से हटा कर स्वयं मर्दा हरिपाल कर ली। किन्तु इन भद्राघातों का विशेष स्वयं महारानी विलास कुंवर व अन्य कई ताकतवादी उन्होंने ताकतवादीन शक्तिशाली भौसले शासक मुघोजी भौसले से सहायता कर्त्तव्य ताकि सुमेर शाह को राज सिंहासन दिला सके। इतिहासिक इन्डिया ऑफिस लाइब्रेरी से प्राप्त पत्रों से जिनके माध्यम से हम हम अपनी बात यहाँ पुरता करला चाह रहे हैं, यह जागकारी मालूम होती है और ऐसा लगता है कि स्वयं सुमेर शाह भी मुघोजी भौसले से सहायता मांगने गया था। ज्ञातव्य है कि मुघोजी भौसले उस समय एक बड़ी मरदा शक्ति थे, जिससे स्वयं ईस्ट इन्डिया कंपनी का मदनर जनरल कारेम हेरिटास और क्रांसिली भी हाथ मिल्तना चाहते थे। कारेम हेरिटास का मन्तव्य कर्त्तव्यता और दोम्बे प्रेसीडेन्सी के बीच पट्टुय भाग हरिपाल करला था जो की मध्य भारत में मरदा सरदारों के पास था खाल तौर पर भौसले के पास और मुघोजी भौसले एक शक्तिशाली मरदा सरदार थे। यही हमे मुघोजी की ओर से गढ़ा महारानी विलास कुंवर और उनके सरदारों को लिखा कोई पत्र नहीं मिलता। जयिमु राजनीति कही और नजर आती है। वस्तव में गढ़ा मंडला का राज्य बेहावा और भौसले सरदारों के बीच रखस करी का विषय था और सागर' में पेशक का प्रतिनिधि विलास कुंवर विलास कुंवर जो की पेशे से राज्य विधिवसक भी था परन्तु राजनीति में भी निष्ठात था। उसने नरहरि शाह और सुमेर शाह के बीच होने वाली प्रतिद्वन्द्विता का भरपूर लाभ उठाया और पहले नरहरि शाह को मर्दा पर बैठने में मदद की। उसके बाद का परिस्थितियों उत्पन्न हुई उसका बीस से 4 पत्र प्रस्तुत करते हैं।

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DIFFERENT CASHLESS METHODS IN INDIA – AN ANALYTICAL STUDY

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Abstract

India is making a lot of efforts for becoming a cashless economy. This is why digital payments are being encouraged. RBI has also been making efforts to encourage new variants of payments and facilities of settlement. These efforts aim at reducing the use of cash in the economy. Less cash in the economy indicate cashless transactions only. The economy that adopts a cashless system does not have a shortage of money. It just follows a cashless system of transactions. Also spreading the culture of digital transactions apart from expanding the infrastructural facilities is important for the aim of becoming a cashless economy. In 2017 when the highest denomination notes were withdrawn from the economy, the aim was fighting black money in the economy. It gave a boost to cashless payments since digital payments were not hampered when these notes were withdrawn by the government from the economy. Rather the trend of using plastic money and online payment interface became popular and people became addicted of using these methods of transactions.

Keywords: *cashless economy, digital economy, digital payments, demonetization*

Introduction-

An economy which follows the cashless system of transactions does not signify shortage of money or cash. Rather, it indicates the culture where people settle their transactions digitally. In the modern day economy, money mainly moves electronically. Therefore, spreading of the culture of digital payments along with an expansion of the infrastructural facilities is required for achieving the aim. The main objectives of withdrawing the highest denomination notes from the economy in 2017, was to fight black money and counterfeiting money. The action gave a big boost to the cashless transactions since the digital payments and the card based payments weren't hampered when the high denomination notes were withdrawn from the economy[1].

The government of India and RBI launched a number of measures for spreading the culture of non-cash settlement and electronic cash in the economy. Vision 2018 for the system of settlement and payment in the country brought by RBI in 2016 reiterates a commitment of encouraging more usage of electronic payments through different sections of the society for achieving lesser cash society. The broader contours of the Vision 2018 revolve around the 5 Cs i.e. convenience, coverage, convergence, confidence as well as cost. For achieving this, the 2018 Vision would focus mainly on the 4 strategic initiatives like robust infra, responsive regulations customer centricity as well as efficient supervision. The statement of vision highlights the below mentioned plans:

- The regulator aims at reducing the participation of the paper based instruments of clearing
- It aims at raising the growth of space for digital payments

Journal of the Maharaja Sayajirao University of Baroda ISSN : 0025-0422

it might become easy to fulfil the lifestyle as well as financial responsibilities apart from the increasing efficiency in conducting different types of transactions.

Also, it has been proved that this system displays a very positive impact on intentions of users for using E-payment systems in emergencies. The usefulness adds the other services for ensuring that the consumers continue to enjoy E-wallets as the alternative method of payment especially for curbing spread of the pandemic. Previous studies report perceived usefulness as the strong predictor of the behaviour of the consumer's intentions. Digital infrastructure helps in improving the system of delivering information thereby improving the impact of perceived usefulness of a system on the intentions of using technology[12].

Social influence is constructed for assessing the desires of the consumers for using mobile payment options. The prospective influencers for the consumers for using this system are friends, family members, etc. Therefore the impact of the environmental factors have also been defined. These factors encourage the consumers for buying or selling new commodities. Similarly, some researchers have also found that this factor also impacts the intentions of the users in adopting internet services. While some researchers have also reported that this factor affects the thinking of each individual for using innovative products with the help of technological services. It could be derived from subjective norms as well as social factors.

Conclusion

Several papers have studied that a number of people have positive attitude regarding the usefulness of the cashless economy as well as cashless transactions. It mainly helps in fighting corruption, terrorism, money laundering, etc. However, one of the biggest issues in applying cashless economy is illegal access to the primary data and reducing cybercrime. Thus, it is very important for the authorities to strengthen the security of internet from safeguarding against any kind of online fraud. A large chunk of the population in the country is below the rate of literacy which is residing in the rural areas. In order to have a smooth implementation of the cashless systems in the country, the below measures have recommended by the Government.

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Wesleyan Journal of Research

An International Research Journal

ISSN : 0975 - 1386

CERTIFICATE OF PUBLICATION

This is to certify that

Reva Prasad Mishra

Department of Management, Dr. A. P. J. Abdul Kalam University, Indore (M.P.)-452016, India

for the paper entitled

**PROBLEMS, BENEFITS AND USERS ADOPTION FOR CASHLESS ECONOMY IN INDIA: AN
EMPIRICAL STUDY**

Volume No. 14 No. 29 :2021

University Grants Commission

in

Wesleyan Journal of Research

Impact Factor: 6.5

September 2021

UGC Care Approved, Peer Reviewed and Referred Journal





PROBLEMS, BENEFITS AND USERS ADOPTION FOR CASHLESS ECONOMY IN INDIA: AN EMPIRICAL STUDY

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Abstract

A cashless economy may be defined as a situation where flow of cash in the economy does not happen and payments happen through electronic mods such as plastic money, online payment systems, etc. In a cashless economy, almost all the transactions happen with the help of digital channels. In simple words, there is no need of liquid money or paper currency. In a cashless economy, third party has the money. This helps the consumers with their transactions. In past few years, cashless has been attracting a lot of researchers and academicians across the globe.

For making a country cashless, a government has to begin different types of schemes like digital finance for rural areas. It initiated a few steps such as unstructured supplementary service data, unified payments interface, etc. based on mobile banking. A lot of studies have been conducted in order to find out about the challenges that people face for moving towards a cashless economy.

Keywords: cashless economy, plastic money, mobile banking, UPI

Article History

* Received: 02/09/2021; Accepted: 26/09/2021

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Challenges people face for moving towards a cashless economy

We may define a cashless economy as the situation wherein the cash flow in an economy is almost non-existent as well as the transactions need to be through the electronic mediums like debit cards, direct debit, credit cards, payment system and electronic clearing like NEFT (National Electronic Fund Transfer), IMPS (Immediate Payment Services, RTGS (Real Time Gross Settlement in the country. In the cashless economy maximum number of transactions happen through digital channels such as debit, credit cards, electronic banking, digital wallet, point of sales, etc. In simpler words, no paper currency or the liquid money would be used by people of a country. In the cashless economy, 3rd party would possess the money. He would help you in transacting this money as and

[45]

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integrating, evaluating, creating and communicating the information legally and ethically for functioning in the knowledge society. The satisfaction of the user with technology is the feeling of disappointment or satisfaction because of a comparison of the performance of services relating to expectations of the users. The intentions of using the technology is degree to which the individual formulates a conscious plans for performing some particular future behaviour.

Such behavioural characteristics are significant because of constant patronage of the E-payment systems which depend mainly on the perceptions of the customers for the security of E-payment, their satisfaction level with services and their skills in ICT usage. Also, demographic impact on all these factors are important for banks for policy direction and formulating the strategies of marketing and allocating the E-payment resources. For instance, the understanding of the banks about the demographic influences of the customers on the level of customer satisfaction as well as use of E-payment services might necessitate deployment of strategies of target marketing. Also, the studies on demographic differences of the customers regarding perception of the security of E-payment and level of their ICT education would offer an understanding about the segments of customers who still lack skills related to ICT. In such cases, certain awareness programmes and particular training would also be provided. While the educational programmes and wholesale marketing might prove to be expensive, the focused one is based primarily on the demographic factors of the customers. It might reduce the cost related to customer awareness and marketing. For achieving these objectives, several studies have analysed a few research questions. These papers aim at analysing the effect of age on acceptance of the system of mobile payment by the consumers on the basis of the behavioural model as well as factors which determine the model. For achieving the aim of research, it has been proposed to include studies of age as the variable along with antecedents which are identified in literature based on the review of primary classic models [10].

Conclusion

Transformation into cashless economy has now become an international challenge. Most of the economies have already become a cashless economy. Within a cashless economy all the financial transactions happen through coins, currency note, physical cash, etc.

There are a number of challenges which happen in a country importantly in the small cities, untapped markets and the rural areas in the urban regions in India, have to be resolute and people also make sure that they adopt digitalisation in the system of payments. It's a huge task for the Indian government as well as the policy makers for transforming the society into cashless economy or la lesser cash economy as the population of India grows. Introduction of the cashless transactions have helped in making the Indian government to move to a cashless economy.

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**IMPORTANCE OF LOGISTICS AND USE OF INFORMATION TECHNOLOGY
IN SHIPPING INDUSTRY WITH SPECIAL REFERENCE TO CONTAINER
CORPORATION OF INDIA, PITHAMPUR**

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ABSTRACT

In today's world one can not produce everything at their home or factory. We are dependent on other to fulfil our daily need and demand. This give rise to send goods from one place to another as per demand and give rise to logistics. It has been observed that efficient logistics can reduce the price of final product by almost 30 – 40 % depends of the distance and cargo value. It is require to understand the aspects of logistics the key factors and critical elements which will help the traders to mitigate their cost and send their good more efficiently. This research will help the trade and all the actors in the ecosystem of trade and how to deal with increased freight rates, which mode need to be selected for their cargo , how can they match the time schedule of delivery and how much stock they need to maintain This research will also give suggestion and conclusion to government and competent authorities to take appropriate actions to normalize the current chaos in shipping.

Keywords: Logistics, Warehousing, Shipping Lines, Packing , Sea ports , Supply chain, Containers, Ships, Exporters, Importers, Banks, Information technology, freight rates

1. Introduction

In theory, the term: logistics is not clearly defined (there is some duality). There is no single accepted definition. Particular authors emphasize different aspects within the definition of the concept, relating both to economic practice and to the area of knowledge. Here are some of these definitions: The American Council of Logistics Management has proposed a definition which is widespread in the USA: Logistics is the process of planning, implementing, and controlling the efficient, effective flow and storage of goods, services, and related information from point of origin to point of consumption for the purpose of conforming to customer requirements.

The European Logistics Association has adopted the definition that Logistics is a concept involving the organization, planning, control and execution of the flow of goods form their places of manufacturing (purchase), through the sphere of production and distribution, to the final consumer, which aims to satisfy the demands of the market with minimal commitment and capital [1-5]

In turn, H. Ch. Pohl claims that logistics comprises all the steps leading to planning, supervision, execution and control of the time-and-space transformation of goods and the related transformation in quantity and range of

assortment, the manipulation properties and the degree of logistics determination of goods. A coordinated execution of these activities enables the flow of goods that connects the origin point with the consumption point in a possibly most efficient manner.

Analyzing the content of the quoted and published definitions, one may conclude that:

Logistics is a process of physical flow of goods/services and accompanying information;

- logistics is a concept of integrated management of goods/services and information flow;
- logistics is an interdisciplinary field (apart from its own heritage, it also makes use of technical, military, mathematic and economic sciences, including management) where the object of research are the regularities and phenomena which occur during the goods/information flow throughout the supply chain.

Therefore, the essence of logistics is the flow of material goods and services from their place of origin to the final customer (consumer). The aim is to ensure the adequacy of place (moving goods to places where there is a demand for them) and time (maintaining the right stocks levels and proper distribution of goods/services).¹¹ An efficient and effective implementation of logistics objectives is

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Journal of
The Maharaja Sayajirao University of Baroda

Certificate of Publication

Certificate of publication for the article titled:

**RISK PROFILING VARIOUS INVESTMENTS: A CRITICAL REVIEW OF EXISTING
LITERATURE**

Authored by

Reva Prasad Mishra

Department of Management, Dr. A. P. J. Abdul Kalam University, Indore (M.P.)-452016, India

Volume No .55 No.1(XIII)-2021

Approved in

Journal of The Maharaja Sayajirao University of Baroda

ISSN : 0025-0422

(UGC CARE Group I Journal)

Impact Factor = 5.30



Journal MSU of Baroda

Journal of the Maharaja Sayajirao University of Baroda ISSN : 0025-0422

RISK PROFILING VARIOUS INVESTMENTS: A CRITICAL REVIEW OF EXISTING LITERATURE

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Abstract

At present time, huge varieties of financial products are available in the market that is providing wide range of opportunities to the investors to make investments. At the time of making an investment or buying a financial product either tangible or intangible, an investor is making money safe for the future. An investor also considers the factors that can affect his/her decision of investment. The first thing that comes to mind while making an investment is the rate of return as well as the risk involved in making that investment. Both financial as well as investment decisions are affected by the risk associated with it. Confidence of the investor and the tolerance of the risk are important concepts that need to be studied. Tolerance of risk is the property of the investor's preference. Factors of risk elements of an individual investor are of great interest in behavioral finance. The decision of investment is dependent upon how much capacity of risk they can bear.

Key words: Investment, Risk Tolerance, investment objectives, Investor Perception, decision making, risk factor.

1. Introduction:

Investors need to understand the proper method of investment while planning for investing their salary or income. No investment comes without a risk, but it depends on how he has designed to act accordingly. Investment planning requires a lot of consideration and comes with various dos and don'ts that an investor needs to follow while planning to have a settled future [1].

. If the convenience of passive investing is what you need to get started, the trade-offs are well worth it because not getting started (as a pre-investor) is even worse. A disadvantage of passive investing is the lack of control over the financial future. Owing to its passive nature, it ignores specific risk control strategies and overlooks the value-added opportunities available only to those with higher expertise. As a result, passive investors face greater risk and, as a result, lower returns [2].

The new segmentation model proposed here is unique in that it incorporates psychographic variables from psychology and cognitive finance ('rationality,' "risk tolerance," "overconfidence," and "optimism"). This paper suggests a normative market segmentation theory that considers significant implementation problems. From the perfectly discriminating monopolist to the mass marketer, the principle is viewed as a multistage statistical model of the broad spectrum of segmentation possibilities. The theory's most important consequences for market segmentation strategy philosophy and implementation are thoroughly examined [3].

Journal of the Maharaja Sayajirao University of Baroda ISSN : 0025-0422

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Wesleyan Journal of Research

An International Research Journal

ISSN : 0975 - 1386

CERTIFICATE OF PUBLICATION

This is to certify that

Reva Prasad Mishra

Department of Management, Dr. A. P. J. Abdul Kalam University, Indore (M.P.)-452016, India

for the paper entitled

**INVESTORS' DEMOGRAPHICS AND OTHER CRITICAL FACTORS AFFECTING
INVESTMENTS: AN ANALYTICAL STUDY**

Volume No. 14 No. 29 :2021

University Grants Commission

in

Wesleyan Journal of Research

Impact Factor: 6.5

September 2021

UGC Care Approved, Peer Reviewed and Referred Journal





INVESTORS' DEMOGRAPHICS AND OTHER CRITICAL FACTORS AFFECTING INVESTMENTS: AN ANALYTICAL STUDY

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Abstract

The performance of investment generally shows the outcome of an investment done and it depends upon several factors. While making an investment, different investors behave differently. During the decision of making an investment, behavior of investor is influenced by many factors. Demographic profile of an investor also influences the decision made by the investors. Thus, it is necessary to examine the influence of demographic elements on the pattern of investment. This research work tries to identify the significance of the demographic elements such as age, gender, occupation, education, income, size of the family, savings, etc. over different factors of investment decisions such as priority based on the features of investment, time of investment, reach of source of information, frequency, and analytical abilities. The marketers as well as the designers of financial products must take care of the demographic variables of the investors. The relationship between the demographic factors and the type of investment has also been studied.

Keywords: Demographic, Investment, Risk, Return, Investor, Preference

Article History

* Received: 02/09/2021; Accepted: 26/09/2021

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1. Introduction:

A stockholder's sole aim is to maximize their benefit. Savings and investments are for a more secure future. No financial institution would inspire a person to invest by jeopardizing their existing standard of living. It's critical to take pleasure in the act of seeing the money rise against the target. To do so, a person must first determine their risk threshold, which varies as often as people's fingerprints. Instead of relying on a bank or financial institution official to determine the risk profile and recommend plans based on that (often biased), a person can do it on their own online or by asking a series of questions.

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[37]

TO STUDY THE IMPACT OF INCOME ON PURCHASE OF HEALTH INSURANCE**S. Tiwari and R.P. Mishra**Department of Management, Dr. A.P.J. Abdul Kalam University, Indore, M.P., India
Corresponding Author: tiwari_saurabh002@yahoo.com**ABSTRACT**

With opening up of the insurance sector competition increased among the public and the private players and with the increase in competition the business in the sector also increased tremendously. Satisfying the customers is the primary objective of all the companies nowadays, especially the service sector. There are numerous studies that have looked at customer satisfaction in the service industry. Satisfaction is equated with the well or better performed function of a business to the expectation of the customer. The literature on satisfaction indicates that a satisfied customer will create repeat purchase, favorable word of mouth recommendation, increased loyalty, and therefore, profits to the company. A satisfied customer is the cheapest method of promotion as there is always hope that they will share with others their experience of the service, thus promoting the service. The current Insurance Industry in India, taking benefits of optimistic conditions in the economy, has seen a remarkable expansion by leveraging LPG policy (Liberalization, privatization, Globalization). It is important to understand the various factors that influence the purchase of health insurance policy in India. This paper tries to find out the impact of income on the purchase of health insurance.

Keywords: Health Insurance, Income**1. Introduction**

The rich just as poor, male just as female and youthful just as old, being determined to have an ailment and wanting to be hospitalized can be an intense trial. Heart issues, diabetes, stroke, renal disappointment, malignant growth – the rundown of way of life illnesses simply appear to get longer and more normal nowadays. Fortunately, there are more strength emergency clinics and expert specialists – yet all that includes some significant pitfalls. The very rich can bear such costs, yet shouldn't something be said about a normal working-class individual. For a disease that requires hospitalization/medical procedure, expenses can without much of a stretch run into five-digit bills. A Health protection strategy can cover such costs generally. Peruse why Health Insurance is more significant these days contrasted with old days Health is a basic liberty, which has likewise been acknowledged in the constitution. Its openness and reasonableness must be safeguarded. While the wealthy portion of the populace both in provincial and metropolitan regions have worthiness and moderateness towards clinical consideration, simultaneously can't be said about individuals who have a place with

helpless section of the general public. It is notable that over 75% of the populace uses private areas for clinical consideration sadly medical care becoming costlier step by step and it has gotten practically far from the needy individuals. Today there is need for infusion of considerable assets in the wellbeing areas to guarantee reasonableness of clinical consideration to all.

Protection is an agreement (strategy) that assists a person with decreasing the likely monetary misfortune or difficulty by getting a repayment against misfortunes from an insurance agency. Protection is the principal way for organizations and people to decrease the monetary effect of a danger happening. It is a social gadget which has become a driving mainstay of a country's danger the board framework. It is comprehensively ordered into life, wellbeing and non-extra security. Life protection offers monetary help to a family if there should be an occurrence of death of a relative. General Insurance or non-life coverage incorporates autos, property holders and health care coverage strategies. The graph below depicts the growth of health care in India.

An enormous number of Indians which remembers ladies and kids for huge extent kick the bucket each year because of absence of wellbeing offices. The significant extent of Indian populace lives in country regions and they don't have legitimate clinical offices in light of the fact that 75% of specific and better administrations are situated in metropolitan regions. Alongside these individuals living in country regions are poor and are living underneath the neediness line so it's hard for them to spend in exorbitant clinical benefits. Regardless of whether the clinical benefits or prescriptions are accessible free it isn't feasible for them to go as the closest essential medical services communities are situated a long way from their towns.

6. Conclusion

Health care coverage has become inescapable nowadays. Fundamental

conveniences of human life, to have food, sanctuary and attire should be reached out by adding medical care and cover. To keep up with himself for living individual need to make himself fit but approximately predictable wellbeing emergency disturb shall bear some time or until the end of time. It's smarter to manage up with the odd as opposed to trusting that the mis-happening will go on. However, for handling with disease, clinical expense becomes unavoidable. These clinical expense either to be borne by method of profiting some friendly/legislative guide or more often than not from individual pocket. Nonetheless the realities are exceptionally unpleasant. Realities have been canvassed in after two emphases stress disappointment of a being to take inventive.

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A STUDY OF FACTOR INFLUENCING THE EMPLOYEE EROSION "SPECIAL REFERENCE OF HIGHER EDUCATION"

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Abstract- Employee retention strategy includes various measures to ensure an employee stays in an organization for the maximum period of time and feeling themselves as a part of an organization and refers to policies and practices used to prevent valuable employees from leaving their jobs. The study explores to identify the main factors of retention management strategies in organizations. The data was collected with the help of a wellstructured questionnaire from 120 employees working in an organization. This study has recognized that some of the factors do affect the employee retention. These factors have a substantial role to play in making employee stay i.e. salary, rewards, and recognition, compensation, retirement benefits plan, promotion, involvement in decision making and in designing retention strategies. In order to rectify the above shortcoming allowing employees to participate in decision-making and in designing retention strategies can be one of the non-financial incentives.

Keyword: Attrition, Job satisfaction, retention, cost, and benefit.

1 INTRODUCTION

Jobs are essential for the employees but for an employer, retention is even more important than hiring. This is true, as many employers have underestimated costs associated with costs of key staffs. Employees are an important resource in any organization, as they positively contribute to the execution of organizational objectives and mission. Through employee retention, we can encourage employees to remain in the organization. Every organization spends time and money to mentor a new employee and to improve their knowledge and skills. But when the fully trained employees leave their jobs, the organization is completely at a loss. When a business loses, employees, it loses skills, experience and "Human Assets". The magnitude and nature of these losses is a critical management issue, affecting service quality. External, employment, and personal factors, which influence educator's decisions to stay, leave, or transfer from teaching assignments, are discussed, with emphasis on special educators. Factors attributed to teacher attrition in urban environments also are briefly revised, along with attrition of related services professionals. External factors affecting teachers include economic trends, institutional factors. Employment-related

variables include professional qualifications, work conditions, work rewards, and commitment. Personal factors include demographic, family, intellectual/affective variables and others. The following aspects of education sector environments have been found to be associated with teacher attrition: lack of administrative support, lack of collegial and parent support, and insufficient involvement in decision-making. Factors linked to job dissatisfaction among related service professionals in CIU (college institutions and universities) settings include salary improper distribution of work. Insufficient resources to work or office space, excessive, limited staff development, and separation from associates.

2 LITERATURE REVIEW

Shweta segwan (2014)ⁱ, A major concern for most of the organizations these days is to maintain its talented its employees. Attracting talent is not so difficult but retaining I pose a major challenge. India is also facing a major problem of attrition. It becomes very important for the organization to look into the reason that prompts an employee to leave the organization. This paper seeks to analyze the factor, which influences attrition, and suggest certain measures through which attrition may be controlled.



Analysis of Various Departments:
Analysis department wise study engineering department employees leaves change firstly in career compare to another department. Retention of jobs in a career is very low. The hypothesis of full fill according to research there is no policy of strategy attrition in the private segment second hypothesis is a fact of that no cost benefits for qualified employees. Apart from that according to object strategy to reduce attrition and analyse that cost benefits and employees for attrition of employees. First hypothesis proven that reduce attrition in private sector. And second hypothesis proven that no cost benefits for qualified and experience employees in private segments.

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ANTI- COMPETITIVE AGREEMENT UNDER EFFECT OF COMPETITION ACT 2002 AND 2018 (AMENDED) IN REFERENCE TO GROCERY GOODS AND TRADE

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“Everybody agrees that you want competition. But you have to have rules of fair competition if you want to have competitors to enter the market”
- Reed Hundt

Introduction

The Competition Act of 2002, which was enacted by the Indian Parliament, governs India's competition legislation. It was designed to substitute the outdated “Monopolies and Restrictive Trade Practices Act” of 1969. Under the Act, the “Competition Commission of India” was entrenched to prevent such acts that harm competition in India. This law applies to the entire country and is used for the “*implementation and enforcement of competition policy, as well as to prohibit and penalize anti-competitive business practices and excessive government participation in the market*”. Written and spoken agreements, arrangements, and agreements between firms or individuals are all subject to competition law. The Act intends to make it illegal to enter into agreements that hinder free trade and competition between two businesses. It prohibits market monopolies from abusing their power and gives entrepreneurs the opportunity to compete in the marketplace.

When doing business in India, it is illegal to enter into anti-competitive agreements. “Anti-competitive agreements” adversely affect the competition or cause “Appreciable Adverse Effect on Competition” (“AAEC”). Horizontal or vertical agreements are possible. However, the “Competition Act of 2002”, recognizes the rights of intellectual property and to protect them, their owners are permitted to set acceptable limitations. The “Competition Commission of India” (“CCI”) is now having the authority to require any corporation or individual to alter, stop entering into anti-competitive agreements and don't do it again, along with a penalty extending to “10% of the average turnover over the previous three years”. Given the CCI's clout, it's vital that businesses working in India are conscious of any accord that could be ruled as “anti-competitive.”

“Section 3 of the Competition Act 2002”

Any business or group is prohibited from entering into an arrangement that “*has or is likely to have an AAEC in India under Section 3(1) of the Act*”. An agreement that violates Section 3(1) is null and void, according to the Act 2002 and 2018 (amended).¹

¹. Section 3 of the Completion Act 2002