

RAYAT COLLEGE OF LAW, RAILMAJRA

**Research Profile: Books and
Chapters in Edited Books**

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Teacher Name: Dr. Monika Sharma

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Sr. No	Title of Paper/ Book /Journal	Name of the books	ISBN No. for Book/Journal Published	Remarks	Page No.
1.	Child Education: An Analysis	Matters the most : Creating an Environment Teaching that Facilitates Learning	978-93-88669- 46-7	National Book.	2
2.	Industrialization, Urbanization, Agriculture and Degradation of Water Resources	Trending issues in Agriculture and environment in Punjab	978-93-88669- 61-0	National Book	3-5
3.	White Collar Crimes	Criminal Law and Administration of Criminal Justice System	978-93-89678- 36	National Book	6-8
4.	Artificial Intelligence In Digital Education	Leading the Digital Way, 2021.	978-93-90459- 31-5.	National Book	9-11
5.	National and International Perspective of RTI Act 2005,	Right to Information: Key to good governance	978-93-86754- 47-9	National Book	12-14
6.	Entrepreneurial Avenues in Post Covid Environment	Entrepreneurship and Information Technology	978-3-96492- 469-8	Published	15-17
7.	Brain drain Problems in India	Migration to Abroad Issues and Challenges		Published	18-20
8.	Prison Reforms in India,	Criminal justice system and theories of punishment in India: Emerging issues and dimensions(National seminar)	978-81-930353- 2-0	Published	21-23

CHILD EDUCATION : AN ANALYSIS

Dr. Monika Sharma*

Education is a basic human right it gives a person dignity and self respect. A literate person has the courage and skills to face every challenge in his life. For the development of a nation it is necessary that its children must be educated. As India is a welfare State, therefore, it is duty of the State to provide free education to those children between the age group of six to fourteen years, free of cost. As only an educated person is able to elect government of a democratic country and he is aware about his rights and duties which make him a responsible citizen. For the development of a nation it is necessary that its citizens should be educated. Our legislature has passed a number of laws for providing affordable education to all. However this goal can be achieved only if people are aware about the importance of education.

Introduction

Rights means entitlements, it covers duties and goals. Generally, it means no discrimination, equity and to provide social justice. This perspective was adopted in the United Nations Convention on the Rights of the Child 1989; it was ratified by the government of India in the year 1992. A child means every human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier.¹ In India, the Census of India defines persons below the age of fourteen as children. It is pertinent to mention here that in India, the age at which a person ceases to be a child varies in different laws. The Declaration of the Rights of the Child 1924, adopted by the fifth Assembly of the League of Nations, can be seen as the first international instrument dealing with children's rights.²

The destiny of a nation is folded within its budding youth, as is the flower within the close embrace of the petals. That what our youth

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TRENDING ISSUES IN AGRICULTURE AND ENVIRONMENT IN PUNJAB : AN OVERVIEW ANALYSIS



DR. GORAKH SINGH

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INDSUSTRIALIZATION, URBANIZATION AGRICULTURE AND DEGRADATION OF WATER RESOURCES

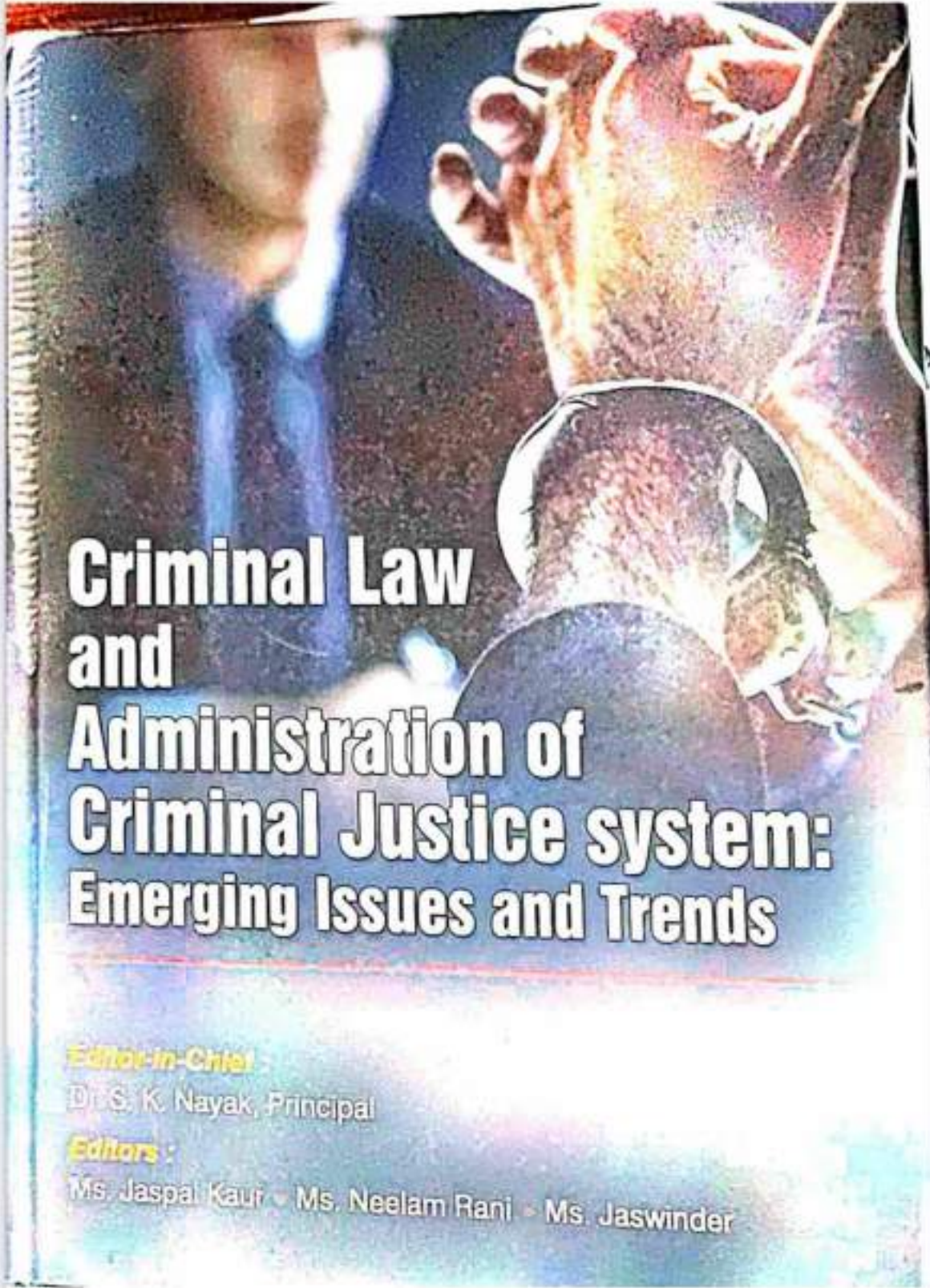
*Dr. Monika Sharma**

Introduction

The purity of ecology is must for the survival of living organisms on the planet earth. There is a myth, that indifferent attitude of man towards ecology would one day destroy the life itself. Everything on this planet whether man, water, air or other vegetation life is interconnected, therefore, fault in one would imbalance the whole structure. In the beginning the environment was almost in perfect balance. The ruthless destruction of nature started only, when Homo-Sapiens our forefathers got control over other species. When man became conscious of his ecology and its resources, which he needed to exploit for his own survival, he started making booties out of sportulas of nature.¹ During post medieval period industrial revolution took place, due to this, in the West the capacity of man to exploit and pollute environment increased tremendously. In this blind race of progress, man forgot, that nature as we have inherited it, is perhaps the most complicated machine in the world. Each part and component of this machine is so well turned and adjusted that any dislocation of one part leads to an imbalance in the entire machine.² Today society's interaction with the nature is so extensive that environment question has assumed proportions affecting all humanity.³

Water is the web Of Life of all species, whether human beings, animals biotic or nor - biotic. Pure water which is a gift of human kind is badly affected by man himself. Actually the pollution of water started in the middle of 1800s, due to disposal of human wastes in nearby

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The background of the book cover features a blurred image of a person in a dark suit and white shirt. In the foreground, a person's hand and forearm are visible, wearing a metal handcuff. The overall color palette is dark with some highlights, giving it a serious and legalistic feel.

Criminal Law and Administration of Criminal Justice system: Emerging Issues and Trends

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WHITE COLLAR CRIMES

Dr. Monika Sharma Gursimran Kaur***

Introduction

The concept of crime is essentially concerned with the social order. The crime is prevailing in the society from the very inception of civilization. The concept of crime is not static, but keep changing with the transformation of society. Offences are divided into two categories e.g., traditional and socio-economic offences. These offences are known as public welfare offences, regulatory offences, strict liability and white collar crimes. These offences are mostly committed by upper and middle classes. A number of laws have been enacted to down play this evil.

Man by nature is a fighting animal, hence, to think of a crimeless society is a myth. Truly speaking there is no society without the problems of crime and criminals. The concept of crime is essentially concerned with the social order.¹ Ever since the dawn of human civilization crime has been a baffling problem, however, the concept of crime keeps changing with the social transformation. Offences are divided into two categories, Traditional offences e.g. theft, murder etc. and Socio-Economic offence, these are new forms of offences and popularly known as white collar crime, this name to socio-economic offence was given by Sutherland however, these crimes are also known as regulatory offences, public welfare offences and crimes of strict liability. These types of offences are generally committed by upper and middle class people in the course of their employment, business, profession etc. the incidence and magnitude of these offences is much greater in developed countries than in developing countries. Even the under developed countries are not free from this vice.²

Factors

The economic and industrial growth throughout the world has perhaps been the most potential cause of increase in white collar crimes in recent years. The changing socio-economic scenario of the society coupled with increase in wealth and prosperity has furnished opportunities for such crimes.³ No doubt white collar criminality has become a world phenomenon due to advancement of commerce and technology. India is not far behind and is also in grip of it, the main cause of increase in these crimes in India is fast developing economy and industrial growth. The Santhanam Committee Report in its findings gave a vivid picture of white collar crimes committed by persons of respectability such as businessmen, industrialist, contractors and suppliers as also the corrupt public officials.⁴ The

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LEADING The Digital Way

DR. INAYAT CHAUDHARY

DR. SARIKA KANJLIA



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Artificial Intelligence in Digital Education

Monika Sharma

Abstract

Technology with time has integrated itself into various aspects of our life. It is omnipresent and has automated or led to easing various fields globally. The impact of this is visible in education as well with various institutes moving towards E-learning or smart class modules. Technology has also enabled education to take place even during the COVID-19 global pandemic. The latest trend in integrating technology with education comes in the form of Artificial Intelligence or AI for short. AI refers to intelligent machines which are created to mimic human activities such as learning, problem solving, speech recognition and much more. These capabilities can be used in the education sector to personalize learning plans for students individually and better foster their growth. Furthermore, various administrative tasks such as correction of multiple-choice papers or even exam scripts wherein uniform answers are expected can be automated. However, there are also various limitations and concerns associated with implementing AI in this sector especially since it is likely to lead in increased screen time for students. This paper evaluates the current position of AI in the educational sector, highlighting some of its merits. Over the past decade, Artificial Intelligence (hereafter referred to as AI) has been widely adopted globally due to its high potential of automating tasks and easing work load on employees. According to a report by McKinsey (2019), AI has achieved a 25 percent year on year growth in adoption rates for business. 44 percent of these have reported decreased costs from this adoption. This potential has been

Right to Information: Key to Good Governance

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National and International Perspective of RTI Act 2005

Dr. Monika Sharma* and Sohnu**

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The renowned French philosopher Michel Foucault once opined, "Information is Power, power is derived from knowledge and information is the basic component of knowledge. Information makes men wise and it is competent enough to cope up with the modern world", it is the duty of every government to inform their citizens about day to day happening whatever within the government. The transformation from governance to good governance is possible, if there is possibility of increasing participation of people in governance and free access of information. Access to information is fundamental for the growth and sustainability of a government. By realizing this fact, at national and international level we have enacted laws relating to provide information to every citizen for make government, accountable, responsible, efficient and transparent. So under this research paper research will highlight the nation and international perspective of RTI, relevancy of RTI and also how judiciary enlarge the scope of RTI in India. In order to achieve this objective doctrinal method of research will be adopted. Various books, articles, Supreme Court judgments and Law Commission Reports will be referred as Secondary Sources of data.

—Meaning of RTI

Right to information means to get information from public authorities. Under RTI Act, 2005, facilitates all Indian citizens to seek information from public authorities including central, state and local governments, Parliament and state legislatures, police, police, security forces and all bodies substantially financed by the government. By using this enormous power properly they may improve the standard of transparency in India. Information means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by public Authority under any other law for the time being in force¹.



ENTREPRENEURIAL AVENUES IN POST COVID ENVIRONMENT

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CHAPTER -3

ENTREPRENURSHIP AND INFORMATION TECHNOLOGY

Monika Sharma, Ajitabh Mishra

ABSTRACT

The twentieth century has witnessed many scientific discoveries and inventions that have revolutionised our life. They have led to the creation of mechanisms and artefacts which have made our life more efficient, smooth and comfortable. As in our country the economy is labour intensive and at the time when computer was introduced in the country, it was apprehended that the use of computers may drive our large working force out of employment. But with the passage of time their technology has generated large scale employments. The definition of technology encompasses the utilization of discoveries and innovations to meet the demands and wants of people. This refers to the employment of tools, machines, methods, and energy sources to enhance work efficiency and output. Industrial technology helps people to achieve their goals and objectives. Technology also brings the facility of the Internet or the stage on which a person can present his/her skill in front of the world quite easily do E- Business in various fields as technology makes it simple to found the workforce, resources and sources for any start-ups and also it educates about the aspect like tax holidays and various relaxation in government policies etc. to begin the new business and become the entrepreneur. The aim of this research paper is to examine the effect of technological advancements on the growth of entrepreneurship and all related aspects. The objective is to make the study useful for a wide range of audiences including the general public, scholars, legal experts, and public authorities by providing valuable recommendations. To achieve this goal, the research will adopt the doctrinal method.

Keywords: *Entrepreneur, Industrial technology, E-Business*

INTRODUCTION

From the era of Stone Age to the modern times the development in all the fields depicts the technological development in human life. Technology means special skill, process and method which is used to achieve some objects or produce some goods and services. The most important gift which is given to human race is the application of mind and creativity and to accomplish the creation the technique or the technology is required. Entrepreneurship is making or designing and launching a new business which may initially be small business but become big as the demand arises in the market. The technological advancement is the backbone of the Entrepreneurship as the entrepreneurs are by using new technique will able to create a new product or generate a new business. Nowadays the government is also supporting the new start-ups and the youth of India is tilting towards to become the entrepreneurs. Today, the development of the country is also seen by its industrial development and the technological development is boosting towards the entrepreneurship in India.

INTERPRENURSHIP

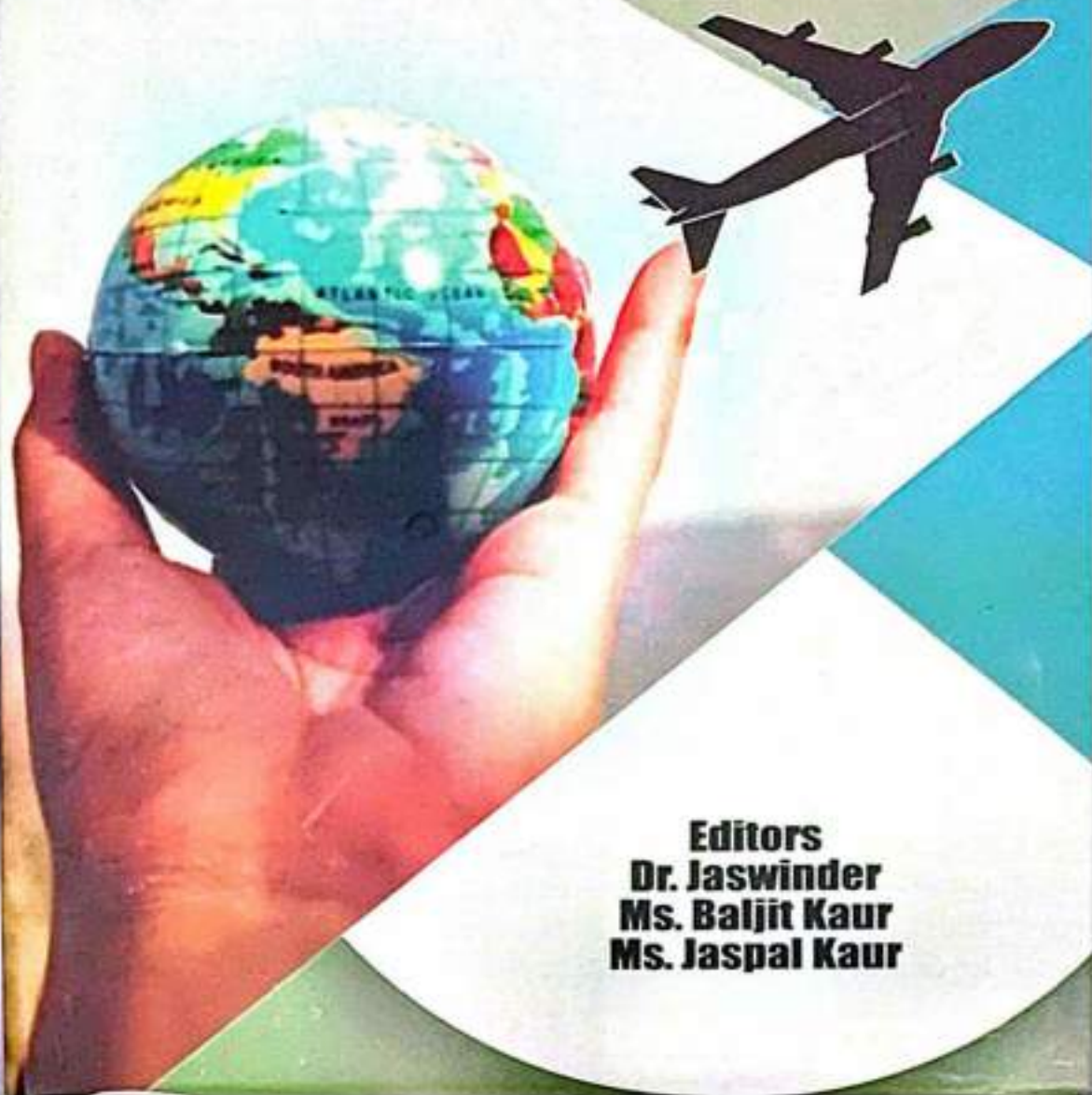
Pre- Independence era

To understand whether the state in India has acted as an instrument of domination or mediation we have to see whether it has acted mainly as an entrepreneur in the general interest of all, or to understand if the emergence of entrepreneurship has resulted in domination by certain castes or classes, it's important to examine the history of individual entrepreneurship in India both before and after independence. In the following discussion we shall first take up entrepreneurship in pre-independent India, following which we shall consider the post-independent India.

Migration to Abroad

Issues and Challenges

Chief Editor
Dr. Shweta Dhand



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Brain Drain Problem in India

Dr. Monika Sharma*

Abstract

Every person wants to stay in the country of his / her birth, because it is not easy to adjust oneself in new country, where everything is different, for example, habits of people in another country are different, their social set up, culture is different. At present we can witness large number of people are migrating abroad from India in most of the cases in search of work as in India they find it difficult to earn their livelihood and live a dignified life as without work it is impossible to take care of oneself and one's family. Talent must be utilized in the nation of birth, to achieve this in India such policies should be made that sharp minds may not migrate to abroad.

Key Words: Brain Drain, Phenomenon, Dignified, Talent.

Introduction

The term Brain Drain means flight of talent from one country to another. It means migration of literate people from the place of their birth as they do not get job in their native country due to depletion of resources in their country. This menace was prevailing in India during medieval age. When great conquerors carried away not only hoards of gold, silver and other precious metals from the country after its invasion but also took away their human resources of genius. This problem also arose during second world war as during the war years the industrially advanced nations of the world, e.g. the United States of America, Britain, the Soviet Union[before partition of it] and Germany took great strides and registered phenomenal progress in the field of scientific research in pursuance

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National Seminar



On
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PUNISHMENT IN INDIA: EMERGING ISSUES AND DIMENSIONS**
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PRISONERS' REFORMS

*Kanika Sharma and Dr. Monika
Rayat College of Law*

ABSTRACT

The prison system in our country is now been improved much. In general effects of imprisonment are the nature of the progressive weakling of mental powers and of a deterioration of the character in a way which render the prisoners' life fit for useful social life and in consequence more liable to reconviction. The idea of the prisons as comprehensive methods for the reformation of the inmates was advanced in America and Europe. But in the previous time, the prison condition was not so good. Now, in Indian prison, the caring of the prisoners are better and even been improved as we compare with the ancient time. For the reformation in India, many of the steps are being taken so that it could be possible in India as per in the other countries. For this, the education system and its all facilities have been combined with the prison systems so that the prisoners could get the education, so that they can live their life when they come out from the prison and live their life respectfully. Through the education the prisoners can learn the socialism and learn how to behave with the people living in the society. Thus, through the education system collaborations with the prison, the reformation in India may be possible and also by the proper management and caring of the prison systems and the prisoners in Indian prison system.

Introduction

Punishing the offenders is a primary function of all civil societies. The drama of wrong doing and its retribution has indeed been an unending fascination for human mind. However, during the last two hundred years, the practice of punishment and public opinion concerning it has been profoundly modified due to the rapidly changing social values and sentiments of the people. Thus, punishment can be used as a method of reducing the incidence of criminal behaviour either by deterring the potential offenders or by incapacitating and preventing them from repeating the offence or by reforming them into law-abiding citizens. And the objective of punishment can only be achieved by the prison institution.

The existence of prisons can be traced back to the ancient period. Initially there was a belief that rigorous isolation and custodial measures would reform the offenders. In due course it is being substituted by the modern concept of social defence.

Development of Thought:

Custody, care and treatment are the three main functions of a modern prison organization. For over 100 years, there was emphasis on custody which, it was believed, depended on good order and discipline. The notion of prison discipline was to make imprisonment deterrent.

Consequently, hard punitive labour with no regard for the human personalities and severe punishments were the main basis of prison treatment. More than 40 prison offences have been listed in the jail manuals of many States and any infraction was visited by quite a few barbaric punishments.

Gradually, the objective of imprisonment changed from mere deterrence to deterrence and reformation. This led to the abandonment of some of the barbaric punishments and introduction of the system of awards for good work and conduct in the form of remission.

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Designation- Associate Professor (History)

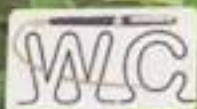
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A CASE STUDY OF THE COLONIAL SOUTH-EASTERN PUNJAB

Dr. Mahender Singh



AGRARIAN SOCIETY IN TRANSITION



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**SOCIO-ECONOMIC AND CULTURAL ISSUES OF
CHILD RIGHTS IN INDIA**

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Prof. (Dr.) Rattan Singh
Dr. Jai Mala

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ROLE OF JUDICIARY IN PROTECTION OF RIGHTS OF CHILD LABOUR IN INDIA

***Dr. Akashdeep Singh**

**** Disha Khullar**

INTRODUCTION

Children are the extreme gift to nation and childhood is a crucial and susceptible stage of human development as it influences the potential to the future development of any society. Because of its tender age, child needs protection against moral, physical harm & exploitation by others. Child needs appropriate care to comprehend its full potential for growth and development. In various divergent conditions, many children are struggling for the basic needs of survival. Child labour attributes to the employment of children in any work that divest children of their childhood. The rights of the children are needed to be protected. There are various laws enacted for the protection & promotion of rights of child labour. A society that is carrying for child exhibits the signs of development and maturity.¹ Children are the greatest gift of future so, our society needs to understand that children are protected from every kind of exploitation.²

CHILD LABOUR

"CHILD" means a person who has not completed the age

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1) P. Ishwara Bhat, "Law child welfare & Social Transformation" ⁴
Gourav Jain V. Union of India, A/R 1997 SC 3021.

2) Sec 2 (ii) The child labour (Prohibition & regulation Act, 1986)

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E-LEARNING DURING LOCKDOWN

Disha Khullar

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Rayat College of Law, Raialmajra, Punjab

Introduction

The corona virus pandemic has created the chaos all around our world. The academic calendar all around the globe has been disturbed. Caught in the whirlpool, some parts of the urban Indian education system have turned towards delivery of education via the internet — or online education.

In lieu of the lockdown to prevent COVID-19 pandemic from community spread, every place including schools, colleges and Varsities are closed. In point of the fact, they were shut down a week prior the imposition of lockdown. Adopting new ways to continue with the learning process, schools and all the educational institutions are using technology to the optimum to keep the students engaged at home so they may learn constructive things.

Technology has changed into a blessing during the Covid-19 lockdown period. In this digital era where everyone has been asked to maintain a social distance as of pandemic, the technology has helped a lot in making sure that students do not get any problem in pacing up with Academics. In view of the Covid-19 outbreak around the globe, one and all are incorporating the best measures to make sure that the virus may be contained at it's best. Had there been no provision of e-learning students would have gotten to bear the loss in their studies.



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Role of Government in Promoting Corporate Social Responsibility

*Dr. Akashdeep Singh, Associate Professor in Law, Rayat College of Law,
Affiliated to Punjab University, Chandigarh, Punjab, India*

ABSTRACT

Corporate Social Responsibility (CSR) is a type of international business self regulation model that seeks to contribute towards society's goal of philanthropy, charity and social work by extending support to people and associations engaged in the same. It helps a company in being socially accountable to itself, its stakeholders and the public at large. Initially, CSR was seen as an internal matter and policy or a corporate ethic strategy. However, with passing time, different international laws were passed and developed to push it beyond individual or even industry level and make it a wide initiative. Over the past many decades, it has moved from certain voluntary decisions made by the company to becoming mandatory at the regional, national and international levels. CSR is generally considered to be a private firm policy. It must align and be integrated into a business model in order to be successful. By practicing CSR, also called corporate citizenship, companies are made aware of the kind of the impact that they have on society, economy and the environment. This paper seeks to highlight the need of corporate social responsibility and the role of government in promoting it.

Keywords: *Corporate Social Responsibility (CSR), Corporate Citizenship, Business Ethics, Companies Philanthropic, Corporate Social Performance.*

INTRODUCTION

The phrase Corporate Social Responsibility (CSR) has been coined by H. Bowen in his book titled Social Responsibility of Businessmen. Since the CSR has been the subject of considerable debate among scholars and

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Human Rights in India: Expanding The Horizon

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Human Rights and National Security in Present Scenario: Co-related or Contradictory

Akashdeep Singh and Parveen Kumari

Introduction

After the Second World War, the United Nations ('UN') brought human rights firmly into the sphere of international law in its own constituent document, the UN Charter, 1 in 1945. The purpose for the inclusion of human rights in UN charter was the promotion and encouragement of human rights and fundamental freedoms. The principles laid down in Universal Declaration on Human Rights 1948 are not universally accepted but these salient features are reflected in the constitutions of most nations. In most of these constitutions, specific chapters are dedicated to human rights and its protection (Sarah Joseph & Adam Mc Beth, 2010).¹

The concept of national security is a norm that all governments around the world jealously guard, protect and hold on to tenaciously. National security is seen by most of the states and governments as being critical and at the root of their existence as nation states. It is believed in most states that a compromise or violation of their national security would not only lead to a breakdown of law and order but that the very foundation of their existence as a nation state could be irreparably compromised (Prabhakaran Paleri, 2008).²

In the context of India, there is an urgent need to reconcile national security concerns and respect for human rights. Admittedly, spiraling violence, growing criminality, a proliferation of small arms, terrorism and increased militancy pose serious security concerns (Namrata Goswami, 2015).³ Focused specially on reconciling security and human rights this paper argues that protection of national security will only be further secured with protection of human rights.

What are human rights

Human beings are rational beings. They possess certain basic and inalienable rights which are commonly known as human rights. Human rights, being the birth right, are therefore inherent in all individuals irrespective of their caste, creed, religion, sex and nationality (H.O. Aggarwal, 2007).⁴ These rights are essential for all individuals as they are consonant with their freedom and dignity and are conducive to physical,

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Maintenance Rights For Women In India:

A study of judicial trends



Mumtaz zabeen khan



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Intimacy and Boundaries: Exploring Privacy Dynamics in Sexual Relationships

Vijay Kumar Pandey and Mumtaz Zabeen Khan

Abstract

Privacy in sexual relations contribute to the development of a society that respects and upholds the rights of individuals to make informed, consensual decisions about their sexuality and intimate relationships. Various domestic laws in most of the developed and developing countries have recognized the rights of transgender individuals and emphasized the importance of providing equal rights, protection, and recognition to transgender and gender-diverse individuals, contributing to broader sexual freedom and inclusivity. It is important for individuals to be aware of their rights regarding privacy in sexual relations, communicate openly with their partners about their boundaries and expectations, and seek legal assistance if their privacy rights are violated. Additionally, education and awareness about consent, privacy, and healthy relationships are essential to promote a culture of respect and understanding in society. Respecting and upholding the right to privacy within the context of sexual and reproductive health and rights is crucial to promoting autonomy, dignity and well-being. It contributes to a society where individuals can exercise their choices free from fear, coercion, and discrimination.

Keywords - Privacy, sexual, education, freedom, couple, transgender.

Introduction

Privacy is a fundamental human right that encompasses a wide range of personal matters, including sexual relations. It involves the right to keep certain aspects of one's life, including intimate relationships, confidential and protected from unwanted intrusion or

REFLECTIONS OF SOCIO-LEGAL ASPECTS OF LAW, HEALTH AND TECHNOLOGY

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RIGHT TO HEALTH: INDIAN LEGISLATIONS AND INTERNATIONAL PROSPECTIVE

Mumtaz zabeen khan *, Champa devi **

INTRODUCTION

Our country's parliament, which is the highest political body, has always been active to meet the needs of a changing society. People's social habits are changing quickly because more people are moving to cities and making more things. The most important component is that, as society changes, the law needs to change to protect the interests of weaker groups and people who are already in a bad position. By passing laws that help people, the Indian Parliament had already done a lot to improve people's social lives. These laws are written so that we can reach the goals set out in our Constitution. Different laws were created to protect specific types of people, such as women, children, workers, etc. Besides the goals that are set out in our Legislature, it also gives us a number of basic rights. Since health is one of the most important basic rights, specific laws need to do more to protect it. Our Constitution also says that the government has to make sure everyone is healthy and gets enough to eat. Before independence, there were a lot of people dying from diseases, and the health care system was in bad shape. But since independence, health care has been the most important thing. Several laws have been passed to make this possible. In this chapter, the researcher talks about how different laws in India protect the health of its citizens as a human right.

Health-related constitutional provisions

Our country's primary source of law is the Constitution, which in itself provides for people's health care. The Preamble to the United States Constitution has two purposes: -

A) It denotes the source of authority derived by the Constitution.

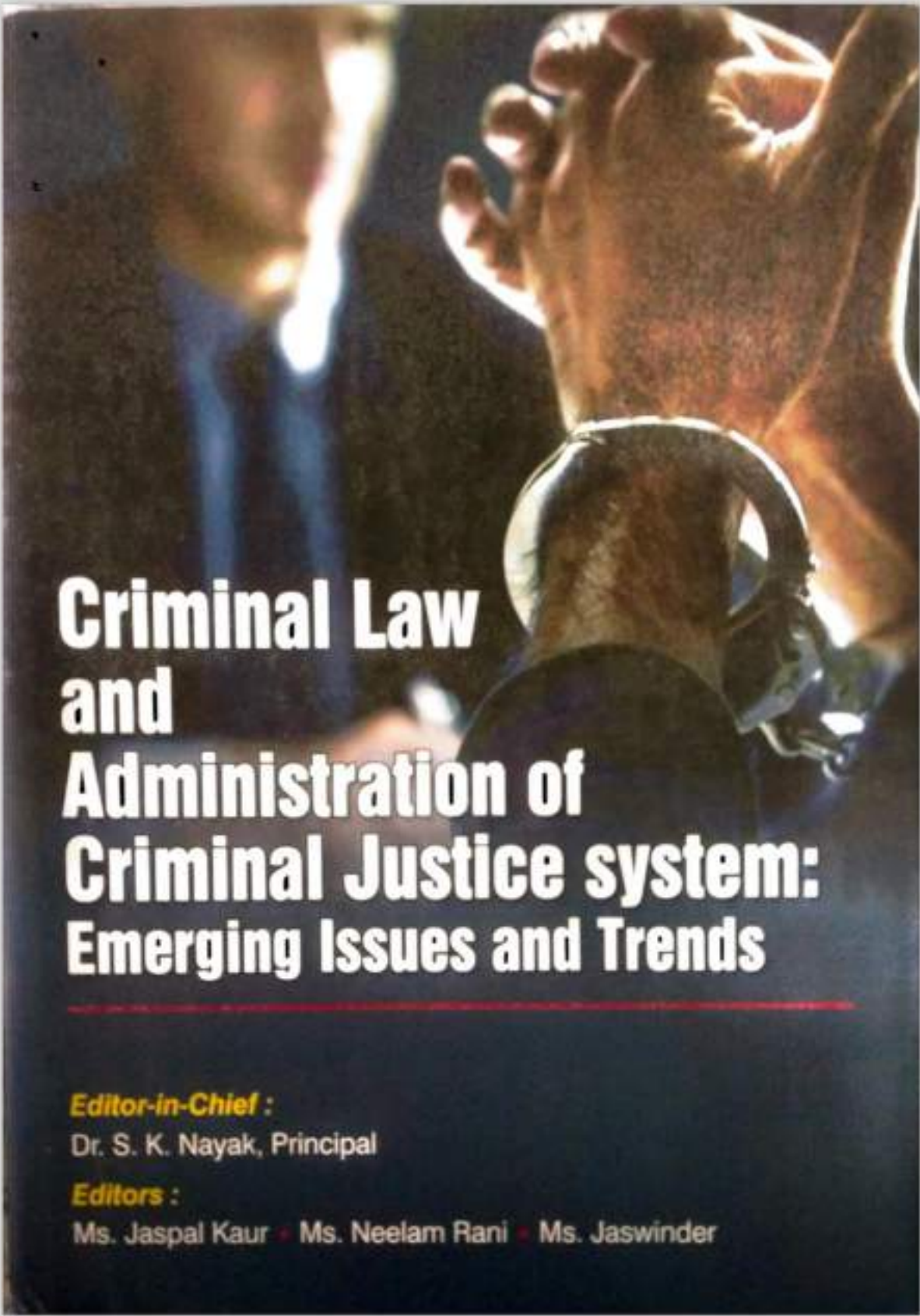
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CUSTODIAL VIOLENCE: AN INDIAN PERSPECTIVE

Mr. Sohnu Saini* Hardeep Kaur**

Introduction

Custodial torture ranging from assault of various types to death by the police for extortion of confessions and imputation of evidence are not uncommon. Such a method of investigation and detection of a crime, in the backdrop of expanding idea of 'humane' administration of criminal justice, not only disregards human rights of an individual and thereby undermines his dignity but also exposes him to unwarranted violence and torture by those who are expected to 'protect' him.¹

The 2015-2016 NHRC Annual Report states:

Custodial violence and torture continue to be rampant in the country. It represents the worst form of excesses by public servants entrusted with the duty of law enforcement.

The Supreme Court of India's judgement in the case of *Munshi Singh Gautam and others vs the State of Madhya Pradesh*² perhaps summarises the best how Courts have expressed concern about violence in custody over the years:

The dehumanising torture, assault and death in custody which have assumed alarming proportions raise serious questions about the credibility of the rule of law and administration of the criminal justice system... the concern which was shown in Raghbir Singh case more than two decades back seems to have fallen on deaf ears and the situation does not seem to be showing any noticeable change.

The aforementioned statements by these institutions are enough to believe the existence of torture in the country. But as the Supreme Court judgment indicates that despite formulation of different guidelines and stress of various judgments that protection from torture is a fundamental right enshrined under Article 21 (Right of Life) of the Indian constitution - State and its forces including police have remained adamant to continuously inflict torture on persons in custody. Neither the Indian State is interested in documenting the cases nor has it been concerned to take measures towards prevention and prosecution in incidents of torture.

Causes of Custodial Violence

The basic cause for such an unfortunate situation is that the powers which are given to the police to carry out their legitimate and essential functions are capable of being abused to torture their fellow beings to destroy lives and property and oppress and intimidate the weak³. Some of them are:

1. Work Pressure

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Right to Information:

Key to Good Governance

Dr. Virender Negi
Dr. Monika Negi



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National and International Perspective of RTI Act 2005

Dr. Monika Sharma* and Sohnu**

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**Assistant Professor, Rayat College of Law, Railmagra, SBS Nagar, Punjab

The renowned French philosopher Michel Foucault once opined, "Information is Power, power is derived from knowledge and information is the basic component of knowledge. Information makes men wise and it is competent enough to cope up with the modern world", it is the duty of every government to inform their citizens about day to day happening whatever within the government. The transformation from governance to good governance is possible, if there is possibility of increasing participation of people in governance and free access of information. Access to information is fundamental for the growth and sustainability of a government. By realizing this fact, at national and international level we have enacted laws relating to provide information to every citizen for make government, accountable, responsible, efficient and transparent. So under this research paper research have highlight the nation and international perspective of RTI, relevancy of RTI and also how judiciary enlarge the scope of RTI in India. In order to achieve this objective doctrinal method of research will be adopted. Various books articles, Supreme Court judgments and Law Commission Reports will be referred as Secondary Sources of data.

—Meaning of RTI

Right to information means to get information from public authorities. Under RTI Act 2005, facilitates all Indian citizens to seek information from public authorities including central, state and local governments, Parliament and state legislatures, judiciary, police, security forces and all bodies substantially financed by the government. By using this enormous power properly they may improve the standard of democracy in India. Information means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force¹.

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HUMAN RIGHTS IN INDIA

Expanding The Horizon

Edited By

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Human Rights in India: Expanding The Horizon

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10

Human Rights and National Security in Present Scenario: Co-related or Contradictory

Akashdeep Singh and Parveen Kumari

Introduction

After the Second World War, the United Nations ('UN') brought human rights firmly into the sphere of international law in its own constituent document, the UN Charter, 1 in 1945. The purpose for the inclusion of human rights in UN charter was the promotion and encouragement of human rights and fundamental freedoms. The principles laid down in Universal Declaration on Human Rights 1948 are not universally accepted but these salient features are reflected in the constitutions of most nations. In most of these constitutions, specific chapters are dedicated to human rights and its protection (Sarah Joseph & Adam Mc Beth, 2010).¹

The concept of national security is a norm that all governments around the world jealously guard, protect and hold on to tenaciously. National security is seen by most of the states and governments as being critical and at the root of their existence as nation states. It is believed in most states that a compromise or violation of their national security would not only lead to a breakdown of law and order but that the very foundation of their existence as a nation state could be irreparably compromised (Prabhakaran Paleri, 2008).²

In the context of India, there is an urgent need to reconcile national security concerns and respect for human rights. Admittedly, spiraling violence, growing criminality, a proliferation of small arms, terrorism and increased militancy pose serious security concerns (Namrata Goswami, 2015).³ Focused specially on reconciling security and human rights this paper argues that protection of national security will only be further secured with protection of human rights.

What are human rights

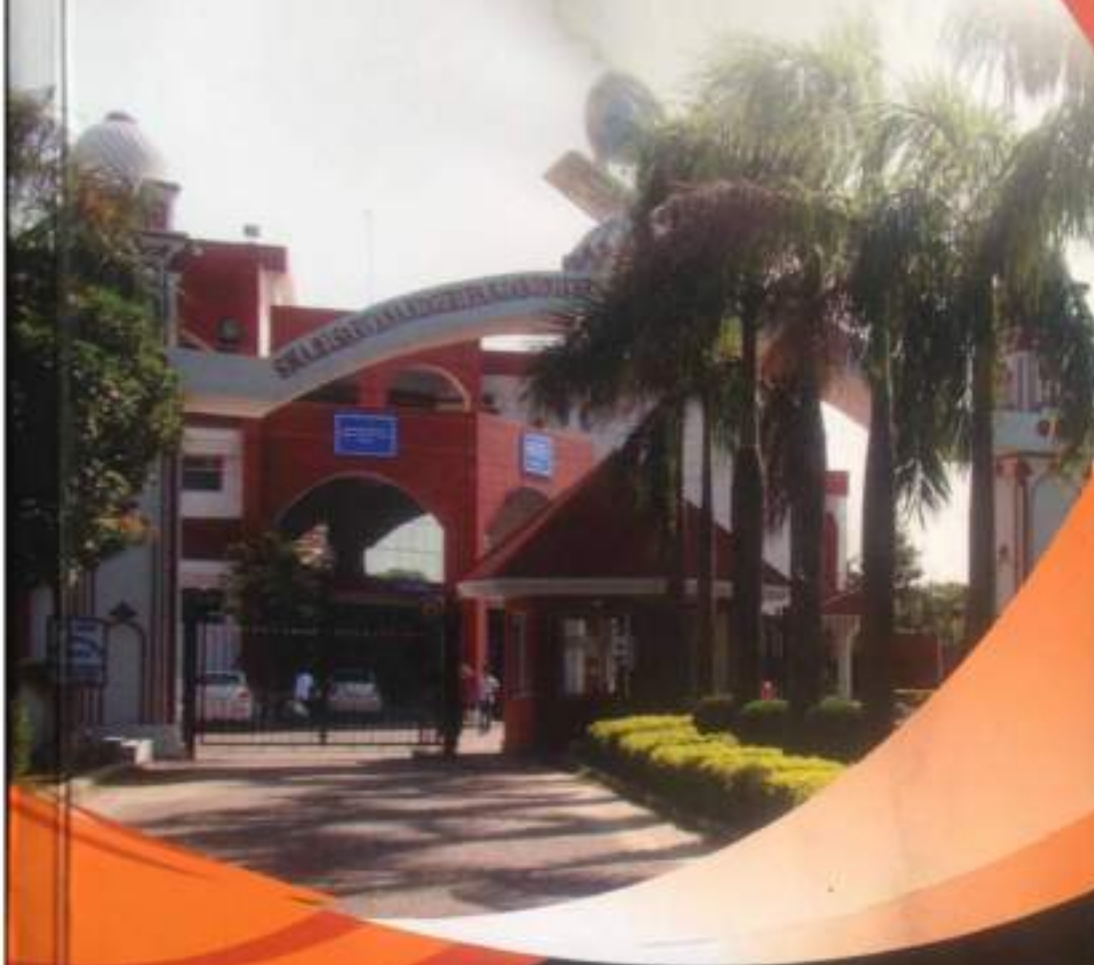
Human beings are rational beings. They possess certain basic and inalienable rights which are commonly known as human rights. Human rights, being the birth right, are therefore inherent in all individuals irrespective of their caste, creed, religion, sex and nationality (H.O. Aggarwal, 2007).⁴ These rights are essential for all individuals as they are consonant with their freedom and dignity and are conducive to physical,

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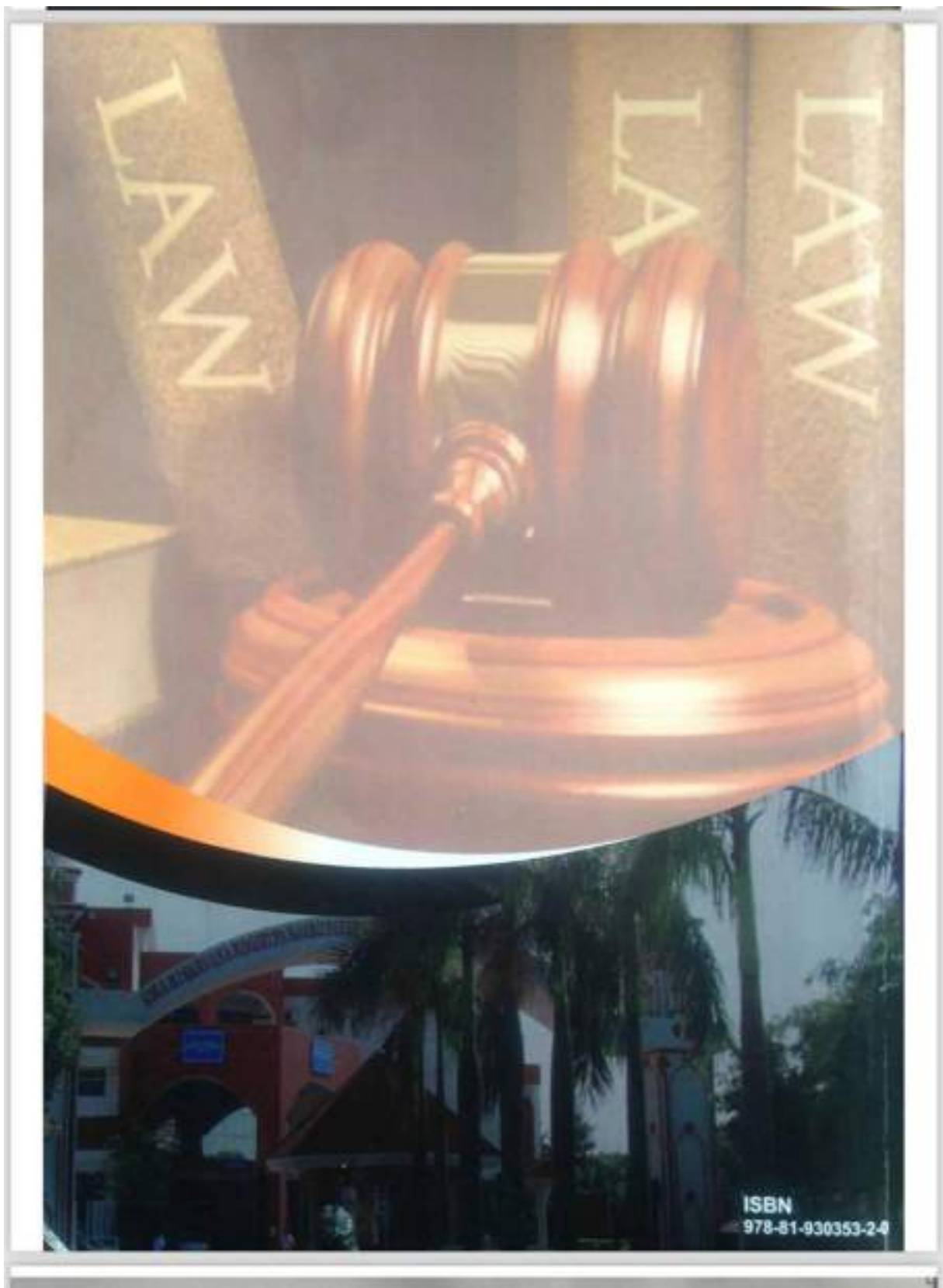
National Seminar



On
CRIMINAL JUSTICE SYSTEM AND THEORIES OF
PUNISHMENT IN INDIA: EMERGING ISSUES AND DIMENSIONS
March 08, 2019



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Rajni Bala¹
Shruti²

White Collar Crime

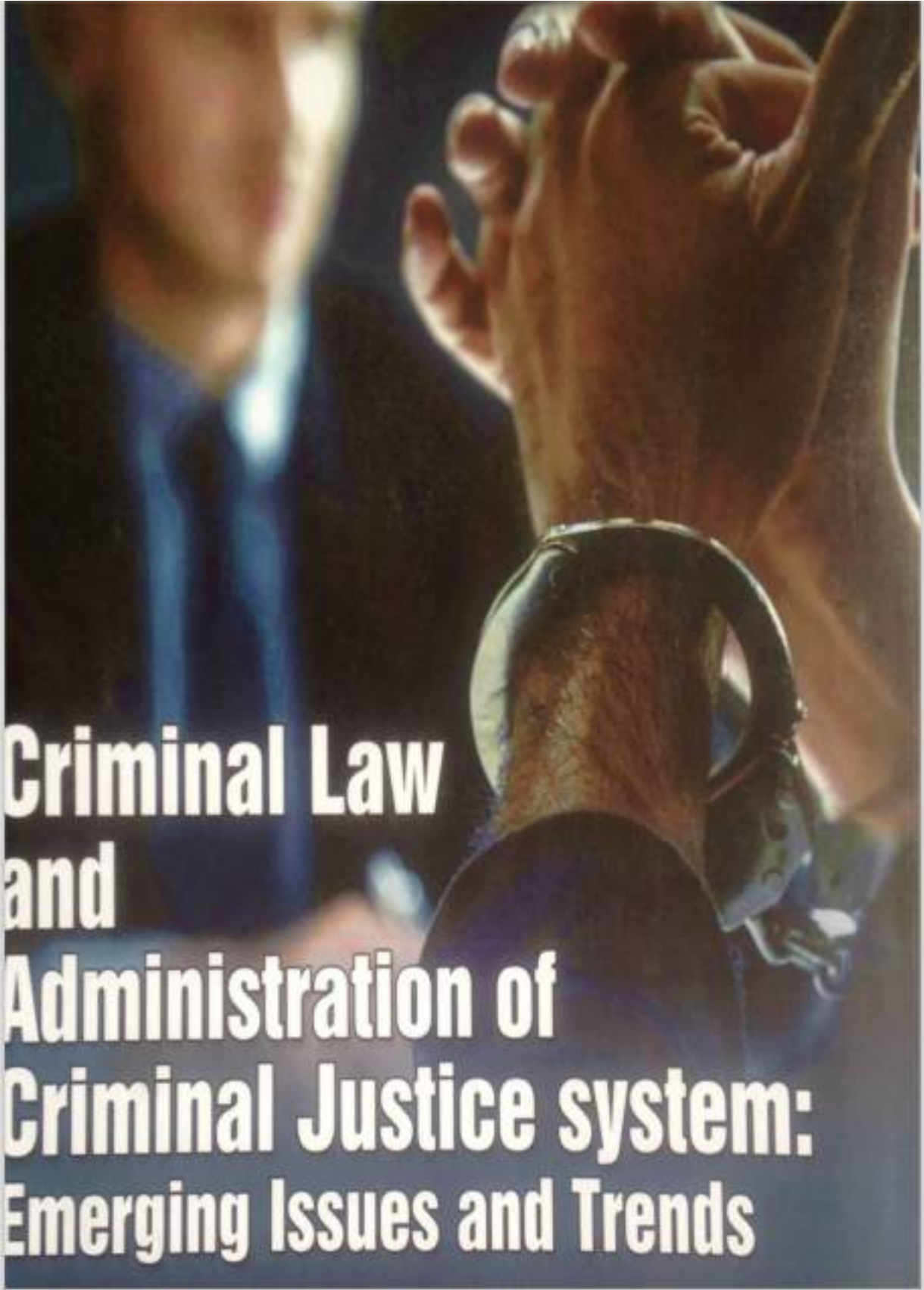
Abstract

It is common knowledge that certain profession offer great deal of opportunities for criminal acts and unethical practices which hardly attract public attentions. They tend to dishonest because of their neglect at school, home, other social institutions, their greediness, profit making mania, or want to reach on top by short cut. These deviants have small regard for honesty and other ethical values. Therefore, they carry on their illegal activities with impunity without fear of loss of prestige or status. The crimes of this nature is called, "White Collar Crimes" White Collar Crimes refer to those anti social activities which are committed by person of respectfully and high social status in the course of their occupation and profession. Unfortunately, in the last few years, there has been a consistent rise in the occurrence of serious frauds and white collar crime globally posing a threat to the economic structure of the country. White collar Crimes also termed as Socio-Economic offences. These offences are those crimes which either affect the health and material welfare of the community as a whole or the country's economy and not committed by low class people. These crimes have become dominant features of a powerful section of modern Indian Society, which either aids and abets criminal activity or engages in it directly.

Keywords:- White Collor Crime, Profession, Criminal, Offences, Dishonest

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A photograph of a person in a dark suit and blue tie, with their hands raised and handcuffed. The person's face is blurred in the background. The image has a dark, moody tone with some light reflecting off the hands and the handcuffs.

Criminal Law and Administration of Criminal Justice system: Emerging Issues and Trends

EDITORS



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CONCEPT OF JUVENILE DELINQUENCY

Ms. Rajni Bala Arshdeep Kour***

Introduction

Prescribing different treatment for juvenile offenders is an outcome of the new penology, which came to be applied with the realization the Courts. Previous system exposed delinquents to corruption due to custody with other criminals. The nation's future citizens deserve compassion and best care. A child is absolutely born innocent but certain social and environmental factors in a negative aspect move away their minds towards criminal tendencies, whose removal might mould them into a person of stature and excellence. We all know that Children are the assets and wealth of any nation. A healthy environment should be provided to all children so that they become civilized citizens who are physically fit, socially active and mentally conscious, equipped with all skills and active participation required by the society. For reducing inequality and ensuring social justice an equal opportunities for development to all children should be given, which consecutively would work as an effective measure to prevent children from becoming delinquent in any society. There is a general attitude towards children to behave obediently, show respect towards others.

Recently, juvenile delinquency has become an important aspect of criminology. Juveniles have got serious forms of delinquent behavior which may hamper the stability and social command of our society. The deviant behavior of the juveniles has created social disorder and destruction of moral values which is creating an alarming position in organized society.

The word "delinquency" has its origin from the Latin word "delinquere" which meaning de i.e. "away and linquere" i.e. "to leave thus, mean by to leave or to abandon". Initially, the word was having primarily meaning and applied to those parents who have abandoned and neglected their children. Now days, it is applicable on all those children who are involved in illegal and harmful activities. Juvenile is considered as a child who has not completed a specific age as mentioned in the law of any country and doesn't bear resemblance as an adult person and who can be made legally answerable for his criminal activities. The juvenile is a child who has alleged violated certain laws which declares his act or omission as an offence. A juvenile and a minor are used in different perspective in legal terms. The term juvenile is generally used in reference to a young criminal offender and minor is related to legal capacity of a person.¹

Definition of Juvenile

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Effect of technology on environment in India

Ajitabh Mishra¹

ABSTRACT

Development is the basic requirement of any country to become the successful nation and move along with other nations side by side on a similar stage, for this the nations were moving towards the latest technologies and evolving the new machines and infrastructure. Along with development in the technology gradually the change in environment also takes place and unfortunately not in a good direction. India is one of the fastest growing economy in the world and it develops in a very tremendous speed from last 20 years but at the cost of the environment depletion like:

- (1) Air pollution
- (2) Water pollution
- (3) Ozone layer depletion
- (4) Global warming etc.

and many other kinds of environmental degradation. But on the other hand the technology also helps in improving the environment.

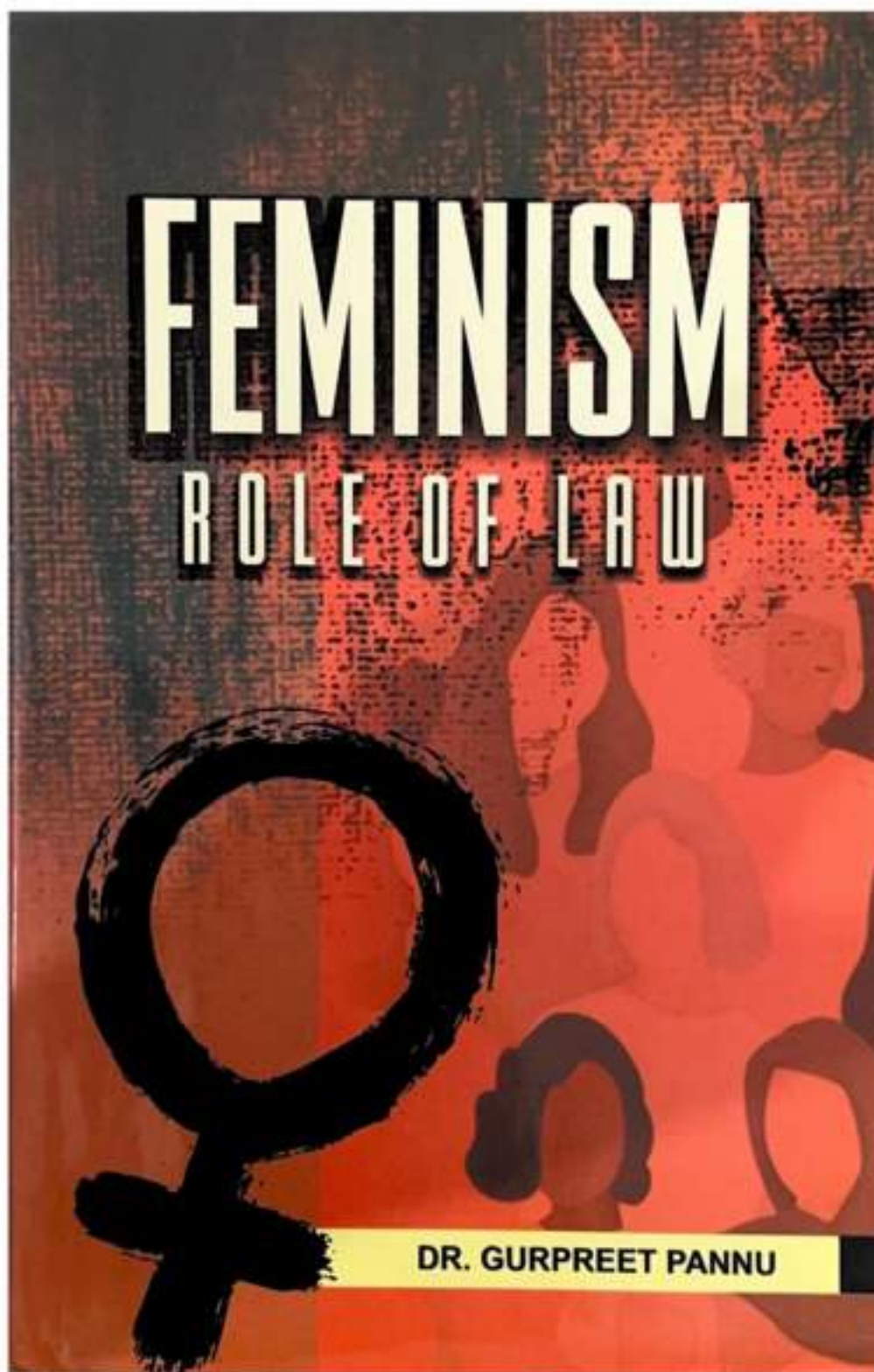
So, the focus of the research paper would be to study the fall and rise of environment due to technological development and the active role played by the courts in the protection of environment also to make the research study useful for public, scholars, legal expert and public authorities by making some suggestions and in order to achieve this objective the doctrinal method will be adopted.

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LIFE OF WOMEN: A BATTLE FOR SURVIVAL AND DIGNITY FROM HER BIRTH TO HER DEATH

*Balwinder Kaur**

"She is a symbol of power, she stands out in hundreds, she possesses all the divine virtues and she is considered to be the most beautiful creations of God; She is a Woman"

I. Introduction

(The history of mankind reveals that the women have been the foundation stone of society in general and family in particular. They have been considered to be spiritual and direct agent of life forces.) In Indian society woman is called as 'Goddess'. Our society talks of equality, dignity and respect of women. This is the country where Goddesses Shakti, Durga and Kali signify strength, power and personality. In our country, where Goddess of wealth is Lakshmi, but we are feminizing poverty, where the Goddess of learning is Saraswati, but literacy rate of women is alarmingly low. (Though our society considers women as Goddess, but in reality consider her as slave and do not treat her as human being with dignity and self-respect. For centuries the Indian women have suffered economic deprecation and social subjugation.) The Indian culture has been built in the concept of male superiority and subordinate status of woman. Due to religious and social customs the women have become socially handicapped, politically backward and economically weak.⁶¹² The Indian philosophy poses the women with dual character. On the one hand, she is considered fertile, patient and benevolent but on the other hand, she is considered aggressor and represents 'Shakti.'

Despite the progress made by women in education and in various fields and change brought in ideas of women's rights, respect for women is on the decline and crimes against women are on the increase. Violence against women is not a women's issue

* Research Scholar, Department of Laws, Panjab University, Chandigarh.

⁶¹² Gurpreet Pannu, *Violence Against Women* 1(2017).

CONSUMER PROTECTION IN INDIA

Challenges and The Way Forward

Editor
Prof. (Dr.) Gurpreet Pannu



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CONSUMER PROTECTION IN INDIA: CHALLENGES AND THE WAY FORWARD

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RIGHTS AND RESPONSIBILITIES OF CONSUMER: AN ANALYSIS

Babwinder Kaur *

Sajandeep Kinra **

"Consumption is the sole end and purpose of all production and the interest of the producer ought to be attended to only, so far as it may be necessary for promoting that of the consumer."

Adam Smith¹

Abstract

Consumer is a person who consumes or uses various goods and services. Goods may include consumable goods (like wheat flour, salt, sugar, fruits, etc.). Services that we buy may include electric power, telephone, transport service, theatre service, etc. A consumer is one who buys goods and services for use. If a retail trader buys goods from wholesalers, he is not a consumer because he buys goods for resale. Nowadays, consumers face various problems on account of misleading advertisements, availability of inferior quality of goods and services, etc. Hence, protection of consumers' interest has become a matter of serious concern for the government as well as public bodies. To safeguard the interest of consumers, the government has recognised certain rights of consumers. There is a well known principle that 'there cannot be rights without responsibilities'. To be able to exercise their right to be heard, consumers should avail of the opportunities to know and keep informed about consumer problems. To exercise their right to seek redressal of complaints, consumers must take all precautions to choose the right goods at the right price and learn how to use the products to prevent injury or loss.

Keywords : consumer, rights, responsibilities, consumerism, judiciary.

I. Introduction

We are living in a modern welfare State. In these days life is very fast. In our daily life, efficiency and promptness is required. This is essential because of the reason that new techniques are being used in the market for the sale of goods and rendering of services. Our life is dependent upon the industrial products. It cannot be denied that most of us prefer gas than firewood or car in place of bullock cart, electric fan than hand fan etc. The style of life has changed making scientific and technological instruments a necessity for the decent living. In the modern scenario, traders have become more clever. They do not like to compete with each other rather they choose to collude with the object of fleecing the consumers. Almost all the consumers find themselves helpless as the corporate sector with its vast resources and control over the media exploits the consumer. Consumer exploitation has become the fashion of the day because producer, supplier, manufacturer and retailer are in a superior position as compared to the consumer. Due to the complex nature of the goods, it is difficult for the poor, illiterate

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1. Adam Smith, *Wealth of Nations* 1780 (Chapter VIII).

**CHILD ABUSE
AND
SEXUAL HARASSMENT :
AWARENESS
AND
PROTECTION MECHANISM**



**Editor :
Dr. Jyoti Angrish**

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PROTECTION OF CHILDREN UNDER INDIAN LEGAL SYSTEM

Balwinder Kaur*

I. Introduction

Child is considered as an important national asset of a nation as the future of any nation depends on how its children mature and develop. In the present times protection of children from all kinds of exploitation and abuses has become the main objective of our society. There have been many instances of child exploitation in the form of sexual molestation, child marriage, underfeeding, verbal abuse, child battering, child prostitution, child pornography and child labour which indirectly highlights our society's own failure to protect future generations.¹ Child protection is regarded as one of the main responsibility of the government as well as the society and considering the challenges and problems faced by the children.²

In India, 23826 number of cases of missing children (deemed as kidnapped) were reported during 2018 and 17718 in 2017. As per National Crime Records Bureau, 32608 incidents were reported under the Protection of Children from Sexual Offences Act, 2012 in the year 2017 and 39827 in the year 2018. There were 2030 incidents reported under the Juvenile Justice (Care and Protection of Children) Act, 2015 in the year 2018.³ The data shows the trend of increase in the number of offences against children. So, this data shows how the child is being exploited in various ways.

II. Need of Protection to Children

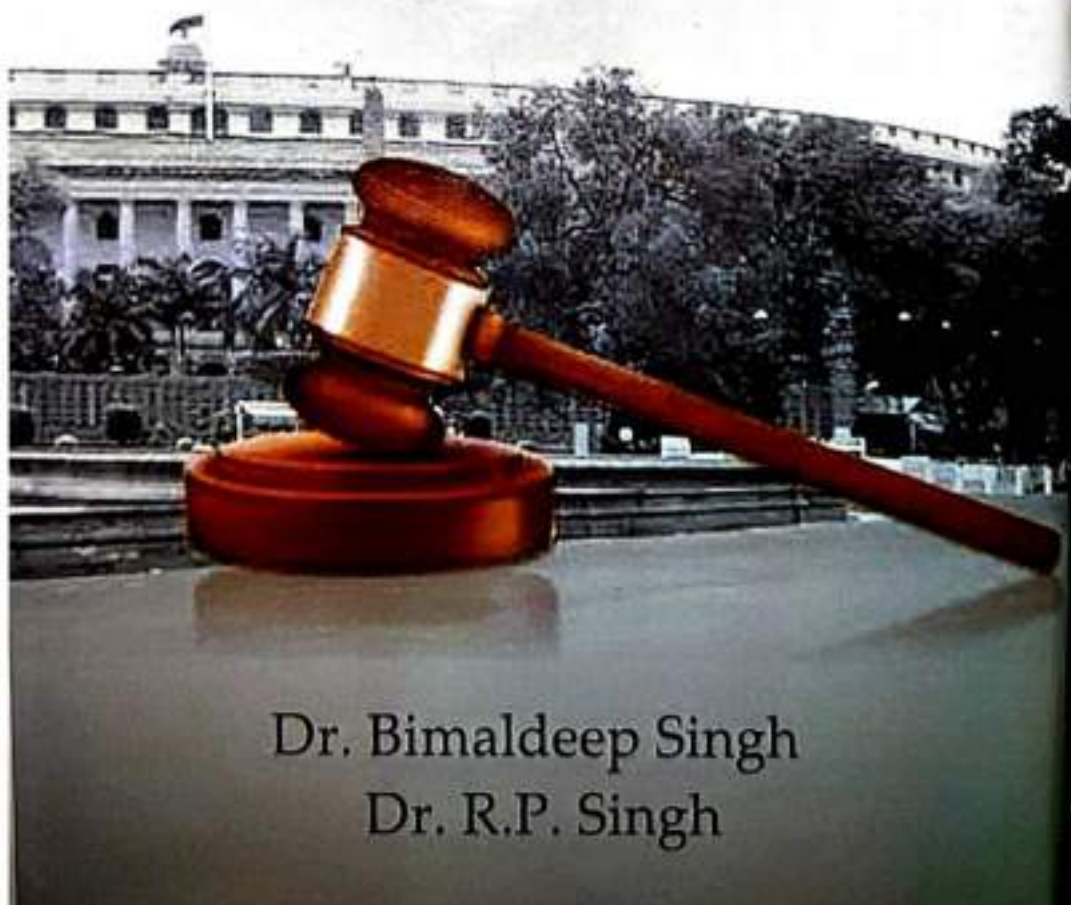
Child protection is the employed strategy for safeguard any abused or neglected child to enable them grow safely with optimum care. Child protection system is a vital phenomenon which focuses on preventing abuse and maltreatment against children.

* Assistant Professor, Rajat College of Law, Raigarh.

1. S.N. Mishra, Indian Penal Code 32 (Central Law Publications, Allahabad, 2013).
2. Available at : <http://www.legalserviceindia.com/legal/article-346-laws-and-policies-for-protection-of-interest-of-children-a-critical-analysis.html> (Visited on January 3, 2020).
3. National Crime Records Bureau, Crime in India, 2018 32 (Ministry of Home Affairs, Government of India, New Delhi, 2019).

Constitutional Stature of Judiciary

The Underlying Cross- Currents
(Volume-1)



Dr. Bimaldeep Singh
Dr. R.P. Singh

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AMBEDKAR'S IDEOLOGY ON EDUCATION: ITS PERTINENCE IN MODERN INDIA

*Balwinder Kaur**
*Sajandeep Kinra***

Abstract

Education deals with philosophy from its teaching to its effect on individuals and community members. While individuals and communities carry their identities, the pedagogy of oppression also had its roots in education in social and educational spheres, where the larger sections of the country were trained by one side or corrupted voices. The Educational Philosophy of Dr. Babasaheb Ambedkar is expressed in his Educational thoughts. An apt way to introduce Dr. Babasaheb Ambedkar's educational thoughts would be to reiterate/recall his welcome speech at Milind Mahavidyalaya, thus pointing to the value of education. This article, on the other hand, describes the intersection between Ambedkar's emancipation and education philosophies, and dalit women's thoughts and perspectives. The field of formal education has been a significant focus of women's political participation, and they have played important roles as political educators and educational activists. The Paper attains to understand the Dr. B R Ambedkar's views on education with the uniform education system in India.

Keywords: education, Ambedkar, philosophy, ideology, liberation.

I. Introduction

Education is an integral part of social change. It helps man outgrow the debilitating forces of ignorance and superstition and encourages him to improve his ability as far as possible. It makes man aware of both his rights and his obligations toward his fellow beings. Education is also the best means possible to bring about an equal society and a very powerful instrument of social change. Dr. B.R. Ambedkar was a great internationally renowned thinker, orator, scholar erudite, and prolific author. The scope of his writings includes education, anthropology, law, economics, sociology, Constitution, political science etc.¹ Among the poor segment of society, Ambedkar brought a new awakening and a sense of social relevance

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¹Pradeep D. Waghmare, "Relevance of Educational Philosophy of Dr. B.R. Ambedkar in 21st Century" 1 *BJRHAS* 11 (2016).

CTIL
ENVIRONMENT CONSERVATION CHALLENGES
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ENVIRONMENT PROTECTION UNDER CONSTITUTION OF INDIA

Mrs. Balwinder Kaur* Ms. InduBala**

I. Introduction

The main cause of environmental degradation is the human activity in one way or the other. Law is a regulator of human conduct. Hence, the law plays an important role in the protection of environment from pollution by regulating the human activities. In any environment conscious State, environmental problems are generally handled at the legislature level. In India, from time to time, various laws for the protection of environment, flora and fauna have been enacted. But the Indian Constitution is perhaps the first Constitution in the world which contains specific provisions for the protection and improvement of the environment. It reflects the human rights approach to environment protection through various constitutional mandates.^{189*} Assistant Professor, Rayat College of Law, Railmajra (Ropar Campus).

In India, the concern for environment protection has not only been raised to the status of fundamental law of the land, but it is also wedded with human rights approach and it is now well established that it is the basic human right of every individual to live in pollution free environment with full human dignity. In view of various constitutional provisions and other statutory provisions contained in various laws relating to environment protection, the Supreme Court has held that the essential feature of sustainable development such as precautionary principle and the polluter pays principle are part of the environment law of the country.¹⁹⁰

* Assistant Professor, Rayat College of Law, Railmajra (Ropar Campus).
** Assistant Professor, Chandigarh Law College, Jhanjeri (Mohali).

189 Dr. Paramjit S. Jaswal, Dr. Nishtha Jaswal and Vibhuti Jaswal, *Environmental Law* 40 (Allahabad Law Agency, Faridabad, 4th edn., 2015).

190 *Ibid.*

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CHILD RIGHTS UNDER INTERNATIONAL LEGAL SYSTEM

*Mrs. Balwinder Kaur**

I. Introduction

In a civilized society, the importance of child welfare cannot be over-emphasized because the welfare of the entire community, its growth and development, depends on the health and well-being of its children. Children are a supremely important national and international asset and the future well-being of the world depends on how the children grow and develop. The great poet Milton put it admirably when he said "child shows the man as morning shows the day."¹

Broadly speaking, human rights may be regarded as those fundamental and inalienable rights which are essential for life as human beings. Human rights are rights which are possessed by every human being, irrespective of his/her nationality, race, religion, sex, etc., simply because he or she is a human being. Human rights are thus those rights which are inherent in our nature and without which we cannot live as human beings. Human rights and fundamental freedom allow us to fully develop and use our human qualities, our intelligence, our talents and our conscious and to satisfy our physical, spiritual and other needs. They are waste on mankind's increasing demand for a life in which the inherent dignity and worth of each human being will receive respect and protection. Human rights are sometimes called fundamental rights or basic rights or natural rights.²

Child protection has existed for a long time, much before the 1989 Convention on the Rights of the Child. States began implementing such protection through international treaties (Declarations, Conventions, etc.), through statements directly about children or through indirect means by protecting families and mothers.³

In the industrialized countries of the early twentieth century, there were no standards of protection for children. It was common for them to work alongside adults in unsanitary and unsafe conditions. Growing recognition of the injustices of their situation, propelled by greater understanding of the developmental needs of children, led to a movement to better protect

* Assistant Professor, Rayat College of Law, Railmaira (Ropar Campus).

¹ Dr. S.C. Tripathi and Vibha Arora, *Women and Children* 434 (Central Law Publications, Allahabad, 5th edn., 2012).

² Dr. S.K. Kapoor, *International Law and Human Rights* 817 (Central Law Agency, 21st edn., 2017).

³ Olivier, "Children's Rights and International Protection", available at: <https://www.humanium.org/en/childrens-rights-and-international-protection/> (Visited on May 5, 2022).

Child and Law

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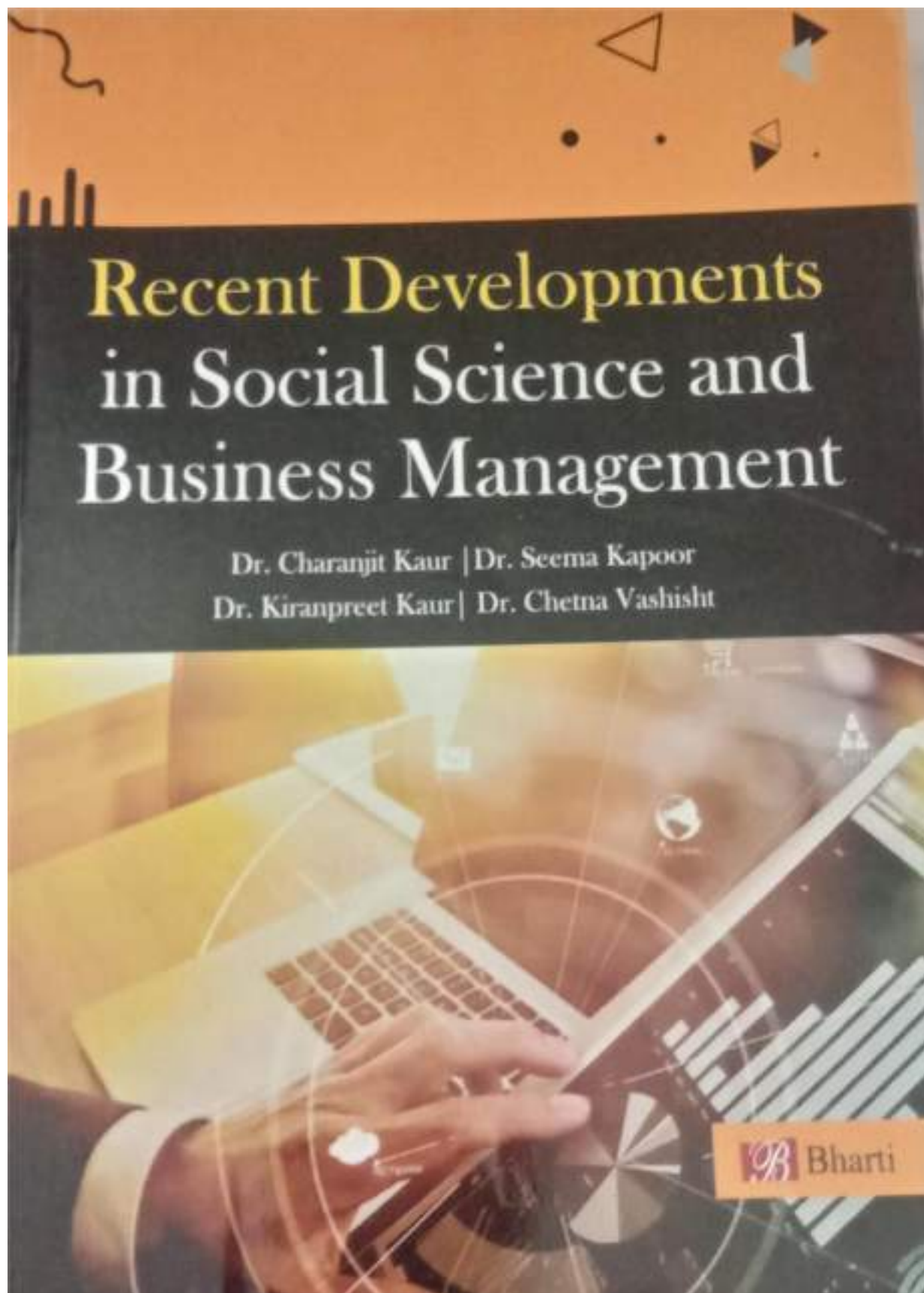
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Environmental Protection and Public Policies

Disha Khullar* & Stuti Puri**

ABSTRACT

Environmental pollution is a global concern; however, in India, it has assumed threatening proportions mainly due to poverty, continuing forest decimation, and the negative impact of economic development. Air pollution, water pollution, garbage domestically prohibited goods, and pollution of the natural environment are all challenges for India. The necessity for security and upkeep of the environment and sustainable use of natural resources is reflected in India's constitutional framework under Part IV and Part IVA and India's international commitments. The Constitution of India ensures the safety of woodlands and wildlife and requires a duty on each citizen 'to protect and improve the natural environment, including lakes, rivers, and wildlife.' Environmental laws affect all of us - individual health, business activity, geographical sustainability, and preserving those for future generations and the economy. This study focuses on various legislations such as the Environment Protection Act of 1986 and the others in recent years to protect the environment. It is found that a Nation is prosperous only when its environment is healthy and clean and so it requires constant renewed policies which are strict in nature.

Keywords: Climate Change, Environmental Protection, Legislations, Public Policies, and Trends.

INTRODUCTION

Mother Earth, lately called Gaia, is no more than the commonality of organisms and the physical environment they maintain with each passing moment, an environment that will destabilize and turn lethal if the organisms are disturbed too much. Hence the biodiversity needs to be protected.¹ Al Gore, an American politician, and environmentalist, righteously said, "Our world faces a true planetary emergency. I know the phrase sounds shrill, and I know it is a challenge to the moral imagination."²

The natural environment incorporates all living and non-living things that naturally befall, suggesting, in this case, not artificial. The term is generally employed to the Earth or some parts of Earth. This environment encompasses the interaction of all living species, climate, weather,

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WHITE COLLAR CRIME (RESEARCH PAPER)

BHARTI¹
RITISHA RAINA²

ABSTRACT

A TALE OF CRIME: AN ANALYSIS OF CRIMINAL SENTENCING OF WHITECOLLAR CRIME

The law of crime has been as old as the civilisation itself. There was no criminal law in uncivilized society. "A tooth for a tooth, an eye for an eye, a life for a life" was the forerunner of criminal justice. As the society developed crime also increased. Now with the advancement of science and technology newer form of criminality has arisen known as white collar crimes. White collar crime typically refer to crimes committed by business people, entrepreneurs, public officials and professionals through deception or fraud as opposed to traditional blue collar crimes which tend to involve violence. White-collar crime is one of the least understood and arguably most consequential of all crime types. The notion of white collar crime was introduced in the field of criminology by Prof. Edwin H. Sutherland in 1939. The main categories of white collar crimes are corruption and bribery, food and drug adulteration, tax evasion, black marketing, profiteering, hoarding, money laundering, human trafficking, cyber-crimes etc. It highlights and assesses recent (primarily during the past decade) contributions to white-collar crime theory (with special emphasis on critical, choice, and organizational theories of offending), new evidence regarding the sentencing and punishment of white-collar offenders, and controversies surrounding crime prevention and control policies. Several promising new directions for white-collar crime research are identified, as are methodological and data deficiencies that limit progressivity and economic growth.

A INTRODUCTION:

THE CONCEPT OF CRIME AND WHITE COLLAR CRIME:

The law of crimes has been as old as the civilization itself. Wherever people organized themselves into groups or associations the need for some sort of rules to regulate the behaviour of the members of that group inter-se has been felt. Where there were rules of the society, its infraction was inevitable and there lies the necessity of devising some ways and means to curb such tendencies in the society that lead to violation of its rules. In every organized society certain acts are forbidden on the pain of punishment. Where one person injures another and injury could adequately be compensated by money value, the wrongdoer was required to pay damages or compensation to the wronged individual. But in certain cases in addition to the liability to pay compensation the State imposes certain penalties upon the wrongdoer with the object of preserving peace in the society and promoting good behavior towards each other and towards the community at large. However, the problem arises as to what acts should be forbidden or what acts should be selected for punishment by the society or the State. In other words, what acts

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